

**Notice of Meeting**

**PLANNING COMMITTEE**

**Monday, 22 March 2021 - 6:00 pm**  
**Meeting to be held virtually**

**Members:** Cllr Muhammad Saleem (Chair), Cllr John Dulwich (Deputy Chair), Cllr Sanchia Alasia, Cllr Faruk Choudhury, Cllr Irma Freeborn, Cllr Cameron Geddes, Cllr Mohammed Khan, Cllr Olawale Martins, Cllr Foyzur Rahman and Cllr Dominic Twomey

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Chris Naylor  
Chief Executive

Contact Officer: John Dawe  
Tel. 020 8227 2135  
E-mail: [john.dawe@lbbd.gov.uk](mailto:john.dawe@lbbd.gov.uk)

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Please note that this meeting will be webcast, which is a transmission of audio and video over the internet. To view the webcast click [here](#) and select the relevant meeting (the weblink will be available at least 24-hours before the meeting).

**AGENDA**

**1. Apologies for Absence**

**2. Declaration of Members' Interests**

In accordance with the Council's Constitution, Members are asked to declare any interest they may have in any matter which is to be considered at this meeting.

**3. Minutes - To confirm as correct the minutes of the meeting held on 16 February 2021 (Pages 7 - 10)**

**4. Minutes of the Planning Performance & Review Sub-Committee held on 16 February 2021 (Pages 11 - 12)**

**5. Minutes of the Planning Visiting Sub-Committee held on 12 March 2021 (Pages 13 - 14)**

**New Planning Applications**

**Ward**

**6. City of London Markets- Former Barking Power Station Site, Chequers Lane, Dagenham- 20/01907/OUTALL (Pages 15 - 145)**

River

- |     |   |           |
|-----|---|-----------|
| 7.  | <b>City of London Markets -Former Barking Power Station Site, Chequers Lane, Dagenham- 20/01094/FULL (Pages 147 - 185)</b>  | River     |
| 8.  | <b>Barking Riverside Ltd - PLOT209-20/02552/ REM (Pages 187 - 221)</b>  | Thames    |
| 9.  | <b>Barking Riverside Ltd - Cladding - 20/02517/FULL (Pages 223 - 249)</b>   | Thames    |
| 10. | <b>Fels Farm, Dagenham Road, Rush Green - 20/02167/FULL (Pages 251 - 299)</b>   | Eastbrook |
| 11. | <b>The Sienna Building, Victoria Road, Barking - 20/02534/PRIFLAT (Pages 301 - 321)</b>   | Abbey     |
| 12. | <b>Any other public items which the Chair decides are urgent</b>  |           |
| 13. | <b>To consider whether it would be appropriate to pass a resolution to exclude the public and press from the remainder of the meeting due to the nature of the business to be transacted.</b> |           |

#### **Private Business**

The public and press have a legal right to attend Council meetings such as the Planning Committee, except where business is confidential or certain other sensitive information is to be discussed. The list below shows why items are in the private part of the agenda, with reference to the relevant legislation (the relevant paragraph of Part 1 of Schedule 12A of the Local Government Act 1972 as amended). ***There are no such items at the time of preparing this agenda.***

14. **Any confidential or exempt items which the Chair decides are urgent**



## Our Vision for Barking and Dagenham

# **ONE BOROUGH; ONE COMMUNITY; NO-ONE LEFT BEHIND**

## Our Priorities

### **Participation and Engagement**

- To collaboratively build the foundations, platforms and networks that enable greater participation by:
  - Building capacity in and with the social sector to improve cross-sector collaboration
  - Developing opportunities to meaningfully participate across the Borough to improve individual agency and social networks
  - Facilitating democratic participation to create a more engaged, trusted and responsive democracy
- To design relational practices into the Council's activity and to focus that activity on the root causes of poverty and deprivation by:
  - Embedding our participatory principles across the Council's activity
  - Focusing our participatory activity on some of the root causes of poverty

### **Prevention, Independence and Resilience**

- Working together with partners to deliver improved outcomes for children, families and adults
- Providing safe, innovative, strength-based and sustainable practice in all preventative and statutory services
- Every child gets the best start in life
- All children can attend and achieve in inclusive, good quality local schools
- More young people are supported to achieve success in adulthood through higher, further education and access to employment
- More children and young people in care find permanent, safe and stable homes
- All care leavers can access a good, enhanced local offer that meets their health, education, housing and employment needs
- Young people and vulnerable adults are safeguarded in the context of their families, peers, schools and communities

- Our children, young people, and their communities' benefit from a whole systems approach to tackling the impact of knife crime
- Zero tolerance to domestic abuse drives local action that tackles underlying causes, challenges perpetrators and empowers survivors
- All residents with a disability can access from birth, transition to, and in adulthood support that is seamless, personalised and enables them to thrive and contribute to their communities. Families with children who have Special Educational Needs or Disabilities (SEND) can access a good local offer in their communities that enables them independence and to live their lives to the full
- Children, young people and adults can better access social, emotional and mental wellbeing support - including loneliness reduction - in their communities
- All vulnerable adults are supported to access good quality, sustainable care that enables safety, independence, choice and control
- All vulnerable older people can access timely, purposeful integrated care in their communities that helps keep them safe and independent for longer, and in their own homes
- Effective use of public health interventions to reduce health inequalities

## **Inclusive Growth**

- Homes: For local people and other working Londoners
- Jobs: A thriving and inclusive local economy
- Places: Aspirational and resilient places
- Environment: Becoming the green capital of the capital

## **Well Run Organisation**

- Delivers value for money for the taxpayer
- Employs capable and values-driven staff, demonstrating excellent people management
- Enables democratic participation, works relationally and is transparent
- Puts the customer at the heart of what it does
- Is equipped and has the capability to deliver its vision

<b>Use Classes Order 1987 (as amended)</b>		
<b>Use Class</b>	<b>Use/Description of Development</b>	<b>Permitted Change</b>
<b>A1 Shops</b>	Shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices (but not sorting offices), pet shops, sandwich bars, showrooms, domestic hire shops, dry cleaners, funeral directors and internet cafes.	State funded school for single academic year – <a href="#">see footnote 2</a> . Some temporary uses – <a href="#">see footnote 4</a> . A1 plus two flats above C3 residential use - <a href="#">see footnote 5</a> Bank, building society, credit union or friendly society (A2) but not for other purposes falling within A2 – <a href="#">see footnote 6</a> A2 A3 (up to 150 m2) <a href="#">see footnote 9</a> D2 (up to 200 m2) <a href="#">see footnote 10</a>
<b>A2 Financial and professional services</b>	Financial services such as banks and building societies, professional services (other than health and medical services) including estate and employment agencies.	A1 (where this is a ground floor display window) plus two flats above A2 plus two flats above State funded school for single academic year – <a href="#">see footnote 2</a> . Some temporary uses – <a href="#">see footnote 4</a> . C3 residential use - <a href="#">see footnote 5</a> A3 (up to 150 m2) – <a href="#">see footnote 9</a> . D2 (up to 200 m2) <a href="#">see footnote 10</a>
<b>A3 Restaurants and cafés</b>	For the sale of food and drink for consumption on the premises - restaurants, snack bars and cafes.	A1 or A2 State funded school for single academic year – <a href="#">see footnote 2</a> . Some temporary uses – <a href="#">see footnote 4</a> .
<b>A4 Drinking establishments</b>	Public houses, wine bars or other drinking establishments (but not night clubs).	A1, A2 or A3 unless listed as an Asset of Community Value State funded school for single academic year – <a href="#">see footnote 2</a> . Some temporary uses – <a href="#">see footnote 4</a> .
<b>A5 Hot food takeaways</b>	For the sale of hot food for consumption off the premises.	A1, A2 or A3 State funded school for single academic year – <a href="#">see footnote 2</a> . Some temporary uses – <a href="#">see footnote 4</a> .
<b>B1 Business</b>	a) Offices, other than a use within Class A2 (Financial Services) b) Research and development of products or processes c) Light industry appropriate in a residential area	B8 (where no more than 500 sqm) B1a - C3 subject to prior approval - <a href="#">see footnote 1</a> . State funded school for single academic year – <a href="#">see footnote 2</a> . State funded school or registered nursery subject to prior approval - <a href="#">see footnote 3</a> Some temporary uses – <a href="#">see footnote 4</a> .
<b>B2 General industrial</b>	General industry: use for the carrying out of an industrial process other than one falling in class B1. (excluding incineration purposes, chemical treatment or landfill or hazardous waste).	B1 or B8 (B8 limited to 500 sqm) State funded school for single academic year – <a href="#">see footnote 2</a> .
<b>B8 Storage and distribution</b>	Storage or distribution centre. This class includes open air storage.	B1 (where no more than 500 sqm) State funded school for single academic year – <a href="#">see footnote 2</a> . C3 (where no more than 500 sqm) <a href="#">see footnote 7</a> .
<b>C1 Hotels</b>	Hotel, boarding house or guesthouse, where no significant element of care is provided. (Excludes hostels).	State funded school for single academic year – <a href="#">see footnote 2</a> . State funded school or registered nursery subject to prior approval - <a href="#">see footnote 3</a>
<b>C2 Residential institutions</b>	Hospital, nursing home or residential school, college or training centre where they provide residential accommodation or care to people in need of care (other than those within C3 dwelling houses).	State funded school for single academic year – <a href="#">see footnote 2</a> . State funded school or registered nursery subject to prior approval - <a href="#">see footnote 3</a>
<b>C2A Secure residential institution</b>	Secure residential accommodation, including use as a prison, young offenders institution, detention centre, secure training centre, custody centre, short term holding centre, secure hospital, secure local authority accommodation or use as a military barracks.	State funded school for single academic year – <a href="#">see footnote 2</a> . State funded school or registered nursery subject to prior approval - <a href="#">see footnote 3</a>
<b>C3 Dwelling houses</b>	Use as a dwelling house by a single person or by people living together as a family or by not more than 6 residents living together as a single household	Article 4 direction removes permitted development right to convert to C4 House in Multiple Occupation. State funded school for single academic year – <a href="#">see footnote 2</a>

<b>C4 Houses in multiple occupation</b>	Small shared houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.	C3 (dwelling houses) State funded school for single academic year – <u>see footnote 2</u>
<b>D1 Non-Residential Institutions</b>	Clinics & health centres, crèches, day nurseries & day centres, museums, public libraries, art galleries & exhibition halls, law court, non-residential education & training centres. Places of worship, religious instruction & church halls.	Some temporary uses – <u>see footnote 4</u> . State funded school for single academic year – <u>see footnote 2</u> .
<b>D2 Assembly &amp; Leisure</b>	Cinema, concert hall, bingo hall, dance hall, swimming bath, skating rink, gymnasium, or area for indoor or outdoor sports or recreations, not involving motor vehicles or firearms.	State funded school for single academic year – <u>see footnote 2</u> . State funded school or registered nursery subject to prior approval - <u>see footnote 3</u> Some temporary uses – <u>see footnote 4</u> .
<b>Sui – Generis</b>	A use on its own, for which any change of use will require planning permission. Includes, theatres, nightclubs, retail warehouse clubs, amusement arcades, launderettes, petrol filling stations, casinos, taxi businesses, waste management facilities, motor car showrooms, betting offices and pay day loan.	Casino to Class D2 Amusement arcades/centres and casinos to C3 (up to 150 m2) <u>See footnote 8</u> Betting offices and pay day loan to A1 and A2 plus two flats above Betting offices and pay day loan plus two flats above Betting offices, pay day loan and casinos to A3 (up to 150 m2) <u>See footnote 9</u> . Betting offices and pay day loan to D2 (up to 200m2) – <u>see footnote 10</u> . Betting offices and payday loan to C3 residential use - <u>see footnote 5</u>

<b>Footnotes</b>	
<b>1</b>	B1a (Offices) can change use to C3 (Dwelling houses) provided development commenced before 30/06/16. Need to apply to Council for prior approval to confirm no significant transport and highway impacts, contamination risks and flood risks.
<b>2</b>	State funded schools can open without planning permission for a single academic year without planning permission from any existing use within the Use Classes Order. School must be approved by Secretary of State and school must notify Council before they open. School must revert to its previous use at end of year. Does not apply to listed buildings.
<b>3</b>	B1 (business), C1 (hotel), C2 (residential institution), C2A (secured residential institution) and D2 (assembly and leisure) can convert to a state funded school or registered nursery providing early years childcare without planning permission. Need to apply to Council for prior approval to confirm no significant transport and highways impact, noise impacts and contamination risks. D2 uses that have changed use from A1 or A2 using permitted development right (see footnote 10) cannot then change use to state funded school or registered nursery under this permitted development right
<b>4</b>	A1 (shops), A2 (financial and professional services), A3 (restaurants and cafes), A4 (pubs), A5 (takeaways), B1a (offices), B1b (light industry), B1c ( R&D), D1 (non-residential institutions) and D2 (assembly and leisure) can change to A1, A2, A3, B1a,b & c without planning permission. Change of use must be less than or equal to 150 square metres. Applies for single continuous period of two years. Can change to other permitted use within two year period. Must revert to original use at end of two year period and notify Council before use begins.
<b>5</b>	A1 (shops) and A2 (financial and professional services) can change to C3 (residential). Building operations and partial demolition works that are “reasonable necessary” are also permitted. Prior approval required for transport and highways impact, contamination, flooding, the design and external appearance of the building and undesirable impacts on shopping facilities. This right only applies to buildings of 150 square metres or less and does not apply in Conservation Area or to listed buildings.
<b>6</b>	Does apply in Conservation Areas but not to listed buildings.
<b>7</b>	B8 (storage of distribution) to C3 (residential). Prior approval required for transport and highways impact, air quality impacts on intended occupiers, noise impacts of the developments, risks of contamination, flooding and the impact the changer of use would have on existing industrial uses and or storage or distribution uses. Right only applies to buildings in B8 use on or before 19 March 2015 and development must be begun before 15 April 2018. Building must have been in B8 use for four years.
<b>8</b>	Prior approval required for transport and highways impact, flooding, contamination and where building works are to be carried out under the permitted development right, design.
<b>9</b>	A1 (shops), A2 (financial and professional services) and betting offices and pay day loans to A3 (restaurants and cafes). Prior approval required for noise, smell/odours, transport and highways, hours of opening as well as siting and design in relation to extraction, ventilation, waste management, storage and undesirable impacts on shopping facilities.
<b>10</b>	A1 (shops) and A2 (financial and professional services) can change to D2. Applies to premises in A1 or A2 use on 5 December 2013. Prior approval required for transport and highways impact, hours of opening, noise impacts of the development and undesirable impacts on shopping facilities. Does not apply to listed buildings.

## **Planning Application Procedure**

1. The Chair introduces the Planning Officer who will present the item.
2. The Planning Officer presents the report to the Committee and advises on any relevant additional information received after the completion of the report. The Planning Officer will also refer to the recommendation (it is assumed that Members will have read the report).
3. Registered objectors may speak for up to three minutes.
4. Councillors who are not members of the Planning Committee may address the Committee with the Chair's permission. They are not permitted to take part in the discussions or question objectors, supporters, applicants or applicants' representatives.
5. Registered supporters, applicants or applicants' representatives for the application may speak for up to three minutes.
6. Committee Members may, through the Chair, seek clarification from Council officers or any other speakers on any relevant planning issue that may have arisen.
7. The Committee shall debate the item. Where the application is considered to be straightforward and there are no speakers present, the Committee may make a decision based on the report and without any debate.
8. The Committee will vote on the matter (including any proposed supplementary conditions or recommendations). In the event that the Committee's decision is to refuse or allow an application contrary to the report's recommendation, Committee Members must give valid reasons for the decision based on relevant planning policies.
9. The Chair shall announce the Committee's final decision.

## Notes

- The opportunity to ask questions may not be used to make general or specific comments or observations. General comments can be raised at the discussion point of the proceedings.
- Committee Members must be present during the entire debate on an application in order to be allowed to participate in the deliberations and vote on the matter. Any Committee Member who is not present at the beginning of the consideration of an application, or who leaves the room at any stage during the consideration of the application, shall be excluded from participating and voting on the application.
- If a Committee Member needs to leave during consideration of an application and wishes to take part in the deliberations and vote, they should seek the permission of the Chair for a short adjournment.
- Members should avoid expressing a view about an application until after the applicant has spoken to avoid the impression of bias.
- If there is a substantial point which needs to be clarified before a vote can take place, the Committee may agree to defer the application.
- The Chair may ask members of the public and press to leave the room to enable the Committee to consider information which is confidential or exempt (in accordance with Schedule 12A of the Local Government Act 1972).

**MINUTES OF  
PLANNING COMMITTEE**

Tuesday, 16 February 2021  
(6:00 - 7:06 pm)

**Present:** Cllr Muhammad Saleem (Chair), Cllr John Dulwich (Deputy Chair), Cllr Sanchia Alasia, Cllr Faruk Choudhury, Cllr Irma Freeborn, Cllr Cameron Geddes, Cllr Mohammed Khan, Cllr Olawale Martins, Cllr Foyzur Rahman and Cllr Dominic Twomey

**Also Present:** Cllr Princess Bright and Cllr Tony Ramsay

**35. Declaration of Members' Interests**

There were no declarations of interest.

**36. Minutes (21 December 2020)**

The minutes of the meeting held on 21 December 2020 were confirmed as correct.

**37. Fels Farm**

The Development Management Officer (DMO), Be First Development Management Team, introduced a report on an application for the demolition of existing buildings and the erection of a new residential scheme comprising seven new dwellings made up of three x 4 bedroom and four x 3 bedroom, and utilisation of existing vehicular access at Fels Farm, Dagenham Road, Rush Green, Romford.

In addition to internal and external consultations, a total of 2,438 notification letters were sent to neighbouring properties together with the requisite statutory site and press notices. In total 13 objections were received including from the three Eastbrook ward councillors, the material planning considerations concerning which were set out in the planning assessment detailed in the report.

Two representations were made at the meeting by the ward councillors, who objected to the application for the following reasons:

- The proposed development would be an eye sore and would adversely affect the visual amenity of the surrounding Country Park.
- It would create increased traffic movements at a road junction/roundabout, near a blind bend, known for accidents.
- The belief that the existing outbuilding was a symbol of the Borough's agricultural heritage and consequently should be retained.
- Approval to this application in the Green Belt would set a dangerous precedent for future developments in the area.

Responding to the objections the planning agent representing the applicant briefly went through the history of the site including that there was an existing certificate of lawfulness for a storage and skip depot with a height limitation imposed of seven skips. The site was occupied by two permanent structures, with several smaller storage units and a large part of the site covered by a yard. Consequently, it would be highly unlikely for the area to be returned to the Green Belt, and it was the view of the planning agent that the proposed residential development was a far better use of the site in all aspects. There had been no objections from Highways on traffic and safety grounds, whilst given the site's present use and status, the proposed development would not create a precedent within a Green Belt setting.

A number of observations were made on the application both for and against, and questions were raised by the Committee, firstly why was it that the temporarily skip stacking had been considered to form a permanent structure on the site? Secondly it was noted that a previous submission had proposed nine residential dwellings and an office space. On that basis seeing the generous external spacing included in the current application, would it not have been possible with better planning to have achieved 10 units on the site; that being the threshold for providing an element of affordable housing?

The planning agent stated that the stacking of the skips was considered to have an impact on the openness of the Green Belt and was visually unattractive and was therefore regarded as a relevant consideration for the purposes of the application. He acknowledged that whilst the earlier application included more units, it had been subject to a number of objections based on over development, and this had resulted in the submission of the current application to create more openness in a Green Belt location.

Given the concerns expressed, and at the suggestion of the Deputy Chair, it was agreed to defer a decision pending a site visit by the constituted Planning Visiting Sub-Committee which would be convened, subject to any Covid restrictions. The purpose of the visit being to review the impact of the proposed development on the openness of the setting in the Green Belt, so as to enable the Committee to make an informed decision.

### **38. Unit A, Creek Road, Barking**

The Development Management Officer (DMO), Be First Development Management Team introduced a report on an application for the construction of a four-storey building (including part ground mezzanine) to provide up to 11,363 sqm (GIA) of new flexible industrial floorspace (Class E (industrial and research development processes), Class B2 and B8 use); car parking; landscaping; plant and associated works at Unit A, Creek Road, Barking, the site formerly occupied by Reemploy.

Following the publication of the agenda an addendum report was published and presented and which outlined at the request of the applicant (Be First), the rewording of the Heads of Terms as part of the associated Section 106



Agreement, with regards to making the Employment and Skills obligation more deliverable.

In addition to internal and external consultations, a total of 448 were sent to neighbouring properties together with the requisite statutory site and press notices. No objections were received.

The DMO explained that the stacked intensification model being proposed on this site would be a flagship typology of industrial space in the Borough as well as the UK. The high-quality flexible industrial floorspace would contribute to the Borough's industrial and employment floorspace and was therefore acceptable in principle. The proposal would also provide approximately 243 jobs for highly skilled workers to meet an identified need in the Borough.

The scale, siting and design of the stacked industrial development was considered appropriate to the site's context and would result in a high-quality finish, whilst respecting the amenity of neighbouring occupiers.

The proposed biodiversity and landscaping strategy would positively contribute to the appearance and wider placemaking improvements to the immediate area and enhance the arboricultural, biodiversity and environmental value of the site. The development adopted a sustainable approach to transport whilst ensuring an acceptable impact on local highways and infrastructure.

The proposal was also considered acceptable in terms of sustainability and air quality, with a financial contribution secured to mitigate any shortfall in carbon reduction, and therefore,

The Committee **resolved** to:

1. Agree the reasons for approval as set out in the report,
2. Delegate authority to the 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 Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 (as amended) based on the Heads of Terms identified at Appendix 6 of the report as amended in the addendum report, and the Conditions listed in Appendix 5 of the report, and
3. That, if by 16th August 2021 the Unilateral Undertaking was not completed, the Director of Inclusive Growth (or other authorised Officer), in consultation with the Director of Law and Governance, be delegated the authority to refuse planning permission, extend the timeframe to grant approval or refer the application back to the Planning Committee for determination.

**39. Application for Prior Approval - 36 Curzon Crescent, Barking**

An application was presented for prior approval for the construction of a single storey rear extension and installation of four roof lights at 36 Curzon Crescent, Barking.

Having assessed the proposed development,

The Committee **resolved**:

1. That prior approval was not required, and
2. Delegated authority to the Director of Inclusive Growth (or other authorised Officer) to issue the decision, subject to the Conditions and Informatives listed in Appendix 1 of the report.

**40. BRL S96 Deed of Variation update**

The Deputy Chief Planner, Be First Development Management Team updated the Committee regarding the Deed of Variation to a Section 106 Agreement relating to the Barking Riverside Development, and specifically the decision to no longer pursue changes to the East West Transit route.

The Committee **noted** the report.

## PLANNING PERFORMANCE REVIEW SUB-COMMITTEE

Tuesday, 16 February 2021  
(7:15 - 8:28 pm)

**Present:** Cllr Muhammad Saleem (Chair), Cllr John Dulwich (Deputy Chair), Cllr Sanchia Alasia and Cllr Faruk Choudhury

### 1. Declarations of Interest

None received.

### 2. Review of Planning Decisions

The Chair outlined the purpose of the meeting which was to consider and report back to the Planning Committee on an annual basis of a random sample selected by himself and the Deputy Chair of twenty delegated planning decisions, taken from the total number of those decisions between 1 July 2020 and 31 January 2021 as detailed in Appendix 3 to the covering report.

In doing so the Sub-Committee examined and evaluated a number of them to assess whether the relevant planning policies and criteria had been applied correctly in each case, as well as reviewing planning appeal performance and scrutinising those decisions which had been overturned as detailed in Appendix 2. The sample date period had been chosen so as to establish an accurate benchmark of performance having regard to the new Planning team, new software as well as new ways of working.

The Deputy Chief Planning Officer presented the report providing an overview of all decisions taken within the period which showed that when considered against latest MHCLG quarterly performance figures produced for all 342 local authorities in England, LBBDD were placed joint 1<sup>st</sup> both nationally and in London and 54<sup>th</sup> nationally and 3<sup>rd</sup> in London respectively for taking major and non-major development decisions 'within time'. Although there are no national benchmarking indicators for certificates of lawful development and prior notifications, the performance levels of determination 'within time' for both were 99.7% and 100% respectively. The overall position indicated that the Borough's performance was now on a significant upturn.

The report included a breakdown within the date period of approvals/refusals across various application types, and in that respect commentary around household applications, and reasons as to why approvals (59%) were significantly lower than neighbouring authorities.

Appendix 1 contained a bundle of the twenty delegated planning decisions which included an overview title page, key drawings, the officer delegated report and decision notice. Members accordingly selected a sample number of these decisions which the Deputy Chief Planner then summarised the background and decision taken on each, and to which the Sub-Committee were satisfied that the relevant planning policies and criteria had been applied correctly in each case.

A full report detailing the Sub Committee findings from the evaluation will be presented to the Planning Committee for noting in April 2021.



## PLANNING VISITING SUB-COMMITTEE

Friday, 12 March 2021  
(11:30 am - 12:15 pm)

**Present:** Cllr Muhammad Saleem (Chair), Cllr John Dulwich (Deputy Chair) and Cllr Dominic Twomey

**Also Present:** Cllr Princess Bright

### 1. FELS FARM, DAGENHAM ROAD - 20/02167/FULL

Following a deferral at the Planning Committee on 16 February 2021, an appointed Visiting Sub-Committee met at Fels Farm, 360 Dagenham Road, Rush Green to review the impact of a planning application for a residential development on the openness of the setting in the surrounding Green Belt, so as enable the Committee to make an informed decision at its meeting on 22 March 2021. Given the current lockdown, attendance was restricted to three Members and one ward councillor.

The Sub Committee met with the applicant and their agent. It was noted that the site was currently being used as a temporarily storage area for used vehicles prior to sale elsewhere. The Deputy Chief Planner referencing the site plan outlined the application which involves the demolition of a number of existing buildings including the barn fronting Dagenham Road, and the construction of seven new dwellings comprising three x 4-bedroom detached and four x 3-bedroom semi-detached properties, each with off-road parking and generous amenity space.

Members took the opportunity to view the site from Dagenham Road and then walked its entire boundary from the road and into the adjacent Country Park, noting that given the surrounding trees, the site's setting and the heights of the proposed properties, they would not be easily seen from the Country Park.

Having viewed the site and raised a number of questions with the applicant/agent and officers, the Sub-Committee concluded the visit, and reconvened at a Teams meeting on Wednesday 17 March, to which all the appointed Members of the Sub-Committee and the three ward councillors were invited to attend.

*\* Councillor Sanchia Alasia attended on 17 March for the deliberations.*

The Chair outlined the findings from the visit. It was the view of the Sub-Committee that the proposed development would have a negligible bearing on the openness and amenity of the surrounding Green Belt and represented a significant improvement on the current permitted use.

It was acknowledged however that the local ward councillors were still opposed to the application for the reasons outlined at the Planning Committee, and specifically that approval to this application in the Green Belt would set a dangerous precedent for future developments in the area and that the existing barn was a symbol of the Borough's agricultural heritage and consequently should be retained.



Working in partnership


**Barking &  
Dagenham**

## LONDON BOROUGH OF BARKING & DAGENHAM PLANNING COMMITTEE

22<sup>nd</sup> March 2021

### Application for Outline Planning Permission

<b>Case Officer:</b>	Nasser Farooq	<b>Valid Date:</b>	28/05/2020
<b>Applicant:</b>	London Borough of Barking and Dagenham	<b>Expiry Date:</b>	17/09/2020
<b>Application Number:</b>	20/01097/OUTALL	<b>Ward:</b>	River Ward
<b>Address:</b>	Barking Power Station Chequers Lane, Dagenham, Barking and Dagenham, RM9 6PF		

The purpose of this report is to set out the Officer recommendations to Planning Committee regarding an application for an outline planning permission relating to the proposal below at Barking Power Station Chequers Lane, Dagenham, RM9 6PF

#### Proposal:

Outline application (with all matters reserved) for demolition of remaining existing buildings/structures and development of a consolidated wholesale market (including market spaces, logistics, distribution, food preparation areas, storage and ancillary uses) with associated circulation and service floorspace, parking and landscaping.

[This application is accompanied by an Environmental Statement]

The proposal would be “controlled” through the use of the Parameter Plans – these define, inter alia, where buildings, roads and open space may arrive on the site, the distribution of uses across the site and maximum heights and maximum footprints (length and width) of each development plot.

The matters reserved for later determination are:

Access - the accessibility to and within the site for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding highway network.

Layout - the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.

Scale - means the height, width and length of each building proposed within the development in relation to its surroundings.

Appearance - the aspects of the development which determine the visual impression the development makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture; and,

Landscaping - the treatment of land other than buildings for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated, including soft and hard landscaping, earthworks, public art and boundary treatment.

Accordingly, outline planning permission may be understood as 'permission in principle' with the detail being assessed through the five reserved matters and any conditions and s106 obligations attached to the permission, subject to the limitations within the parameter plans.

A concurrent application has also been submitted (reference 20/01094/FULL) for below and above ground works associated with decommissioning the former Barking Reach Power Station Site including below ground demolition; remediation of the site; decommissioning and demolition of the cooling water system comprising intake and outfall tunnels, associated pump station and outfall structure(s); decommissioning and demolition works associated with gas, fuel distillate and utility infrastructure. This application is due to be presented concurrently with this application at this planning committee.

#### **Officer Recommendations:**

Planning Committee is asked to resolve to:

1. agree the reasons for approval as set out in this report; and
2. delegate authority to the London Borough of Barking & Dagenham's Director of Inclusive Growth in consultation with LBB Legal Services to grant Outline planning permission subject to any direction from the Mayor of London, the completion of a Section 106 legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) based on the Conditions listed at Appendix 6 of this report and the Heads of Terms identified at Appendix 7 of this report; and
3. delegate authority to the London Borough of Barking and Dagenham's Director of Inclusive Growth in consultation with LBB Legal Services to negotiate and secure the Section 106 legal agreement based on the Heads of Terms at Appendix 7 of this report.
4. agree that, if by 22<sup>nd</sup> September 2021 the legal agreement has not been completed, the London Borough of Barking & Dagenham's Director of Inclusive Growth has delegated authority to refuse outline planning permission or extend this timeframe to grant approval.
5. Delegate authority to the London Borough of Barking and Dagenham's Director of Inclusive Growth to provide a reasoned conclusion and other information required by Regulation 29 of the Town and Country Planning (Environmental Impact) Regulations 2017 and to inform the public and the Secretary of State as required by Regulation 30 of those regulations, based on the evaluation and reasons as set out in this report.



## Conditions Summary:

### General

1. [Reserved Matters to be Submitted.](#)
2. [Timing of Reserved Matters Submission](#)
3. [Timing of Reserved Matters Commencement](#)
4. [Approved Parameter Plans and documents](#)
5. [Phasing Plan](#)

### Information required prior to demolition works.

6. [Dust Management Plan](#)

### Information required within reserved matters.

7. [Compliance Design and Access Statement](#)
8. [Details of all boundary treatment](#)
9. [Hours of Operation for ancillary uses](#)
10. [Circular Economy Statement](#)
11. [Energy Statement and District Heating Network Connection](#)
12. [BREEAM target](#)
13. [Soft Landscaping/ tree provision/ biodiversity enhancement measures](#)
14. [Arboricultural Method Statement](#)
15. [Updated Inclusive Design Statement](#)
16. [On-site Food School](#)
17. [Fire Safety Statement](#)
18. [Secure by Design Statement](#)
19. [Air Quality Report demonstrating Air Quality Neutral](#)
20. [Transport Assessment \(including parking provision\)](#)
21. [Scheme of Highway Works](#)
22. [Travel Plan](#)
23. [Delivery and Servicing Plan](#)
24. [Electric Vehicle Charging Points and Rapid Electric Vehicle Charging Points](#)
25. [Cycle Parking](#)
26. [Details of external lighting](#)
27. [Dust Management Plan](#)
28. [Wind Mitigation measures](#)
29. [Ecological Management Plan](#)

### Prior to commencement of matters reserved by condition

30. [Sustainable Drainage System](#)
31. [Construction Environmental Management Plan \(CEMP\)](#)

- [32. Construction Resource Management Plan](#)
- [33. Construction Logistics Plan](#)
- [34. Invasive Non-Native Species Management Plan \(INNS\)](#)
- [35. Construction Noise](#)
- [36. Archaeology](#)
- [37. Contamination](#)
- [38. Water Quality Monitoring Plan](#)
- [39. Bird Strike Risk Statement](#)
- [Prior to occupation of each phase](#)
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- [41. BREEAM target](#)
- [42. Circular Economy Statement](#)
- [43. Operational Waste and Recycling Strategy](#)
- [44. Secure by Design accreditation](#)
- [45. Flood Warning and Evacuation Plan](#)
- [Compliance conditions](#)
- [46. Surface Water Drainage](#)
- [47. Piling, Deep Foundations and Boreholes](#)
- [48. Construction Working Hours](#)
- [49. Maximum Quantum of Floorspace](#)
- [50. Uses Ancillary to the wholesale markets.](#)
- [51. Noise from Uses and Plant and Structure Borne Noise Emissions](#)
- [52. Noise from Plant](#)
- [53. Site specific non-road mobile vehicles \(NRMM\)](#)
- [54. Flood Risk Assessment](#)
- [55. Foul Sewage and Utilities Assessment](#)
- [56. Explosive Ordnance Threat Assessment](#)
- [57. Asbestos and Contamination Removal](#)
- [58. Transport for London's Code of Practice for quieter deliveries](#)

## **S106 – Summary of Heads of Terms:**

### **Administrative**

1. Payment of the Council's professional and legal costs, whether or not the deed completes.
2. Payment of the Council's reasonable fees of £3,500.00 in monitoring (£500 per Head of Term Section – excluding Transport, Employment and Food Related obligations) and implementing the Section 106 and payable on completion of the deed.
3. Indexing – all payments are to be index linked from the date of the decision notice to grant planning permission to the date on which payment is made, using BCIS or Consumer Price index (as appropriate).

### **Energy and Sustainability**

4. Carbon off-setting to ensure the development achieves zero-carbon standards. Where it is clearly demonstrated that zero-carbon standard (based on net-zero regulated CO2 emissions) cannot be achieved on-site, any shortfall should be provided through a cash in lieu contribution (£95/ per tonne over a 30 year period as the rate in place at the time of the application's determination) to the borough's carbon offset fund, and/or off-site (provided that an alternative proposal is identified, and delivery is certain and agreement is reached by the Council of no appropriate alternative projects can be agreed).
5. The development to achieve Air Quality Neutral. Where the Air Quality Neutral benchmark cannot be met the Owner must propose on- or off-site additional mitigation measures or make a contribution to off-setting their emissions (£29,000 per tonne of NOx over the established benchmark figure and a marginal abatement cost of £45,510 per tonne of PM at the time of this discussion).
6. Future proof development in order to ensure it could connect to a District Heating Network. As part of Reserved Matters planning application, the Owner will submit a District Heating Network (DHN) Statement to the Council for approval to detail how the development and each phase could connect to the DHN or future DHN, how the Energy Centre within the development will serve the needs of the development and could serve the wider DHN, and how energy demands will be met prior to connection to any DHN.
7. A financial contribution (£25,000.00) towards a wider study for Dagenham Dock de-centralised energy network potential

The Owner and Be First will agree the scope of the study through the steering group at the time of commission. The progress of the study will be reported to the Steering Group.

### **Waste**

8. A financial contribution (£25,000.00) towards a waste audit. The Owner and Be First will agree the scope of the study through the steering group at the time of commission. The progress of the study will be reported to the Steering Group.

### **Transport**

9. The Owner will enter into a S278 Agreement for carrying out improvements to Goresbrook Interchange (the 'Goresbrook Interchange Highway Works')

The works should include:

- Interventions highlighted on drawing ref.M000687-DR-000-008 Rev.F

- Signalisation of existing priority Choats Manor Way arm and Morrison Road on Southern Roundabout; this will be carried out if further modelling demonstrate such upgrade improves efficiency.

10. The Owner will enter into a S278 Agreement for carrying out improvements to the junctions at Choats Manor Way / Choats Road Roundabout and Choats Road / Chequers Lane Junction (the 'Local Junctions Highways Works')

The Local Junctions Highways Works are presented on drawing ref.M000687-DR-000-007 Rev.B at and drawing ref.M000687-DR-000-001 Rev.B.

[Chequers Lane works to be covered by planning condition and separate agreement with GLA Property. Approach to be agreed with GLA Property; including the need for a s278 agreement to connect the works on the public highway to the private road]

11. Cycle improvements works.

In conjunction with items 9 and 10, the Owner under a s278 Agreement will deliver dedicated cycle lanes from the Goresbrook Interchange along Choats Manor Way, Choats Road (east of Choats Manor Way only) and along Chequers Lane (covering the application site to Dagenham Dock C2C station).

The improvements will be supported by a Highway Works Specification including details of the estimated costs of the Local Junctions Highway Works. These will be secured to the value of a Highway Works Bond. The works should also detail measures adopted to ensure the safety of Cyclists given the prevalence of HGVs, having regard to the LCDS.

The implementation of this obligation may be dependent on the timescales to deliver items 9 and 10, however will be obligated to be completed prior to occupation of Development.

12. Implementation of Sustainable Transport Measures outlined in the Consolidated Transport Assessment

The Sustainable Transport Measures must be implemented from opening as outlined in section 6.4 of the Consolidated Transport Assessment

13. A financial contribution of £150,000.00 towards the development of a strategic infrastructure masterplan study focused on modal shift, including the river / rail freight proposition, innovation, promotion and support of low carbon and autonomous vehicles.

The scope of the masterplan study will be submitted to the Council for approval. The scope will be discussed with relevant members of the Steering Group.

14. The owner for agrees to pay £2.95m towards the enhancement of local bus services to serve the development.

15. Car Parking Management Plan

By the 3rd anniversary of occupation of the development, a revised car park management plan shall be submitted to and approved in writing by the local planning authority. The revised CPMP shall be accompanied with a report monitoring car usage to date and include details of how a minimum 20% reduction in car parking will be implemented by the 6th Anniversary of the development to achieve an overall minimum reduction of 30% of the original parking provision by the 10th anniversary.

The Owner, the Council and TfL will work together with the Travel Plan Coordinator to ensure reasonable endeavours are used towards achieving these targets, and to determine if the targets should be varied to reflect the operational requirements of the market. This work will take account of the progress of the modal shift study (i.e., strategic masterplan the Owner is contributing to, and the river/rail proposition being led and funded separately).

16. Site Wide Travel Plan

The Owner shall develop a Site Wide Travel Plan that accords with the approved Framework Travel Plan in consultation with TfL.

17. Parking and CCTV contribution

The Owner will make a financial contribution of £269,500.00 towards off-site parking restrictions and CCTV enforcement.

18. Travel Plan coordinator

The Owner will work with the Council to appoint a Travel Plan Coordinator for a term of 10 years. To be funded by the Owner.

**Design**

19. Public realm masterplan

The Owner will pay £100,000.00 towards the preparation of a Public Realm Masterplan for the Dagenham Dock Area.

20. Public realm improvement contribution

The Owner will pay a contribution of £750,000.00 towards improvements near and around Dagenham Dock C2C Station and Chequers Lane.

**Employment, Training, Education and Supply Chain – General Provision**

21. Local employment, training and supply chain plans

Plans must be submitted at least three months before the start of the construction phase and provide a named point of contact who is accountable for delivery and reporting of the obligations.

22. Local employment, training and supply chain Council's monitoring

The Owner will pay the Council a fixed sum of £1,500.00 for the monitoring of this S106 covenant.

23. Local employment, training and supply chain contribution

The Owner will pay a fixed contribution £1,052,500.00 to the Council to support the delivery of employment, training and supply chain commitments of this S106 legal agreement.

24. Local employment, training and supply chain monitoring

Subject to the findings of evidence collected through the agreed employment and training processes, the Owner will pay compensation to LBBB if it is found that the shortfall in the delivery of any employment or training specified in the agreement can be attributed to the Owner having not used reasonable endeavours to follow the agreed processes.

**Employment, Training and Supply Chain – Construction**

25. Employment during Construction

The Owner will use reasonable endeavours to ensure that jobs are provided to LBBB residents, during the construction and remediation phases (where works have not begun before completion of the S106 agreement).

26. Training during Construction

During the remediation and construction phases (where works have not begun before completion of the S106 agreement), the Owner's dedicated Employment and Skills officer will work with the Councils Employment and Enterprise team to facilitate the following activities when procurement is commenced, through inclusion of requirements in tender documentation,

and during the procurement and contracting processes to embed good practice into the contract documentation:

- 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, provided there are no health and safety issues.

#### 27. Supply Chain during Construction

The Owner will work in partnership with LBBB during the construction phase to undertake the following:

- Submit a Tender Event Schedule detailing the list of work packages being offered to competitive tender for the developer and all sub-contractors, including timeframes, values of packages and framework agreements.
- Source good and services from the borough wherever possible, with an aim that this will represent at least 25% of the value of all goods and services required for the development.
- Use reasonable endeavours 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 construction stage 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.

#### 28. Employment – End User

The Owner will use reasonable endeavours to ensure that the Owner's employees and jobs with its contractors are provided to LBBB residents during the end-user phase in accordance with the following:

- Seek to ensure that all vacancies are advertised through the council's job brokerage service, 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.
- Expectation that end-users commit to best-in-class employment standards including payment of the London Living Wage.

The City will work with the employment and training officer to agree processes to encourage traders to support the creation of job opportunities for local residents in order achieve the following objectives, where possible:

- Sui Generis floorspace: seek to ensure a minimum of 10% of the estimated total jobs (FTE) are filled by LBBB residents; and 80% of the net additional jobs generated (FTE) are filled by LBBB residents
- Ancillary retail use: seek to ensure a minimum of 25% of the estimated total jobs (FTE) are filled by LBBB residents.

- Seek to ensure that all vacancies are advertised through the council's job brokerage service, 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.
- Expectation that end-users commit to best-in-class employment standards including payment of the London Living Wage.

#### 29. Training and Education – End User

Working with the employment and training officer, the Owner will aim to provide training events: subject to demand during the operational phase of the market (subject to ram:

- Outreach: 108 outreach sessions and 4,320 people engaged Apprenticeships: 50 apprenticeships completed and 2,000 individual training days, with at least half of the apprenticeships being given priority for local residents.
- Non-Local workers: 2,400 individual training days and 2,100 traders trained.
- Food Industry: 1,750 individual training days and 1,000 workers trained in the wider food industry.
- Food Based: 150 fee-paying activity sessions 2,100 people engaged (workers in related food industry, recreational courses etc., of which a minimum 30% are local residents.
- 5 training courses in Environmental Health, 75 individuals trained – Food hygiene on approval premises (students and refresher courses).

#### 30. Supply Chain – End User

The Owner will work in partnership with LBBDD for the first 8 years of the operational phase to undertake the following:

- Submit a Tender Event Schedule detailing the list of work packages being offered to competitive tender for the developer and all sub-contractors, including timeframes, values of packages and framework agreements.
- Source good and services from the borough wherever possible, with an aim that this will represent at least 25% of the value of all goods and services required for the development.
- Use reasonable endeavours to ensure companies based in LBBDD 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.

### **Food School**

#### 31. Framework for Business Case

The Owner will contribute up to £75,000.00 to support the preparation of an agreed vision and development of a business case for the Food School Barking Town Centre and the Shadow Food School Programme.

#### 32. Preparation of a Business Case



The Owner will contribute further funding of up to £175,000.00 to support the further establishment of the business case for the Food School Barking Town Centre and initiation of the shadow food school programme, including relevant partnerships and capital spending.

### 33. Delivery of the Food School

The Owner will contribute up to £750,000.00 (and any unspent balance from business plan monies) to deliver and support the operation of the Food School Barking Town Centre (such as to provide upgrade to facilities at the TSA site or an alternative site in Barking Town Centre as part of B&D College) and the continued delivery of the Shadow Food School Programme if required under the agreed vision and business case.

Payment is to be made once the private bill has received Royal Assent and the markets move is confirmed.

### 34. Preparation of Business Case

The Owner will contribute up to £75,000 to support the development of a business case for the construction and delivery of a Food Hub, complementary to the Food School Barking Town Centre, Food School Dagenham Dock and to the new wholesale market at Dagenham Dock. The business case must indicate a preferred option identified according to mutually agreed objectives which should also indicate a positive Net Present Value across the scheme within 20 years. Payment to be made upon signing of s106 agreement.

The City will provide up to £175,000 to support the construction and delivery of a Food Hub, such as the design feasibility and procurement of an operator for the food hub. This is subject to a viable business case according to mutually agreed objectives as well as indicating a positive Net Present Value across the scheme within 20 years. Payment to be made upon submission of the Private Bill or signing of the S106, whichever is the latter.

### 35. Delivery of Food Hub

The Owner will provide up to £1,500,000 to support the construction and/or delivery of a Food Hub, (complementary to the Food School Barking Town Centre, Food School Dagenham Dock and to the new wholesale market at Dagenham Dock). The Owner shall only be obligated to provide this contribution where a business case indicates a positive Net Present Value across the scheme within 20 years and it is agreed between both parties that it would be in their respective interest to invest in as per the mutually agreed objectives.

### 36. Food Activation Programme

The Owner will provide up to £1,000,000.00 towards the design and delivery of a Food Activation Programme, including the appointment of two coordinators working on education pathway and food economy (linking with existing and future wholesale market needs). The Food Activation Programme will draw upon activities developed at the Food School Dagenham Dock and the Food School Barking Town Centre.

### **Additional items**

37. Provision of five small market stands will be provided for the use of LBBB SME's in the market halls (which halls to be agreed).

These will be reserved for take up in the first 6 months of opening and will be available rent free for a year for those in occupation and half rent for the following year.

38. Appoint an Employment Coordinator to start in post 3 months prior to construction phase through to end use occupation (minimum 5 years post first occupation).

Their role is to monitor all employment, skills and enterprise obligations. Working closely with the LBBB Employment and Skills team, they will ensure the local labour obligations were met,



and to ensure feedback is provided to local suppliers if they were unsuccessful in any tender bids.

39. Creation of a Steering group including an annual payment of £7,500 for a period of 10 years.

The steering group will meet on a quarterly basis, with the first meeting starting prior to construction of development to discuss and resolve performance issues, review planning obligations, and act as a forum for reporting the various monitoring matters in relation to the s106. The steering group will be required to on an annual basis present to members of the planning committee and ward members an update on the progress of the development.

#### **Ultra-Low Emission**

40. Implementation of a local ULEZ

The owner covenants to introduce an Ultra-Low Emissions Zone within the site in accordance with the most recent guidance set by Transport for London regardless of whether the existing ULEZ has been extended to the site.

## OFFICER REPORT

### Background Information:

The City of London Corporation (the Applicant), through statute established in the Victorian era, has the responsibility to provide and operate wholesale markets at Smithfield's (meat and poultry) located in the City of London, New Spitalfields (fruit, vegetables and flowers) located within the London Borough of Waltham Forest and Billingsgate (fish) within the London Borough of Tower Hamlets. These world-renowned markets are safeguarded by law to serve London and the country with fresh produce.

The Applicant has advised they have carried out a series of strategic studies to question and address issues affecting the trading environment of the existing wholesale markets. The studies identified that the current facilities and trading environments at the three markets are outdated and unsustainable. The condition and quality of the buildings are below what is expected of a modern wholesale food market. The Applicant has further advised that even with significant investment, the markets would still be operating in old buildings, some listed, that would be difficult to refurbish to sustainable standards.

The Applicant has advised the Court of Common Council ('CoCC'), the Applicant's decision-making body, approved the creation of a Markets Consolidation Programme ('MCP') in March 2018 authorising the programme to search for a site for a new consolidated wholesale market and to release the existing sites for alternative development.

The relocation of the existing markets requires a Private Act to be passed by Parliament. Private Bills are deposited in Parliament on or before 27 November each year and are scrutinised by the Examiners of Petitions for Private Bills before being formally presented before Parliament in the following January.

The Applicant has advised that the search for a suitable location to consolidate the existing markets was undertaken in 2018, and the following four sites were considered:

- Silvertown (London Borough of Newham)
- Fairlop (London Borough of Redbridge)
- Thames Enterprise Park (Thurrock)
- Dagenham Dock (London Borough of Barking and Dagenham)

A feasibility assessment was also undertaken on expanding New Spitalfields Market in Leyton (London Borough of Waltham Forest) to accommodate the other two wholesale markets.

Following a review of all the sites, the Applicant made the choice to proceed with development at the application site at Dagenham Dock. This was acquired by the City of London Corporation in December 2018.

### Planning Constraints:

The site is within:

- The London Riverside Opportunity Area (LROA)
- The London Sustainable Industries Park (LSIP)
- A Strategic Industrial Location (SIL).
- Flood Zone 3.
- Barking and Dagenham's Joint Waste Development Plan (JWDPD)
- The site, as with the whole Borough, is within Air Quality Management Area.
- The site is within the London City Airport Safeguarding Zone.
- The site lies within an Archaeological Priority Area.

The site is adjacent to Dagenham Breach Site of Importance for Nature Conservation (SINC) and is near to the River Thames.

Neighbouring heritage assets include:

- circa 380m to the south is the Grade II listed Jetty Number 4 And Approach, formerly at Samuel Williams and Company, Dagenham Dock listing number: 1391706.
- 1.8km on the southern side of the River Thames within the London Borough of Bexley are the following listed buildings:
  - Grade I Listed Crossness Pumping Station listing number: 1064241
  - Grade II Listed Workshop Range to south west of main Engine House Crossness Pumping Station listing number: 1250557
  - Grade II Listed Workshop Range to south east of main Engine House Crossness Pumping Station listing number: 1064216

### Site and Surroundings:

The Site is located in the south of London Borough of Barking and Dagenham ('LBBD'). The Site covers an area of approximately 16.7 hectares (ha), located between the A13 and the River Thames, within the LBBD. The Site is situated within an industrial area of Dagenham, dominated by warehouses and refining plants, and is bordered by Breach Lane to the north, Dagenham Breach (a lake and associated grassland/scrub) and an access road to a refinery on the east, Hanson Aggregate works and other refineries to the south, and Chequers Lane and industrial warehouses to the west.

On 20th April 2015, prior approval for demolition was granted by LBBD for an 'Application for prior notification of proposed demolition of Barking Power Station at Barking Power Station, Chequers Lane, Dagenham, Essex RM9 6PF' (Application Ref. 15/00314/PRIOR4).

The River Thames to the south is a Site of Importance to Nature Conservation (SINC). The area to the west of the Site comprises the 'Key Regeneration Area outside of Barking Town Centre'. To the north of the Site lies the East London Transit Route (ELT).

The Site is surrounded by a number of important employment related uses. On the south and south eastern perimeter of the site lie Hanson Aggregates – which specialise in the transport and sale of aggregates, asphalt, concrete and packed products, which come in from the River Thames via the Jetty to the south of the site. Further east is Ford which specialise in the motor industry.

To the west of the Site lies Hovis Ltd which operate the main south east regional distribution of bread and similar products.

Other industries in the vicinity include waste related uses and skip companies.

All these companies and the site, (with the exception of Ford) rely on the Goresbrook Interchange as the vehicular access point to the public highway.

To the north of the site is the Dagenham Dock C2C station, which provides rails services to London and the coast in Essex.

Further west lies the Barking Riverside development. The site is currently under construction for around 10,800 new homes and associated, complementary uses. The Barking Riverside Overground station is currently under construction within the development.

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## Planning Assessment:

### 1. Principle of the Development:

- 1.1. The site is located in the London Riverside Opportunity Area and falls within a designated Strategic Industrial Location in Barking and Dagenham's Policies map. It also falls within the general area of the London Sustainable Industries Park (LSIP), which is identified in Barking and Dagenham's Joint Waste Development Plan (JWDPD) as an area that will deliver waste facilities between 2010-2021.

#### Loss of Power Station

- 1.2. The site as a power station was constructed between 1992 and 1995 and was capable of generating 1000 MW of electricity. Due to poor economic conditions, it ceased operating in 2014/2015 and decommissioning began in 2018.
- 1.3. On 1st April 2019, the Hazardous Substances Consent was revoked at the request of the operator of the Power Station (ref:18/01804/HAZ).
- 1.4. Furthermore, prior approval for the majority of the Power Station buildings was granted in 2015 and again in 2020 (planning references 15/00314/PRIOR4 and 20/00129/PRIOR4)
- 1.5. The London Riverside Opportunity Area Planning Framework (LROAPF) provides further detail on the re-development of this site. It states that the power station is no longer required for energy production and that the site could "*re-balance SIL release elsewhere and provide relocation space for existing industries in the area*".
- 1.6. In relation to the borough's development plan, the power station buildings and their use are not protected by planning policy. Therefore, taking all of the above into account officers are satisfied that the loss off the power station is considered acceptable.

#### Waste allocation

- 1.7. The application site also falls within the Joint Waste Development Plan Document (JWDPD) for the East London Waste Authorities of Barking and Dagenham, Havering, Redbridge and Newham. The purpose of the Joint Waste DPD which was adopted in 2012 is to set out a planning strategy to 2021 for sustainable waste management which enables the adequate provision of waste management facilities (including disposal) in appropriate locations for municipal and commercial and industrial waste.
- 1.8. Whilst the sites fall within the JWDPD, the Council is currently reviewing its approach to its industrial land with a particular view on intensification and diversification of sites. The surrounding area contains several waste facilities and, as reported to members at Planning Committee on 10 December 2018 under application no: 18/01501/FUL, officers believe the capacity requirements of the JWDPD to have been surpassed by planning consents post-adoption of the SPD. As such, the Proposed Development would not result in the loss of a waste site or the loss of waste capacity and officers do not have a concern that the current proposal does not bring forward a waste use.

1.9. Lastly, the JWDPD is coming up to 10 years of adoption and as such, as part of the Local Plan process it will be updated. Therefore, a financial contribution towards a waste capacity audit of sites to help inform policy has been secured within the application. This is considered reasonable and will ensure the application site contributes, albeit financially, to the understanding and policy formulation of waste policies. This will aid the application site's circular economy as discussed later.

Proposed Use

1.10. The application is seeking approval for a 'Sui Generis' wholesale food market with ancillary uses. The proposed development is seeking approval for a maximum amount of Gross External Area floorspace (the 'Maximum GEA') of 237,946 sqm.

1.11. The application provides an indicative breakdown of this floor space as follows; however, it is important to note these are indicative and the final breakdown will be provided as part of the detailed reserved matters:

<b>Uses (all sui generis)</b>	<b>Indicative quantum of floorspace (GEA; sq.m.)</b>
Storage	47,016
Circulation	74,249
Service (mechanical and electrical)	1,401
Stairs and lift	13,374
Office	28,251
Staff and customer facilities	8,050
Market unit	28,474
Food and beverage	3,029
Education/restaurant	11,502
Waste facility (ancillary)	10,750
Energy centre (ancillary)	2,420
Vehicle maintenance unit (ancillary)	9,430
<b>Total</b>	<b>237,946</b>

1.12. The applicant is the City of London Corporation and the purpose of the application is to co-locate three of London's historic markets into a single site. The three markets are:

- Billingsgate - Fish market located within the London Borough of Tower Hamlets
- Smithfields -Meat & Poultry market located within the City of London and;
- New Spitalfields - Fruit, Vegetable and Flower market located within the London Borough of Waltham Forest.

Statutory duties and assessment against policy

1.13 In determining the application LBBD as local planning authority must have regard to the provisions of the development plan, so far as material to the application (Section 70



Town and Country Planning Act 1990). The development plan consists of the London Plan and the Local Plan. LBBD must determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) Planning and Compulsory Purchase Act 2004). Other material considerations include Supplementary Planning Guidance, Supplementary Planning Documents, the Council's Emerging Local Plan and the National Planning Policy Framework. Regard must also be had to the documents accompanying the application, the environmental information including the Environmental Statement, the further information, consultation responses and other representations and information (so far as relevant)

- 1.13. Paragraph 8 of the National Planning Policy Framework seeks to ensure sustainable development with three overarching objectives: Economic, Social and Environmental.
- 1.14. The newly adopted London Plan Policy GG2 'Making the best use of land' supports making the best use of land and prioritises the development of Opportunity Areas and brownfield land.
- 1.15. Policy E4 of the London Plan seeks to ensure a sufficient supply of land and premises in different parts of London to meet current and future demands for industrial and related functions is provided and maintained. This includes Wholesale Markets. The policy further states *"Efficient wholesale market functions should be retained to meet London's requirements whilst enabling opportunities to consolidate composite wholesale markets to meet long-term wholesaling needs."*
- 1.16. London Plan Policy E5 'Strategic Industrial Locations (SIL)' Part A states that SILs *"should be managed proactively through a plan-led process to sustain them as London's largest concentrations of industrial, logistics and related capacity for uses that support the functioning of London's economy"*. London Plan Policy E7 'Industrial intensification, co-location and substitution' supports the intensification of land for industry, logistics and services.
- 1.17. In relation to Opportunity Areas London Plan Policy SD1 seeks to promote ongoing growth. This policy supports and sustains the growth of SILs by considering opportunities to intensify and make more efficient use of SIL - in accordance with London Plan Policies E4, E5 and E7, as identified above.
- 1.18. The LROAPF identifies the Dagenham Dock area (also known as the London Sustainable Industries Park ('LSIP')) as SIL Industrial Business Park.
- 1.19. Policy CM1 of the adopted Core Strategy seeks to ensure employment growth is focussed on the boroughs industrial locations including the Strategic Industrial Land at Dagenham Dock.
- 1.20. The Council's Emerging Local Plan is at regulation 19 stage. As such, this document carries considerable weight as 'the direction of travel' of the boroughs policies. Within this plan the application site falls within Sub-Area 3: Dagenham Dock, Beam Park and the Ford Stamping Plant. One of the priorities for Dagenham Dock within the emerging plan is to support the redevelopment of the currently vacant Barking Power Station for an appropriate use, potentially the relocation of the City's wholesale food markets. Strategic Policy SPP3 confirms that the Council will support the successful relocation and consolidation of the markets, and the expansion and intensification of employment floorspace across the area.

- 1.21. Draft Local Plan Policy SP1 'Delivering Growth' supports the delivery of distinct places and ensures that the Council will take a positive approach to development which reflects a presumption in favour of sustainable development. Draft Local Plan Policy DM6 'Utilising the borough's employment land more efficiently' sets out the LBBD's support for proposals which will deliver new employment floorspace.
- 1.22. The Proposed Development would comprehensively redevelop a brownfield site that has been underutilised for a number of years. This would accord with the NPPF and Policy GG2 of the London Plan. It will also intensify the use of the industrial land in accordance with Policy E7 of the London Plan and Strategic Policy SPP3 of the Emerging Local Plan.
- 1.23. The Proposed Development will deliver a substantial number and wide range of jobs (the economic/employment benefits are discussed further), through the decommissioning, remediation, demolition, construction phases of the new markets.
- 1.24. The use of the land for the Proposed Development also accords with the abovementioned London Plan policies and the emerging Local Plan. Furthermore, the Proposed Development could free up three centrally located sites within London to enable them to come forward for reuse and redevelopment. Therefore, the overall direct and indirect regenerative benefits arising from the proposal weigh substantially in favour of the proposal.
- 1.25. Lastly, a number of conditions are recommended to ensure the development is in accordance with the ES and what is considered acceptable. These include a restriction on the maximum quantum of floorspace to accord with the assessment undertaken in the ES.
- 1.26. A further condition restricting the size of retail and restaurant uses is considered necessary to ensure the proposal does not have an adverse impact on surrounding town centres and lastly for the same reason a condition on the hours of operation is considered necessary, ensuring the impact of the uses are as assessed.
- 1.27. As such, taking the above into account the proposed use of the former Barking Power Station site for consolidated markets is considered an appropriate employment generating use that is supported by the existing and emerging local plan and the above-mentioned London Plan policies. Therefore, the use is strongly supported in principle.

## **2. Employment**

- 2.1. Policy E4 of the London Plan supports access to supply chains and local employment in industrial and related activities.
- 2.2. Strategic Policy SP5 of the Council's Emerging Local Plan seeks to ensure the Council delivers at least 20,000 new jobs and a wider employment base. The policy also seeks to ensure developments provide high-quality employment and training opportunities for local people, and procurement opportunities for local businesses, focusing on investment in physical improvement, but also in the long-term social infrastructure and education required for producing talented, entrepreneurial individuals locally.
- 2.3. Policy CC3 of the adopted Core Strategy, seeks to ensure community benefits through developer contributions.

- 2.4. Policy SD1 Opportunity Areas of the London Plan states boroughs should support development which inter alia creates employment opportunities, support wider regeneration and ensure that development proposals integrate into the surrounding areas.
- 2.5. Policy E8 seeks to ensure employment opportunities for Londoners across a diverse range of sectors are promoted and supported along with support for the development of business growth and sector-specific opportunities.
- 2.6. Policy E11 seeks to ensure skills and opportunities for all to address low pay and gender and ethnicity pay gaps, and as set out in his Skills for Londoners Strategy, co-ordinate national, regional and local initiatives to promote inclusive access to training, skills and employment opportunities for all Londoners.
- 2.7. Part B of Policy E11 states development proposals should inter alia support employment, skills development, apprenticeships, and other education and training opportunities in both the construction and end-use phases, including through Section 106 obligations where appropriate.

#### Employment generation

- 2.8. The Applicant has carried out an analysis that suggests the Proposed Development would provide more than 3,100 jobs, comprising up to 2,275 working within the markets themselves (an uplift of 5% on the existing sites) and a further 957 created through new direct and indirect employment. The GLA have advised this would account for 11% of all the indicative jobs to be provided within the LROAPF, a significant contribution from one site that is strongly supported by GLA officers.
- 2.9. The application includes potential educational floorspace to support the delivery of a food school that could offer vocational food management and food production courses. This is complemented by a series of contributions aimed at supporting the development of food-related training and activities led in partnership with LBBB. This is considered a substantial benefit of the proposal and is strongly supported in line with London Plan Policy E11. A condition requiring full details of the On-site Food School is recommended on this permission.
- 2.10. In order to secure the full employment generated on site, and to ensure it is of benefit to local residents a number of planning obligations are considered necessary. These include:
  - A requirement on the Applicant to provide local employment, training and supply chain plans to be submitted at least three months before the start of the construction phase and provide a named employment coordinator (appointed by the Applicant) who is accountable for delivery and reporting of the obligations.
  - The plans will be required to provide a forecast of the estimated Full Time Employees (FTE) workforce and detail the projected spend with local suppliers and the number of jobs, apprenticeships, work placements and short courses that will be created over the lifetime of the development.
  - Plans are proposed to be monitored on a monthly basis for the first three months and quarterly thereafter.
- 2.11. Given the significant level of jobs to be created and promoted to LBBB residents, a financial contribution has been secured to support the Council in the delivery of employment and supply-side commitments within the s106 agreement.

- 2.12. The employment obligations to be secured are broken down further below into the following areas.

Construction related obligations.

- 2.13. Obligations securing reasonable endeavours to ensure jobs created during demolition/remediation as well as construction phases are provided to LBBB residents are proposed to be secured within the s106 agreement (Where decommissioning/demolition works are carried out under concurrent application reference 20/01094/FULL, resulting jobs provided to LBBB residents will contribute to meeting the local employment targets under the s106 agreement). The reasonable endeavours requirements are detailed further within the s106 Heads of Terms.
- 2.14. Officers have also secured the provision of 10 weeks of work experience for every 6 months of the construction phase – with each placement lasting a minimum of 2 weeks.
- 2.15. In addition, an obligation requiring at least one educational workshop / visit per educational term for the duration of the construction phase to support local schools and careers services, is considered necessary to raise awareness of the vacancies and the development coming forward.
- 2.16. In relation to the supply side during construction, officers have secured obligations requiring tender schedules to be submitted to the Council and aiming for at least 25% of the value of all goods and services to be sourced by the borough. The supply-side obligations also require two events each year of the construction stage to promote opportunities to local suppliers and build their capacity to ensure local suppliers are able to access opportunities arising from the development.

End User obligations

- 2.17. In order to meet the policy requirements listed above planning obligations are required to ensure the employment, skill and training benefits which are considered necessary are secured. These include the following (the full list is within the Heads of Terms):
- Seek to ensure that all vacancies are advertised through the council's job brokerage service, 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.
  - Expectation that end-users commit to best-in-class employment standards including payment of the London Living Wage.
- 2.18. There is also an obligation on the Applicant to work with the Council's Enterprise and Employment team to agree processes to encourage traders to support the creation of job opportunities for local residents in order to achieve the following objectives, where possible:
- Sui Generis uses/trading areas: seek to ensure a minimum of 10% of the estimated total jobs (FTE) are filled by LBBB residents; and 80% of the net additional jobs generated (FTE) are filled by LBBB residents.
  - Ancillary retail use: seek to ensure a minimum of 25% of the estimated total jobs (FTE) are filled by LBBB residents.

- Seek to ensure that all vacancies are advertised through the council's job brokerage service, 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.
- Expectation that end-users commit to best-in-class employment standards including payment of the London Living Wage.

### Training and education

2.19. In relation to training, the Applicant has agreed (subject to demand) to provide substantial training courses/ workshops as detailed in the Heads of Terms. These training events will ensure the school provided on site seeks to provide relevant and complementary courses ensuring the local community have the sufficient skills and expertise to utilise future direct and indirect employment opportunities arising from the development.

### Food School

2.20. In addition, there are existing education uses at the existing markets like The Seafood School, which is located at Billingsgate Fish Market and provides classroom-based courses and demonstrations in fish recognition, presentation, cooking and nutrition.

2.21. The re-location of these wholesale markets in accordance with Policies SD1, E8 and E11 of the London Plan represent an opportunity to maximise and secure wider regenerative benefits. The Applicant and the LBBD have had discussions on food education and the establishment of a new Food School at the site in Dagenham Dock as well as complementary activities and facilities linked to Barking Town Centre to maximise footfall and ensure the regenerative benefits of the education facilities and activities proposed at the Site are realised.

2.22. The indicative quantum of floorspace suggests 11,502sqm of Education/Restaurant floorspace.

2.23. In conjunction with the wider regenerative benefits the Applicant has agreed a financial contribution to support the preparation of an agreed vision and development of a business case for the Food School Barking Town Centre and the Shadow Food School Programme.

2.24. In addition, financial contributions are secured for the initiation of the Shadow Food School programme, including relevant partnerships and capital spending. The activities proposed under the Shadow Food School Programme may include:

- To establish and maintain an engagement programme with traders, food industry and livery companies, to shape the training offer at the Food School Dagenham Dock and the Food school Barking Town Centre.
- Delivery of training and engagement in the lead up to the opening of the education facilities in the Site and Barking Town Centre (E.g., taster courses, events, short term testing courses), with the view to help the build-up of the long-term education offers in the Site and the Barking Town Centre (e.g., scoping of courses and testing of options and business models for the two food facilities).
- Building links and fostering partnerships between industry with local schools/training providers, exploring the way to create strong training pathways at entry level and CPD

that meet the needs of the sector more broadly in view of the Food school Barking Town Centre. Signposting and providing training opportunities to market traders and the local food sector.

- Building the wider food curriculum across local schools. Activities such as audit of the 63 schools in the borough to enable and promote food the delivery of an effective food technology curriculum, professional development courses for school staffs and relevant curriculum support programmes; and
- Activities to raise awareness and interest in food (e.g., healthy eating), food careers and raise the profile and quality of the teaching of food technology in schools. Examples include industry led CPD, food technology conference, schools' community supermarket, industry site visits and talks in schools, 'Great B&D Bake Off' interschool competition, and relevant resource support and development.

2.25. In order to deliver and support a Food School at Barking Town Centre a financial contribution has been secured from the development. In addition, a further financial contribution has been secured to support the development of a business case for the construction and delivery of a Food Hub, and if feasible further contributions towards the construction of that facility.

#### Food Activation Programme

2.26. In addition to the above, the Applicant has agreed a substantial financial contribution towards the design and delivery of a Food Activation Programme, with the contribution to be used by the Council to appoint two coordinators working on education pathway and food economy (linking with existing and future wholesale market needs).

2.27. The Food Activation Programme will draw upon activities developed at the Food School Dagenham Dock and the Food School Barking Town Centre to:

- encourage an awareness of the food industry in the Borough both for residents, traders and the wider food industry this may include promotion materials, branding and website, and the organisation of physical events as appropriate; and
- start to attract complementary food users to locate in the Borough, facilitating interaction with landlords and developers.

#### Other employment related matters

2.28. Five small market stands will be provided for the use of LBBB SME's in the market halls (which halls to be agreed). These will be reserved for take up in the first 6 months of opening and will be available rent free for a year for those in occupation and half rent for the following year.

2.29. It will be expected that these units will then be recycled on commercial terms for use for other SMEs or retained by the existing tenant until the end of 5 years.

2.30. Through the s106 agreement, the Applicant has also agreed to appoint an Employment Coordinator to start in post 3 months prior to construction phase through to end use occupation (and for a minimum period of 5 years post first occupation). Their role is to monitor all employment, skills and enterprise obligations. Working closely with the LBBB Employment and Skills team, they will seek to ensure reasonable endeavours towards achieving the local labour obligations, and to ensure feedback is provided to local suppliers if they were unsuccessful in any tender bids.

## Employment conclusions

- 2.31. The imposition of the above conditions and obligations have resulted from extensive discussions with officers from Be First, the London Borough of Barking and Dagenham and the applicant. In order to ensure the employment benefits of the Proposed Development are realised and have wider regenerative benefits, resulting in the Proposed Development becoming a significant employment generator within Barking and Dagenham.
- 2.32. The food related programmes and training will seek to ensure residents are aware and skilled to take up future employment at the site. This will ensure local residents are in employment but also have long term transport benefits in a shift from an existing workforce over London to potentially a more localised and sustainable employment.
- 2.33. Overall, the employment benefits secured by the application via conditions and s106 agreements are strongly supported by officers and in a balanced assessment of the impacts of the development, the employment benefits weigh strongly in favour of the proposal.

<b>3. Design:</b>	
<i>Does the proposed development respect the character and appearance of the existing area?</i>	Yes
<i>Does the proposed development respect and accord to the established local character?</i>	Yes
<i>Is the proposed development acceptable within the street scene or when viewed from public vantage points?</i>	Yes
<i>Is the proposed development acceptable and policy compliant?</i>	Yes

- 3.1. The NPPF, Policies D1, D4 and D6 of the London Plan expect all development to be of high-quality design. This is echoed at local level through Policy BP11 of the Local Plan and Policy SP4 of the Draft Local Plan.
- 3.2. Policy D3 of the newly adopted London Plan requires all development to make the best use of land through a design led approach which responds to the site's context and capacity for growth.
- 3.3. Policy D9 of the newly adopted London Plan explains that boroughs should determine the locations where tall buildings may be an appropriate form of development.
- 3.4. London Plan Policy D4 sets out how good design can be delivered, including maintaining good design quality. Specifically, it states that the design quality of development should be retained through to completion by ensuring maximum detail appropriate for the design stage, providing clarity within conditions and obligations on design quality, avoiding deferring the assessment of design quality to a condition or reserved matter and retaining the involvement of the original design team.
- 3.5. The proposal is in outline format supported by the Parameter Plans, an Illustrative Scheme and a detailed Design and Access Statement which incorporates technical principles and an Inclusive Access Statement.

## Height, Scale and Massing

- 3.6. The Parameter Plans show the application site divided into different Development Zones. The largest zone is to accommodate the market building(s). This is centrally located within the site and the maximum height is 32m. Surrounding the largest zone is space apportioned to vehicles parking, deliveries, circulation and loading/unloading areas. These spaces are to have a maximum height of 7.5m. All of the largest zone and part of the vehicular zone is also designated to accommodate a distinct architectural design feature(s). The Parameter Plans allow a maximum height of any features up to 45m.
- 3.7. The remaining part of the site includes three locations for ancillary buildings, which are to have a maximum height of 12.5m.
- 3.8. Given the development is at outline stage, the full design consideration for the site will be the subject of future reserved matters.
- 3.9. Based on the Parameter Plans and as shown in the Illustrative Scheme, the Proposed Development will result in a prominent and noteworthy building(s) that would be consistent with the proposed use of the site as a large wholesale market.
- 3.10. The Applicant has sought to demonstrate the acceptability of the proposed scale and massing upon the wider surrounding area. The proposal is supported by a Townscape and Visual Impacts Assessment (TVIA) which forms part of the Environmental Statement. This document assessed the likely significant effects of the Proposed Development on the local townscape character and visual receptors. It has regard to a total of 20 townscape views within the immediate and wider vicinity of the site, locations of which were agreed as part of the scoping process.
- 3.11. The assessment considers each view on its townscape value and how susceptible the townscape and streetscape are to change. This has been used to determine the sensitivity of the view. This is combined with an understanding of the magnitude of impact (change) which is determined through various considerations.
- 3.12. Officers have considered the views assessed and the residual effect as a result of the development within the TVIA and consider the overall assessment and conclusions to be sound, in that the development will not have a significantly adverse impact on the surrounding townscape. Whilst cumulative developments have not been shown on the plans, officers are satisfied the resulting nature of the cumulative development within the area would not have a significant cumulative townscape and visual impact.
- 3.13. In relation to massing this will be dependent on the final design which will be considered at reserved matters stage.
- 3.14. To conclude the site is located within a designated Opportunity Area and is considered to be an important strategic site in delivering significant development and employment. Officers consider the scale of development to be proportionate to the area's role and function and would comply with the Council's policies in relation to tall buildings.

#### Access

- 3.15. The proposed Illustrative Scheme shows routes into the markets predominantly along Chequers Lane. Access to the site is a reserved matter. Notwithstanding this, officers are satisfied access along Chequers Lane would be appropriate.



- 3.16. Hovis, located on the western side of Chequers Lane, have requested an amendment to the Parameter Plan to avoid potential conflicts with the entrance to its site and the 'T' Junction with Choats Road. However, given the Proposed Development is at outline stage and 'Access' is a reserved matter, amendments to the plans are not considered necessary and can be resolved at Reserved Matters stage.
- 3.17. Notwithstanding this, there is potential for further development of the initial 'T' junction design brought forward by the Applicant. This includes a condition requiring specifications works to Chequers Lane, including the removal of the existing crossover at the 'T' junction.
- 3.18. As discussed further in the transport section, the above is complemented by a condition to ensure the length of Chequers Lane adjacent to the Site is brought up to adoptable standards (or such satisfactory highway measures as may be approved by the Local Planning Authority). This is considered necessary and will ensure the access point to the Proposed Development will be of appropriate quality.

#### Landscape

- 3.19. Landscaping will be the subject of reserved matters. The Illustrative Scheme shows soft landscaping throughout the site. The intention is to maximise the amount of soft landscaping within what is potentially a dense industrial development. The GLA have commented that this space is very limited and could be further expanded in order to create a better environment for visitors of the site, as well as supporting the overall environment targets for this development. Officers agree with this position and consider that full details are secured via condition, noting the intentions of the GLA have been taken into account in the revised Section 9 of the DAS submitted by the Applicant in September 2020.

#### Secure by Design

- 3.20. The Applicant has proposed a variety of safety and security measures to protect the markets within the design principles. These include a secure perimeter with controlled access and the use of smart systems such as automatic number plate recognition (ANPR), key fobs, security passes and parking cards.
- 3.21. The Applicant has in addition listed a variety of wayfinding measures, including some that could improve safety and security such as signage and external lighting.
- 3.22. As discussed further below, contributions towards public realm masterplan and enhancements have been secured from the Site to Dagenham Dock Station. Whilst the detailed masterplan will follow, the contribution towards the enhancements has the potential to improve the industrial feel that is currently experienced within the area.
- 3.23. Overall, it is considered that the development of the site will improve the perception of safety within the area due to the existing nature of the site as a closed off industrial site with limited activity to and from it. The increase of passive surveillance and public foot and cycle traffic, through and around the site, will significantly improve the security of the area.
- 3.24. The Applicant has engaged with the Metropolitan Police during the pre-application design process and agreed that the Proposed Development would be required to deliver a Secure by Design scheme, or alternatively achieve security standards to the satisfaction of the Metropolitan Police. This would be secured by condition.

### Fire Safety

- 3.25. In accordance with Policy D12 'Fire safety' of the London Plan, the Applicant is required to prepare a fire statement. As this application is in outline, the fire statement is recommended to be secured by condition.
- 3.26. The GLA have advised the Applicant should provide a fire evacuation lift within each building core for the evacuation of wheelchair users and other less mobile occupants, and it is recommended this is also secured by condition.

### Inclusive design

- 3.27. The application is accompanied by an Inclusive Design Statement. This reviews the impacts of the new market on people with protected characteristics, the strengths and weaknesses of the existing markets for people with protected characteristics and the opportunities and threats provided by the new market. The Applicant has also provided a commentary showing how the Applicant has sought to engage with user groups to address any issues raised by the new market.
- 3.28. The GLA within the stage 1 response have advised the site should provide facilities such as changing places toilets and prayer rooms at this stage, given the contribution that such facilities can make to meeting the needs of a variety of protected groups.
- 3.29. Officers will consider the detailed inclusive design as part of the reserved matters, with a view to ensuring the matters raised by the GLA are considered as part of the design, noting that the Applicant submitted a revised Section 9 of the DAS (dated September 2020) to reflect their commitment to give consideration to inclusive design principles.

### Public Realm

- 3.30. The site has two main access points, the Goresbrook Interchange being the vehicular access point from the A13, and Dagenham Dock C2C station being the nearest rail connection. The existing condition and feel at Dagenham Dock C2C station leading to the application site consists of a poor-quality industrial environment. The application site is likely to generate an increased usage of the station and as discussed further within the transport section there are significant transport related impacts arising from the proposal.
- 3.31. Furthermore, there is a strong drive to encourage more sustainable modes of transport, therefore the surrounding public realm needs to be of a high-quality to be able to encourage this.
- 3.32. Therefore, it is considered necessary to improve the public realm around Dagenham Dock to deal with the increased footfall, but also to improve it to an acceptable level to encourage use of the C2C station.
- 3.33. Taking the above into consideration, a financial contribution towards a public realm masterplan at Dagenham Dock and a financial contribution towards enhancements arising from the masterplan have been secured as part of this application.
- 3.34. The Applicant has advised this contribution could secure CCTV beneath the A13 Over bridge, new pedestrian crossings on Chequers Lane, improvements to street lighting, new benches,

planting, new litter bins, improvements to pedestrian provision around the station, and upgrades to the footpaths around the station to the site.

- 3.35. Dependent on the outcome of the masterplan, the contribution could also be utilised towards an additional ticket gate at Dagenham Dock Station.
- 3.36. Whilst the final delivery of enhancements will be dependent on the masterplan, officers are satisfied the contribution is proportionate and will go some way to delivering the enhancements necessary to serve the development.
- 3.37. These financial contributions have been secured under s106 agreement and will ensure the proposed development and its immediate public realm are enhanced to deal with the increased patronage and promote sustainable modes of transport arising from the development.

#### Design Conclusion

- 3.38. Overall, the development, subject to conditions and obligations would deliver a high-quality development, with no unduly detrimental impacts on local townscape. As such, the proposed design approach can be supported in accordance with the above-mentioned planning policies.

#### **4. Heritage/Archaeology Impact:**

- 4.1. When considering whether to grant planning permission for development which affects a listed building or its setting, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses (Section 66 Planning (Listed Buildings and Conservation Areas) Act 1990. The NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 4.2. Policy 7.8 of the London Plan, policy HC1 of the London Plan, Policies BP2 and CP2 of the Local Plan, Policy DM14 of the Draft Local Plan seek to conserve heritage assets and avoid harm.

#### Heritage

- 4.3. In relation to heritage, the nearest heritage asset is the Grade II listed Jetty Number 4 and Approach, formerly at Samuel Williams and Company. This is located approximately 350m to the south of the application site. The Proposed Development within the outline planning application is not envisaged to have any harm to significance or setting of the above heritage asset. detrimental impact on this or other heritage assets listed above. The impact of the demolition and preparatory works, including the decommissioning of the cooling water system comprising intake and outfall tunnels is considered within the associated full planning application ref.20/01094/FULL.

## Archaeology

- 4.4. Development plan policies require measures to identify record, protect, and where appropriate present the site's archaeology. It is noted that the application site lies within an Archaeological Priority Area and as such has been referred to the Greater London Archaeological Advisory Service (GLAAS) for comment.
- 4.5. GLAAS have recommended a condition requiring further investigation. This is considered necessary and is recommended under condition on this application.
- 4.6. Overall, subject to conditions, the proposal would take suitable measures to ensure that any archaeological remains of significance would be adequately protected.

<b>5. Sustainable Transport</b>			
<i>Net gain/loss in car parking spaces</i>	Maximum spaces proposed	2112	<i>PTAL Rating</i>
			1b and 2
<i>Proposed number of cycle parking spaces:</i>	208 (subject to reserved matters)		<i>Closest Rail Station / Walking Distance</i>
			Dagenham Dock C2C station around 200m from the northern boundary of the site
<i>Restricted Parking Zone:</i>	N/A		<i>Parking stress survey submitted?</i>
			N/A

## Introduction

- 5.1. The NPPF recognises that sustainable transport has an important role to play in facilitating sustainable development but also contributing to wider health objectives. In particular it offers encouragement to developments which support reductions in greenhouse gas emissions and those which reduce congestion. The NPPF also outlines that developments which generate significant vehicle movements should be located where the need to travel will be minimised and the use of sustainable transport options can be maximised. It is also expected that new development will not give rise to the creation conflicts between vehicular traffic and pedestrians.
- 5.2. Paragraph 103 of the NPPF states significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. The NPPF at Paragraph 109 states 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.
- 5.3. Lastly, Paragraph 110 of the NPPF requires developments to give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use.
- 5.4. Policy T1 of the London Plan requires development to make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London's transport networks and supporting infrastructure are mitigated.

- 5.5. Local Plan Policy BR10 sets out LBBD's commitment to reducing the need to travel and to encourage modal shift away from private car usage.
- 5.6. In terms of mitigating transport impacts, Policies T4 and T9 of the London Plan states mitigation could be either through direct provision of public transport, walking and cycling facilities and highways improvements or through financial contributions. Lastly, the policy inter-alia states that where no firm plans and funding exist for an increase in capacity, planning permission will be contingent on the provision of necessary public transport and active travel infrastructure. This is supported by Policy DMT1 of the Draft Local Plan (Regulation 19 version) and Policy CC3 of the current local plan.

### Site Context

- 5.7. The site is located off Chequers Lane which is a private road. The A13 Strategic Road Network (SRN) is located to the north and is approximately 1.5 kilometres from the site and is accessed via Chequers Lane, Choats Road and Choats Manor Way. There are four junctions along this part of the local network, and these are.
1. Goresbrook Interchange - Signalised intersection with the A13
  2. Choats Manor Way / Choats Road - Roundabout
  3. Choats Road / Hindman's Way - Priority "T" junction
  4. Choats Road / Chequers Lane - Priority "T" junction
- 5.8. Most of the two-way traffic generated on this network is from local business within Dagenham Dock and the London Sustainable Industries Park.
- 5.9. HGVs cannot cross between the western and eastern parts of Choats Road connecting with Renwick Road due to the bus gate restriction implemented to prevent HGV vehicles from using this road as a rat run when the A13 is congested.
- 5.10. There is adequate footway width on Chequers Lane and on the surrounding highway network for pedestrian trips, however, some are in poor condition and the industrial surrounding is not an enjoyable walking experience. There are no controlled pedestrian crossings on Choats Road, Choats Manor Way, and Chequers Lane.
- 5.11. Choats Manor Way, Choats Road and Chequers Lane have some on-road cycling lanes but the road markings indicating these routes are in poor condition, in places have worn and are faded.
- 5.12. The TfL WebCAT Planning Tool has been used to calculate the Public Transport Accessibility Level for the Site. The results show that the site has a PTAL of 1b and 2, indicating a poor public transport accessibility. No public transport serves the site between 12:30am to 5am, when much of the future site activity is planned to occur.
- 5.13. The site is approximately 500m south of Dagenham Dock railway station currently served by approximately four trains per hour with c2c services between London Fenchurch Street to Shoeburyness and Grays via Rainham. The station is accessed by a footbridge that also provides lift access to the platform and can be used by mobility impaired pedestrians and cyclists.
- 5.14. The applicant along with Transport for London and Be First/ London Borough of Barking and Dagenham commissioned Jacobs in early 2020 to develop a transport strategy for the London Riverside Opportunity Area (LROA) within Barking and Dagenham (referred to as "the study

area”). The study was undertaken with the aim of developing a 20-year transport action plan including proposals that can be delivered in the short-term (0-5 years), medium-term (5-10 years), and long-term (10-20 years). The objectives of this study were to

- Support delivery of new housing and employment in the study area identified in the LBBB Local Plan and the London Plan.
- Support delivery of the relocation of the wholesale markets to Barking Reach, referred to as the Markets Consolidation Programme (MCP).
- Identify a solution to replace the A13 Lodge Avenue flyover, which is past its design life and overdue for replacement.

5.15. The study has informed the Consolidated Transport Assessment and is located within Appendix L of the document.

#### Trip Generation

5.16. These have been based on current travel patterns at each of the three existing markets. Interview surveys with existing markets users and parking surveys which used Automatic Number Plate Recognition (ANPR) data to monitor inbound and outbound vehicle movements have been undertaken to establish the profile of travel behaviour that reflects a typical day. It is considered this data is robust and gives an accurate representation of existing trip generation given it does not account for any measures that will enable the proposed new market to operate more efficiently than the existing markets.

5.17. The predicted mode share and user types is based on the same travel behaviour interview surveys carried out at the existing three markets. The different trip profiles and mode shares were derived for each user type and trip generation assumptions were made regarding trips by vehicle type across several days. These cover the four key types of user trips taking place at the existing markets: customers, traders, staff, and suppliers.

5.18. For the proposed education element trips, a bespoke first principles approach has been applied. The approach that has been taken is considered acceptable to ensure an accurate and robust assessment is provided.

5.19. Concerns have been raised during consultation that the Proposed Development fails to take into account seasonal fluctuations. This is noted however, this in itself is not considered unacceptable and it is considered reasonable for there to be some variances. Overall, officers feel there is scope through the monitoring of the s106 transport obligations and discussion via the Transport Steering Group that the mitigation and impacts of the Proposed Development can be appropriately reviewed.

5.20. Short-term on-site mitigation measures are proposed to be implemented from opening of the wholesale markets in 2025/2026 to reduce the impact of the Proposed Development. It is shown in the Consolidated Traffic Assessment (“CTA”) table 6.12 with short-term on-site mitigation measures that the total number of vehicle trips reduces by 1,817 vehicles to 8,950 vehicles per day. These measures are to be secured within the s106 agreement, with further monitoring to ensure the trips are within the expected range. Should the trips hit 90% of the predicted trips (over a two-week period and it is part of a trend in usage of vehicles over a month) the s106 agreement via a Steering Group will require (under reasonable endeavours) details of further mitigation.

5.21. The on-site short-term mitigation measures to be secured via the s106 agreement include the following:

- a. Wholesale Common Closure time - At present, Billingsgate market closes at 08:00, Smithfield closes at 08:30 and New Spitalfields closes at 09:00 as per their standard opening hours. This measure shifts the operational hours of the markets and aligns the closing time for wholesale trading for all three markets to 07:00 to reduce the impact on the road network morning peak. Retail trading operations in the markets shall cease at 09:00 on any given date.
- b. Vehicle scheduling - Vehicle scheduling refers to the allocation of time slots for supplier vehicles to adhere to when delivering goods to the site. Staggering supplier trips would be beneficial to the market operation across the day by allowing management of vehicle arrivals and reducing the concentration of those arriving and departing during peak times.
- c. Dwell time reductions - The applicant has advised the internal market layout would ensure supplier drop off points are localised and managed (to prevent multiple suppliers drop points as is the case in the existing markets). A Supplier would therefore unload at a single docking point, rather than partially unloading at one dock before moving onto another dock for further unloading. The aim is to reduce Suppliers' time on site meaning more Suppliers can leave the site earlier.
- d. Click and Collect - A 'click and collect' service will be made available for the co-located market to spread the number of customer collections across operational hours. This is separate from the vehicle scheduling measure outlined above as 'click and collect' would apply to Customers rather than Suppliers. The pre-packing of goods (that have been purchased remotely) for collection would also allow Customers to pick up their goods and leave in a short space of time. This would reduce customer dwell times on site and shift outbound customer trips to an earlier period and thereby reducing the impact on the morning peak.
- e. Consolidation (third party logistics) – The aim is to encourage Customers to choose to use an independent delivery service with goods consolidated into HGVs rather than making multiple trips to the markets in car/vans to collect goods themselves. Additionally, trader and supplier HGV trips would be consolidated into larger HGVs. This would reduce the number of daily trips overall, and the number of Trader, Supplier and Customer trips during the morning peak.

5.22. The Applicant has also demonstrated commitment to further reduce the amount of traffic generated by the Proposed Development by proposing long-term off-site measures with a wider strategic outlook to increase the use of alternative modes and capacity for the delivery of goods by rail and river freight.

5.23. To analyse the traffic impact of the additional trips generated and attracted by the Proposed Development on the local highway modelling has been undertaken at the three key junctions which will serve as the primary connection to the site. The A13 / A1306 Goresbrook Interchange, Choats Road / Choats Manor Way) Choats Road / Chequers Lane. The assessment scenarios are as follows:

- Baseline 2020
- Scenario 1: 2025 Without Development
- Scenario 2: 2025 With Development

- Scenario 3: 2031 Without Development
- Scenario 4: 2031 With Development

- 5.24. Microsimulation modelling (VISSIM) has also been undertaken to analyse current capacity that includes the local highway network and the Goresbrook Interchange as a complete network. The VISSIM model covers the AM peak periods 06:00-07:00, 07:00-08:00 and 08:00-09:00.
- 5.25. The Baseline 2020 results show a significantly greater journey time for the A13 in the westbound direction compared to the eastbound direction, which is free flowing, in all time periods assessed. Congestion on the A13 westbound carriageway is such that drivers try to bypass it by leaving and re-joining the A13 via the westbound off and on-slips.
- 5.26. The modelling also considered the 2025 and 2031 'With Development' and 'Without Development' scenarios to confirm the findings of the LROA study and Linsig modelling. The results for the 2020 Baseline and development scenarios are presented in Section 7.3 of the CTA. The results indicate that the likely trips generated by the development will increase journey times on the A13 westbound. The mitigation which has been secured ensures the traffic can be accommodated.
- 5.27. It should be noted that the Applicant is a member of a wider client group for a strategic transport study for the wider LROA, together with TfL and Be First. This study has been instigated as the first step towards improving strategic transport infrastructure in the area including public transport, active travel, and improvements to the highway capacity for the A13.
- 5.28. This LROA transport study (undertaken by Jacobs) identifies available solutions and infrastructure options to address existing road congestion in the area and enable more sustainable travel behaviour. It provides the strategic transport framework of options for the wider area and worst-case predictions for traffic generated including the co-located market.
- 5.29. The market relocation and the associated highways improvements are supported by the conclusions that have emerged from the study findings which conclude the replacement of the flyover and works at the Goresbrook Interchange are required to support the proposed development. The replacement of the Lodge Avenue flyover is to be funded by the DBFO contract managing the flyover with the applicant undertaking the necessary works at the Goresbrook Interchange.

### Vehicle Parking

- 5.30. Policy T6 of the London Plan seeks to inter-alia restrict car parking, with developments designed to provide the minimum necessary parking ('car-lite'), and to ensure appropriate disabled persons parking for Blue Badge holders should be provided. Policy T6.2 states for B2 and B8 uses A degree of flexibility may also be applied to reflect different trip generating characteristics. In these cases, appropriate provision for electric or other Ultra-Low Emission vehicles should be made. Policies SP8 and DMT2 of the draft Local plan supports this policy of the London Plan. Whilst Policy BR9 of the current local plan seeks to use the car parking standards set out in the London Plan as the maximum parking standards for new developments.



- 5.31. The proposed number of vehicle parking spaces is 2,112 for all users of the market and includes the requirements associated with the delivery of goods to and servicing at the market. This represents a welcome reduction from the initially proposed 3,060 spaces. The on-site vehicle parking numbers for operational, traders and customer parking must be considered both in terms of policy and what is needed for the successful operation of a wholesale market. In the wider context the standard opening hours and current poor availability of public transport during this time is also a factor to consider when reaching what should be an appropriate quantum of parking.
- 5.32. The Applicant has proposed vehicle parking which has been based on the specific trip generating characteristics of the which is allowed for in Policy T6.2 of the London Plan. Given the unique use requires transportation of bulky goods.
- 5.33. These procedures require the Applicant to demonstrate that the Site can provide appropriate accommodation for the existing market uses. Officers agree that adequate justification has been provided for the level of parking and have instead, in discussion with the Applicant, secured significant measures both in the short- and long-term to reduce parking and promote sustainable modes of transport.
- 5.34. Firstly, there is provision within the s106 agreement which requires a revised car park management plan (CPMP) to be submitted to and approved in writing by the local planning authority. The revised CPMP shall be accompanied with a report monitoring vehicle usage to date and include details to ensure reasonable endeavours are used to achieve a minimum 20% reduction in vehicle parking (down to 1,690 spaces) by the 6th Anniversary of the opening of the development and to achieve an overall 30% reduction (1,478 spaces) of the original parking provision by the 10th anniversary of the opening of the development. This is dependent on the operational characteristics of the market and the outcome of the multi-modal studies.
- 5.35. Given the markets are primarily to be used overnight, an additional obligation has been secured to ensure the parking is to be used solely in conjunction with the new market. A further obligation requires a charge for use of the car park to further discourage usage.
- 5.36. Lastly, in relation to parking, as discussed above the Applicant has proposed a number of mitigation measures within the CTA aimed at making the markets more efficient and thus reducing impacts on the highway network (as described above).
- 5.37. In total, the mitigation measures with the Consolidated Transport Assessment show a reduction of 1,817 vehicle trips per day. There is a concern following consultation that the mitigation measures are unreliable, and the traffic movements are underestimated within the application. Officers, having carefully considered the mitigation measures, consider the approach taken by the Applicant to be robust. It is also noted these obligations are to be monitored as part of the travel plan and by a dedicated steering group (discussed further within this report).
- 5.38. To ensure the parking does not exceed the maximum provision of 2,112 spaces, a restrictive condition is recommended to the planning permission capping the parking to the proposed figure.
- 5.39. To support better air quality, a condition is recommended to secure 15% of the proposed parking spaces to be active for electric charging in accordance with the London Plan and a further 5% of the total provision to be Rapid Charging points. The remaining parking spaces

will be future proofed to allow for additional electric charging points to be added as and when required through passive provision. Within the s106 agreement, it is proposed that the usage of electric vehicle charging is monitored further as the technology increases so the passive spaces can be converted as and when possible.

5.40. Given the extensive measures to discourage car parking, there is a concern related to overspill parking on the adopted highways. Therefore, a financial contribution towards off-site parking restrictions and CCTV enforcement has been secured in the s106 agreement.

#### Local Highway Mitigation

5.41. The CTA in relation to the wider strategic A13 highway network, incorporates the Package 1 measures recommended in the LROA study, which identifies improvements to the Goresbrook Interchange in the detailed modelling assessment and reflects the forecasted impact related to the development specifically.

5.42. The Applicant proposes to bring forward the LROA Goresbrook Interchange Package 1 measures to be implemented by 2025 to accommodate background traffic growth and the predicted traffic to and from the Proposed Development site.

5.43. Existing congestion west of the Goresbrook Interchange at the A13 / Renwick Road junction on the A13 westbound carriageway during the morning peak is such that drivers try to avoid it by leaving and re-joining the A13 via the westbound off and on-slips. Further sensitivity testing was undertaken by Applicant to unravel the impact of the rat running. It indicates that the existing congestion and resulting driver behaviour have an indirect and negative impact on the operation of the southern roundabout at Goresbrook Interchange during the AM peak. This driver behaviour results in delays and queuing on the priority arms of the southern roundabout Choats Manor Way and Morrison Road as vehicles attempting to emerge from these are opposed by this traffic which should otherwise stay on the A13.

5.44. The 'With Development' scenarios are based on an assumption that less A13 traffic will leave and re-join the westbound carriageway at Goresbrook Interchange as once proposed highway mitigation measures have been implemented drivers realise that this will not offer the same perceived journey time savings.

5.45. The 2020 Baseline highway modelling results and subsequent 2025 and 2031 base scenarios, indicate that, conditions on the A13 must be improved to relieve the congestion on the strategic network.

5.46. To mitigate the impact of the development on the local junctions a combination of conditions and s278 measures are secured (via a s106 agreement) to enhance the junctions. The measures at Goresbrook Interchange as part of the above package include the signalisation of existing priority Choats Manor Way on the Southern Roundabout of the Goresbrook Interchange, the provision of additional flare capacity on A13 Westbound off-slip lane approach nearside lane and no loss of cycle Lane, the removal of public art on both roundabouts and relocation signal-controlled pedestrian crossing to Choats Manor Way. The LROA study identified the replacement of the flyover at Lodge Avenue as being necessary to address congestion issues on the A13 by 2031, including to mitigate traffic generated by the development. However, officers are satisfied that an incremental approach to junction improvements at Goresbrook Interchange is reasonable, and that the Goresbrook Interchange and junction works secured by the S.106 Agreement are sufficient to provide the

additional capacity required for the proposed development, albeit with journey time increases on the A13 westbound associated with development and background traffic.

5.47. In relation to the local junctions the proposed works are to include the following

Works at Choats Manor Way / Choats Road Roundabout:

- Kerb re-alignment.
- Carriageway resurfacing.
- Road widening.
- The provision of additional street lighting.
- Traffic management during construction; and
- Footway works

Works at Choats Road / Chequers Lane Junction:

- Kerb re-alignment.
- Carriageway resurfacing.
- Road widening.
- The provision of additional street lighting.
- Traffic management during construction.
- Footway works; and
- Signalisation of the junction.

5.48. Given Chequers Lane is not an adopted highway the works to this junction and Chequers Lane are to be covered by a planning condition and separate agreement with GLA property who own the road. The works are to include the following matters:

- Traffic light signals at the junction of Chequers Lane and Choats Road.
- Upgrade of the length of Chequers Lane adjacent to such part of the Site as necessary to support the use of the Proposed Development to adoptable standard (or such other satisfactory highway measures as may be first approved by the local planning authority); and
- A cycle lane on the northern end of Chequers Lane connecting to Choats Road.
- Removal of the existing crossover at the junction of Chequers Lane and Choats Road.

5.49. Overall, in conclusion officers are satisfied the Proposed Development has carefully considered the transport related impacts from the proposal and brought forward mitigation measures to ensure the resulting impact on the highway is suitably addressed.

5.50. With the vehicle parking numbers, obligations and conditions recommended to this planning permission, officers are satisfied that the Proposed Development will not have an unacceptable impact on the highway network.

### Cycle and Public Transport

5.51. London Plan Policy T2 seeks to promote Healthy Streets and in particular within Opportunity Areas and other growth areas, new and improved walking, cycling and public transport networks should be planned at an early stage, with delivery phased appropriately to support mode shift towards active travel and public transport. Furthermore, Policy T3 of the London Plan seeks to ensure development proposals 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.

- 5.52. In relation to cycling Policy T5 seeks to ensure development proposals help remove barriers to cycling and create a healthy environment in which people choose to cycle. Policy BR11 of the local plan seeks to improve conditions for cyclists and for pedestrians. This is carried through within DMT3 of the Draft Local Plan (Regulation 19). Policy DMT1 requires cycle routes to be segregated from road transport.
- 5.53. Policy BR10 of the local plan seeks to ensure sustainable Transport. This is carried through within Strategic Policy SP8, and Policy DMT1 of the draft Local Plan seek the development of local public transport networks and sustainable modes of travel such as wider footpaths, good cycling infrastructure and well-designed public realm walking and cycling routes.
- 5.54. Given the application is at outline stage, full details of the cycle parking will be conditioned at reserve matters stage to ensure it complies with the relevant standards.
- 5.55. In order to comply with the above-mentioned policies and promote sustainable modes of transport, the junction works including above are to include cycle infrastructure improvements from the Goresbrook Interchange to the application site along Choats Manor Way – Choats Road – Chequers Lane.

#### Local bus service

- 5.56. To support the development, the Applicant has within the CTA committed to the delivery of a shuttle bus service. The provision of a shuttle bus service is considered necessary to support the development and to ensure part of the existing and future workforce is able to reach the site in a sustainable way. During consultation on the application, TfL have suggested this need would be better served by an enhanced bus service. Officers agree with this approach as it has the potential to serve a wider catchment area as well as other developments within the area, allowing a greater move away from car usage.
- 5.57. It is also noted, the travel plan co-ordinator is obligated within the s106 agreement to engage with local businesses and should an improved bus service be forthcoming this could form part of the engagement. Furthermore, a local night bus service that serves the surrounding residential areas such as the Barking Riverside development could also help encourage a move to a more localised workforce.
- 5.58. To understand what an enhanced provision could be TfL have advised that the extension of operating hours on the EL2 and 145 services to provide a night service could help meet demand. TfL have advised that during this period, it is the quality of service that is necessary to give passengers confidence that they will not have to wait too long for a bus, rather than issues of bus capacity. Providing a good service frequency will support and encourage modal shift from private vehicles and also support local employment. TfL have also advised of the need to increase capacity in the morning peak to meet demand arising from the development.
- 5.59. Given the scale of the development, the need to promote sustainable modes of transport, and the advice provided by Transport for London a financial contribution has been secured within the s106 towards the enhancement of local bus provisions for a five-year period.

#### Travel Plan

- 5.60. Paragraph 111 of the NPPF requires developments to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed. This is also the case with Policy T4 of the

London Plan, Policy BR10 of the local plan and policy DMT1 of the draft Local Plan (regulation 19 version).

- 5.61. A Framework Travel Plan (FTP) document in relation to the Proposed Development, has been provided with an initial framework that sets out of the key actions and objectives to support the development proposal. A condition is recommended to ensure a final travel plan is secured within the reserve matters application.
- 5.62. It is proposed that travel surveys will be carried out to assess the travel patterns of different user groups within the development. The results of these surveys will be used to assess the effectiveness of the FTP/CPMP and determine whether changes should be made year on year.
- 5.63. Active monitoring surveys will be undertaken twice a year and will be used to identify where further interventions may be required or areas that require further focus. It is proposed that these results will be presented to a Steering Group comprised of members of LBBB, BeFirst, TfL, the Applicant, and relevant stakeholders.
- 5.64. Given the scale of the development a Travel Plan Co-ordinator will be for a period of 10 years, funded by the Applicant from prior to construction of development. The travel plan officer will also be required to engage with local businesses on an annual basis to ensure wider benefits of sustainable modes of transport are realised across the London Sustainable Industries Park.

#### Construction Servicing and Deliveries

- 5.65. Policies T7 and SI15 of the newly adopted London Plan seek to development proposals facilitate sustainable freight movement by rail, waterways and road. Furthermore, Policy T7 supports the provision of hydrogen refuelling stations and rapid electric vehicle charging points at logistics and industrial locations. Lastly, the policy also seeks to ensure development proposals facilitate safe, clean, and efficient deliveries and servicing, with a requirement on developments to provide Construction Logistics Plans and Delivery and Servicing Plans required.

#### Demolition and Construction

- 5.66. The application is accompanied with an outline construction environmental management plan. It is advised this will be updated by the appointed Principal Contractor(s) prior to the commencement of any site remediation and decommissioning (full planning application) or demolition and construction (pursuant to the outline planning application). Conditions are required to secure this. In addition, a condition on hours of operation is considered necessary, however the condition having regard to the sites industrial location allows slightly longer construction hours per day (starting at 7am and ending at 7pm on Monday to Friday and 7am to 1pm on Saturdays).
- 5.67. It is considered necessary to recommend a condition requiring a detailed document outlined method of mitigation for potential impacts to the highway and surrounding environment within a Construction Logistics Plan. Adherence to such condition will ensure there will be no unacceptable impacts upon the safe and efficient operation of the surrounding highways or quality of the public realm and neighbouring amenity during the development phase.

#### Servicing and Delivery

- 5.68. The Applicant has advised deliveries and servicing will be supported through efficient logistical planning to manage on site activity, particularly in respect of arrival and dwell times for supplier vehicles, customer experience and buying practices. A condition has been recommended to ensure that a full detailed delivery and servicing plan has been provided prior to the commencement of the Proposed Development.
- 5.69. The Applicant has provided an outline operational Waste and Recycling Strategy. The strategy is set to focus on reusing waste materials and to incorporate the circular economy in the local area as well as utilising neighbouring waste facilities at the London Sustainable Industries Park (LSIP) which will shorten vehicular trips, and this is welcomed. A final strategy is recommended to be secured by condition.

#### River and Rail

- 5.70. The CTA confirms River and Rail is not suitably advanced at this stage and would require a pan London approach. Therefore, a financial contribution has been secured towards a strategic infrastructure masterplan study focused on modal shift, including the river / rail freight proposition, innovation, promotion and support of low carbon and autonomous vehicles. Should these measures be implemented in the future they could lead to a further reduction of trips on the A13 not just from the markets but from local businesses.

## **6. Agents of Change**

- 6.1. The NPPF at Paragraph 182 seeks to ensure new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established.
- 6.2. This is carried through Policies E7 and D13 of the London Plan and Policy DMD 1 of the new Local Plan (reg 19 version). London Plan Policy D13 requires applicants to take account of the Agent of Change principles and consider and mitigate for existing noise and other nuisance generating uses in a sensitive manner in new development. London Plan Policy D14 provides further detail on managing noise, such as separating noise sensitive uses from major noise sources and incorporating good acoustic design principles.

#### Noise

- 6.3. Given the location of the site within a predominantly industrial area and surrounded by major roads and railway lines, the noise and nuisance implications in the immediate vicinity of the site are not considered to raise any agent of change issues and a number of conditions are imposed to ensure this.
- 6.4. However, the Proposed Development will have wider implications as a result of traffic movements and servicing of the site. This is the matter most strongly raised during the consultation of the application from adjacent businesses such as Hovis, which is one of the largest employers within the Borough. The primary reason is the fact that all these businesses rely on the single road access point from the A13 through the Goresbrook Interchange.
- 6.5. Hovis have, for example, advised that currently should an accident occur on the A13 the roads become a standstill. This causes an issue in them not being able to deliver their bread, which due to its short shelf life is a major issue. Whilst the development cannot resolve any accidents on the A13, the impacts on the local junctions has been considered and will be mitigated

against. at the reserved matters stage, the Proposed Development is considered acceptable in this regard.

### Transport

- 6.6. Hovis have also raised strong concerns over Chequers Lane being able to accommodate the development given it is an unadopted road. As this part of Chequers Lane is within the red line boundary of the application, the officers consider that a condition should be imposed to ensure any damage is repaired and that those parts of the road are brought up to adoptable standards (or such satisfactory highway measures as may be approved by the Local Planning Authority).
- 6.7. A further concern from Hovis is the proximity of their entrance to the Chequers Lane – Choats Road ‘T’ Junction as well as its design (see drawing ref.M000687-DR-000-007 rev. B). If the junction design is not effective it will result in Hovis vehicles being unable to enter and exit their site efficiently causing consequential impacts on the application and the markets ability to function. Having subsequently discussed the matters with Hovis during a site visit on 22 February 2021, officers are satisfied that an effective junction design can be developed, and Hovis’ concerns mitigated against. Junction improvements are secured in the s106 Agreement. In addition, officers also note the exact design will come at reserved matters stage and will be subject to detailed technical approval and transport considerations. Overall, officers are therefore satisfied this matter can be adequately dealt with at reserved matters stage. Through the implementation of a steering group (item 39 of the s106 heads of terms), officers will seek to ensure Hovis and other businesses are appropriately consulted on the changes to the ‘T’ junction.

### Air Quality

- 6.8. Hanson and Hovis in their representations have raised concerns over dust impacts from the construction and end-user phases and the impact that would have on existing and future operations.
- 6.9. This matter is of particular significance to Hovis given the nature of their business which is the distribution of bread. The representations received from Hovis advise bread and other food are transported in re-usable open plastic bread baskets, with only the thin polymer bread bag with small ventilation holes between the actual loaf and the outside environment. Unacceptable levels of dust from the site could contaminate and pollute the bread, making it unsellable.
- 6.10. Hanson have raised the opposite issue with concerns that dust from their own site could have an adverse impact on the Proposed Development and in particular the nature of the produce the markets will hold. Officers are satisfied that subject to detail design at reserved matters stage this can be designed out, in particular through no external open storage of produce.
- 6.11. The Applicant’s assessment concludes that the impacts of demolition, construction and operational road traffic noise and plant noise are “not significant”, and that no mitigation is therefore required. However, in light of the representations received above and in addition to a Construction Environmental Management Plan, Construction Logistics Plan, Freight Logistics Plan, officers consider a specific Dust Management Plan should be required for submission prior to demolition/preparatory works start (unless works are carried out under the FPA) and at reserved matters stage. The submission at reserved matters stage will afford local businesses the opportunity to make further representations on this point.
- 6.12. Overall, officers are therefore satisfied the Proposed Development at this location is an appropriate land use within the SIL and subject to conditions and details required at reserved matters will not have an unduly detrimental impact on surrounding uses.

## 7. Waste Management and Refuse Collection

- 7.1. London Plan Policies D3 and SI7 and Policies CR3 and BR15 of the Local Plan outline the need for development in the Borough to minimise waste and work towards a more sustainable approach for waste management. These objectives are further emphasised in the Draft Local Plan through Strategic Policy SP6 and Policy DM29.
- 7.2. The Applicant has submitted a Draft Circular Economy Statement applying the pre-consultation draft Circular Economy Guidance in advance of the policy being fully adopted. The Applicant has provided a rationale for demolishing, rather than retaining any existing buildings on site and has undertaken a pre-demolition audit and identified the components of the building that will be reclaimed for reuse on or off the site.
- 7.3. The Applicant has also summarised its key circular economy commitments, including committing to achieving the policy targets of construction and demolition waste 95% reuse/recycling/recovery and excavation waste 95% beneficial use. An outline operational waste and recycling management strategy has been provided that describes measures for ensuring adequate and easily accessible storage space for waste and recycling and a commitment is provided to exceeding the Mayor's 65% municipal waste recycling target. The strategy also contains an end-of-life strategy, which is supported.
- 7.4. A full circular economy statement is recommended to be secured by condition for submission at reserved matters stage.
- 7.5. The GLA have advised the development meets and, in some instances, exceeds the policy requirements on the circular economy in the London Plan Policies D3 and SI7, which is strongly supported.

## 8. Energy/Sustainability/ Water Efficiency

### Energy

- 8.1. 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.
- 8.2. Chapter 9 (Sustainable infrastructure) of the London Plan requires development to contribute to mitigation and adaptation to climate change. Specifically, Policy SI2 of the London Plan set out the energy hierarchy development should follow – '1. Be Lean; 2. Be Clean; 3. Be Green'. The policy also states: "*B Major development proposals should include a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy*" and "*C A minimum on-site reduction of at least 35 per cent beyond Building Regulations is required for major development. Residential development should achieve 10 per cent, and non-residential development should achieve 15 per cent through energy efficiency measures. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough, either:*



1) through a cash in lieu contribution to the borough's carbon offset fund, or 2) off-site provided that an alternative proposal is identified, and delivery is certain".

- 8.3. Policy SI 4 of the London Plan seeks to ensure development proposals should minimise adverse impacts on the urban heat island through design, layout, orientation, materials and the incorporation of green infrastructure. With a requirement on major development to demonstrate through an energy strategy how they will reduce the potential for internal overheating and reliance on air conditioning systems.
- 8.4. These objectives and targets are also outlined in Policy DM24 of the emerging local plan (Reg 19 stage).
- 8.5. At 36%, the carbon dioxide savings marginally exceed the on-site target set of 35% set out within the London Plan for non-domestic uses.
- 8.6. Given the Proposed Development is at outline stage, a final energy strategy is to be secured via a condition for submission at reserved matters stage. This is also required to be accompanied by an overheating analysis. In addition, a s106 obligation has been secured to ensure the development achieves zero-carbon through on-site provision or off-site carbon offset projects, with the rest to be offset via a financial contribution.
- 8.7. As part of Reserved Matters planning application, the Applicant will also submit a District Heating Network (DHN) Statement to the Council for approval to detail how the development and each phase could connect to the DHN or future DH.
- 8.8. In order to meet the policy requirements of Policy SI 3 of the London Plan which seeks to establish the future energy and infrastructure requirements arising from large-scale development proposals such as Opportunity Areas, Town Centres, other growth areas or clusters of significant new development. a financial contribution towards a wider study for Dagenham Dock de-centralised energy network potential has been secured.
- 8.9. Subject to the above, officers are satisfied the proposal will accord with the above-mentioned policies.

#### Sustainability

- 8.10. Paragraph 148 of the NPPF states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to *"shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure."*
- 8.11. Policy SI 2 'Minimising greenhouse gas emissions' states that major developments will need to be net-zero carbon, which means reducing carbon dioxide emissions from the construction and operation, with major applications including a detailed strategy to demonstrate how the zero-carbon target is to be met.
- 8.12. Development Policy BR1 'Environmental Building Standards' states that all developments are expected to meet high standards of sustainable design and construction, with a minimum BREEAM standard of 'Very Good'.

- 8.13. The application is accompanied by a Sustainability Statement which confirms the Proposed Development will target a BREEAM rating of 'Excellent' rating for an Industrial assessment. This has been tested with a pre-assessment to show a possible route to achieving an Excellent rating. The Sustainability Statement notes that any retail elements built to shell only would only be able to meet a BREEAM rating of Very Good.
- 8.14. A condition to ensure pre-assessment and final completion certificates demonstrating the above is recommended to the condition. Subject to this condition, the proposal conforms to the above-mentioned planning policies.

#### Water efficiency

- 8.15. London plan Policy SI5 Water infrastructure seeks to minimise the use of mains water, water supplies, and resources should be protected and conserved in a sustainable manner.
- 8.16. The sustainability statement proposes that the non-residential components of the development with the exception of any retail will target a minimum BREEAM rating of 'Excellent'. The BREEAM pre-assessments for these components show a greater than 40% reduction in water consumption and scores of 3 on water measures. This is in accordance with London Plan Policy SI5 and is strongly supported.

### **9. Air Quality:**

- 9.1. Paragraph 170 states that: *"Planning policies and decisions should contribute to and enhance the natural and local environment by: ... e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality ..."*
- 9.2. Good Growth Objective 3 of the London Plan seeks to inter alia improve London's air quality, reduce public exposure to poor air quality and minimise inequalities in levels of exposure to air pollution. Policy D3(9) seeks to ensure design helps prevent or mitigate the impacts of noise and poor air quality.
- 9.3. The 2014 update to the Mayor of London's Sustainable Design and Construction – SPG guides developers and local authorities on what measures can be included in their designs and operations to achieve sustainable development and the objectives set out in the London Plan. Section 4.3 of the SPG concerns air quality, and sets out the Mayor's Priorities:
- *"Developers are to design their scheme so that they are at least 'air quality neutral'.*
  - *Developments should be designed to minimise the generation of air pollution; · Developments should be designed to minimise and mitigate against increased exposure to poor air quality"*.
- 9.4. It is also noted developers and contractors should follow the guidance set out in the Control of Dust and Emissions during Construction and Demolition SPG when constructing their development. The Control of Dust and Emissions During Construction and Demolition SPG guides councils, developers, and consultants on the implementation of relevant policies

contained in the London Plan and the Mayor's Air Quality Strategy to reduce emissions of dust and nitrogen oxides (NOx) from demolition and construction activities in London.

- 9.5. On 29<sup>th</sup> January 2020, LBBD declared a Climate Emergency in recognition that Barking and Dagenham needs to reduce greenhouse gas and carbon emissions and help meet national targets for the UK to attain net zero carbon by 2050.
- 9.6. On 15<sup>th</sup> February 2021, LBBD adopted its Air Quality Action Plan (AQAP) outlining the action to be taken to improve Air Quality between 2020-2025. Around 8 of the 43 action points within the plan relate directly to planning and in particular the application site.
- 9.7. Policy DM26 of the draft Local Plan states major development must achieve or exceed the 'air quality neutral' benchmark for building emissions (in line with Policy SI1 of the New London Plan), by avoiding or, if avoidance is not possible, minimising and mitigating people's exposure to poor air quality, for example through design, technology, traffic management and urban greening. Furthermore, development located within the borough's designated Air Quality Focus Areas will be particularly closely scrutinised as to the approach to air quality and will be expected to help reduce air pollution in the area. Finally, the policy states, where proposals would not achieve the 'air quality neutral' benchmark, applicants will be expected to make a financial contribution in agreement with the Council, either through the carbon offset fund, or agree sufficient alternative offsetting arrangements in the borough via planning obligations.
- 9.8. Within the Environmental Statement (and subsequent addendum), chapter 15 deals with Air Quality, in line with the methodology outlined within the EAI Scoping Report.
- 9.9. This has been reviewed by Environmental Health officers, who have requested the introduction of conditions should planning permission be granted. The GLA have also reviewed the report at Stage 1 and raised some concerns.
- 9.10. In addition, Temple employed on behalf of the Local planning authority have carried out a review of the ES and requested further information.
- 9.11. Lastly, Air Quality is a significant concern of Hovis, located opposite to the application site. Within their representations on the planning application, they have submitted a report prepared by Stantec which is effectively a third-party review of the Dust and Air Quality impacts arising from the development. The Hovis representation has also raised concerns over the Air Quality Impact and is broadly supportive of the mitigation measures outlined with in the ES. They have suggested matters to be secured under condition as well as amendments to the application.
- 9.12. Following comments on Air Quality, additional information was provided with the submission of an ES Addendum (Appendix 9-6: Air Quality Neutral Calculations prepared by AECOM in August 2020).
- 9.13. Following a re-consultation of this addendum, the GLA have provided an updated response confirming the Proposed Development no longer leads to any new exceedances of the air quality objectives at any sensitive receptor (residential property), in any of the 'With Development' scenarios. Furthermore, the GLA have advised the Proposed Development no longer leads to 'significant' impacts on existing air quality, i.e., increases in concentrations that are described as moderate to major (substantial) adverse. The GLA therefore conclude

that, the outline proposals can be described as air quality neutral, and the Proposed Development thus complies with London Plan Policy SI 1 (B) (2a).

9.14. Given the application is at outline stage, a number of conditions and planning obligations are needed to secure and ensure the Proposed Development is Air Quality neutral and that the impact on the neighbouring businesses is mitigated.

9.15. The conditions include:

- Compliance with site-specific non-road mobile vehicles to ensure low emissions.
- Submission of a Dust management plan.
- Submission of an Air Quality Report demonstrating Air Quality Neutral; and
- A condition requiring Electric Vehicle Charging Points

9.16. In addition to the above conditions a s106 obligation has been secured to require the development to propose on- or off-site additional mitigation measures or make a contribution to off-setting their emissions should Air Quality neutral not be met.

9.17. Lastly, the s106 agreement also required the development to implement an Ultra-Low Emission Zone within the application site. The existing ULEZ within central London is due to be extended to the A406 on 25<sup>th</sup> October 2021 however does not reach the application site. The s106 agreement will ensure the low emission zone is enforced on the site leading to a further improvement in air quality beyond the ES.

9.18. Subject to the imposition of the above conditions and planning obligations officers are satisfied the Proposed Development is capable of being Air Quality neutral with or without additional off-setting mitigation measures.

9.19. As such, the proposal is considered to comply with the above-mentioned policies and guidance, as well as the boroughs Air Quality Management Plan.

## **10. Impact upon amenity**

10.1. NPPF Objective 170 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of noise pollution.

10.2. Policy D1 of the London Plan states that development design should deliver appropriate outlook, privacy and amenity. Policy D14 of the London Plan seeks to reduce, manage, and mitigate noise to improve health and quality of life.

10.3. Policy BP8 of the Borough Wide DPD seeks to protect residential amenity, by ensuring new developments 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. This is supported by policies DM11, DM16 and DM25 of the Draft Local Plan.

- 10.4. The proposed development is an appropriate use with a SIL that is far from any residential property. As such, officers are satisfied the development is not envisaged to have a detrimental impact on the amenity of any residential property.
- 10.5. However, the proposal is within an industrial area and is of a scale that could affect the wider area. This is discussed further in the Agent of Change section of this report.
- 10.6. A number of conditions are recommended to ensure an acceptable impact within the vicinity these include:
- A condition restricting Construction Working Hours, bearing in mind the Site is located in an industrial area.
  - A condition limiting Noise from Non-Residential Uses and Plant and Structure Borne Noise Emissions
  - A condition limiting Noise from Plant.
- 10.7. In addition, a s106 obligation has been secured for junction improvement works at the Goresbrook Interchange, as well as a financial contribution toward parking enforcement within the vicinity to ensure vehicles are not parked within residential areas further afield.
- 10.8. Subject to the imposition of these conditions and obligations officers are satisfied the proposed development conforms to the above-mentioned policies.

## **11. Flood Risk Matters**

- 11.1. Policy SI13 of the London Plan states development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible and at local level by Policies CR4 and BR4 of the Core Strategy and Borough Wide Policies and Policy DM28 of the emerging Local plan (Reg 18 stage).
- 11.2. Policy SI12 of the London Plan seeks to manage flood risk management requiring Development proposals to ensure that flood risk is minimised and mitigated, and that residual risk is addressed.
- 11.3. The application has been accompanied with a Flood Risk Assessment which has been reviewed by the Environmental Agency and considered acceptable. A condition requiring compliance with this assessment is recommended.
- 11.4. In relation to Sustainable draining, the Council's Lead Flood Officer has reviewed the proposal and is satisfied with the proposals at outline planning stage with the expectation further details will come at reserve matters stage once the design is known. A condition is recommended to secure this.
- 11.5. Following advice from the Environmental Agency a number of other conditions are recommended.
- 11.6. Overall, subject to conditions officers consider flooding and drainage matters to be acceptable and accord with the above-mentioned planning policies.

## **12. Aviation Safeguarding**

- 12.1. Policy D9 of the London Plan seeks to ensure inter alia buildings, including their construction, should not interfere with aviation, navigation or telecommunication.
- 12.2. In order to ensure the above and taking on board advice from London City Airport a condition is recommended to ensure any bird striking aeroplanes is suitably mitigated.
- 12.3. As such, subject to the imposition of a condition, the proposal accords with the above-mentioned policy.

## **13. Biodiversity, Terrestrial and Marine Ecology**

- 13.1. Policy G6 of the London Plan require new developments to make a positive contribution to the protection, enhancement, creation and management of biodiversity wherever possible. Policies CR2 and BR3 of the Local Plan echo the London Plan in its strategic approach to protect and enhance biodiversity and to provide a net gain in the quality and quantity of the Borough's natural environment. This approach is also set out in Policy SP5 of the Draft Local Plan.
- 13.2. Parts of FPA Decommissioning include works within the River Thames, which is designated as part of the River Thames a Tidal Tributaries Site of Metropolitan Importance for Nature Conservation (SMINC), a non-statutory site designated on the basis of its nature conservation interest.
- 13.3. The application site is also located approximately 15m to the west of the Dagenham Breach and lower Beam River in Dagenham Site of Importance for Nature Conservation (SINC) Borough Grade I. The OPA Site currently predominantly consists of buildings, hardstanding and sparsely vegetated stony ground, with smaller areas of grassland, bare ground, spoil, scrub and scattered trees. Whilst habitats at the OPA Site are generally of relatively low ecological value, sparsely vegetated stony ground, grassland and spoil together comprise wasteland; a habitat associated with disused urban sites which is identified as being of value within the London Borough of Dagenham and Barking.
- 13.4. A range of measures have been incorporated as part of the EIA Project to avoid or reduce potential impacts. These include the following:
- Implementation of a CEMP that will include standard construction controls (e.g., minimising construction lighting; dust suppression; clearing vegetation outside of the nesting bird season).
  - Habitat creation, including potential biodiverse roofs, and soft landscaping aimed at enhancing connectivity with areas of habitat in the local wider area (e.g., Dagenham Breach);
  - Implementation of a sensitive operational lighting design at the OPA Site.
  - An Invasive Non-Native Species (INNS) management plan to prevent the spread of giant hogweed; and
  - Provision of black redstart and peregrine nest boxes to provide alternative nesting habitat.
- 13.5. Discussions have also taken place between the applicant and the Marine Management Organisation which was established by the Marine and Coastal Access Act 2009 (the "2009

Act”) to make a contribution to sustainable development in the marine area and to promote clean, healthy, safe, productive and biologically diverse oceans and seas.

- 13.6. The Proposed Development assumes the delivery of 10% biodiversity net gain (BNG) based on an illustrative soft landscaping proposal. It demonstrates how the 10% BNG could be achieved within the parameters sought for approval. The calculation will be updated and refined when further details of the landscaping will be brought forward. The above measures have been secured by planning condition, along with an updated Arboricultural method statements to protect the trees to be retained on site.
- 13.7. Overall, the above matters are considered acceptable and officers are satisfied subject to conditions listed above the overall impacts on Biodiversity and Ecology will be suitably managed.

## **14. Environmental Impact Assessment**

### Environmental Impact Assessment EIA Regulations

- 14.1. The Proposed Development is considered an ‘EIA development’ as it falls within the description and thresholds in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations.
- 14.2. Regulation 3 of the EIA Regulations prohibits granting planning permission unless prior to doing so, the relevant planning authority has first taken the ‘environmental information’ into consideration and stated in their decision that they have done so.
- 14.3. The ‘environmental information’ comprises the applicant’s Environmental Statement, including any further information and any other information, and any representations received from consultation bodies or duly made by any person about the environmental effects of the development.

### EIA Scoping

- 14.4. An EIA Scoping Report was submitted on 9<sup>th</sup> October 2019, and a further addendum was submitted in December 2019 to seek a formal Scoping Opinion.
- 14.5. The EIA Scoping Report included a description of the proposed development and was accompanied by a location plan of the site and a list of the cumulative schemes to be assessed within the ES.
- 14.6. The Scoping Report was reviewed on behalf of the Council by Temple and a formal EIA Scoping Opinion was issued on 13<sup>th</sup> March 2020 and the ES was informed by this document.

### Environmental Information

- 14.7. An Environmental Statement (ES) was submitted by the applicant with the outline planning application and associated Full Planning Application. The ES assessed the effects on the following environmental receptors (in the order they appear in the ES):

- Remediation, Decommissioning, Demolition and Construction.
- Terrestrial Ecology
- Marine Ecology
- Flood Risk and Drainage
- Surface Water Environment
- Ground Conditions and Hydrogeology
- Townscape and Visual
- Archaeology
- Traffic and Transport
- Noise and Vibration
- Air Quality
- Socioeconomics
- Climate Change
- Wind Microclimate

- 14.8. To ensure the reliability of the ES, the Council appointed independent EIA consultants, Temple, to review the ES and to confirm whether it satisfied the requirements of the EIA Regulations. Where appropriate reference was made to other relevant documents submitted with the planning application.
- 14.9. Temple's initial review identified a number of clarifications and potential requests for 'further information' under Regulation 25 of the EIA Regulations. The Applicant was issued with a copy of Temple's Interim Review Report ("IRR"). The applicant responded to the IRR and a Final Review Report was prepared.
- 14.10. Following revision to the Transport and Air Quality chapters a final review report and ES Addendum Review was carried out by Temple. Lastly, the Project Team provided a response to this report on 3<sup>rd</sup> September 2020.
- 14.11. In addition to this, SLR Consulting on behalf of Hanson UK have provided a response to the outline planning application. The response considers in detail Air Quality and Transport matters, as well as dust and construction related matters.
- 14.12. Lastly, within Hovis's consultation responses include the following reports prepared by Stantec all dated 24<sup>th</sup> July 2020.:
- 1- Dust and Air Quality Impact Review
  - 2- Chequers Lane and Proposed Site Access Review
  - 3- Construction and Operational Vehicle Impact Review
- 14.13. Officers have considered the reviews and reports and are satisfied the ES has been appropriately reviewed in accordance with The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (EIA Regulations).
- 14.14. The 'environmental information', including all responses has been examined by the Council and has been taken into consideration by officers to reach a reasoned conclusion of the significant effects of the Proposed development, which forms the basis of the assessment presented in this report.



14.15. Appropriate mitigation / monitoring measures as proposed in the ES will be secured through planning conditions and/or planning obligations these include the compliance with the submitted Foul Sewage and Utilities Assessment.

## 15. Land contamination

15.1. Policy SD1 of the London Plan and policies CR1 and BR5 seek to mitigate any contamination risk arising from developments.

15.2. Subject to a condition regarding the verification report for remediation measures, the proposed land will be appropriately remediated for the Proposed Development in accordance with the above-mentioned policies.

## 16. Health and Safety

16.1. The site is adjacent to Stolthaven Dagenham which is an ISO 9001 accredited bulk liquid storage terminal located on the River Thames. It stores a range of chemical, fuel and oil products. Stolthaven is designated by the Control of Major Accident Hazards (COMAH) as an upper tier facility for chemical installations and distribution and fuel storage / distribution.

16.2. The application has been referred to the HSE which is a statutory consultee using the HSE's Planning Advice Web App. The result confirms the HSE do not advise against the proposed development.

## 17. Local Finance Considerations

17.1. In addition to the financial matters secured within the s106 agreement listed in appendix 6 the developer would be liable for the Mayoral Community Infrastructure Levy (CIL) and the Borough's CIL.

17.2. The final CIL amount is payable based on the floorspace proposed at reserved matters stage.

17.3. Based on the information provided, the total **estimated** CIL liability in this case, for the maximum parameter proposal would be: **£8,903,382.63**.

17.4. This is comprised of:

- CIL liability for Mayor of London £5,830,412.35
- CIL liability for London Borough of Barking and Dagenham of **£3,072,970.27**

## 18. Other Matters - Monitoring

18.1. Given the scale of the development proposed, a joint working group is recommended to be set up hereafter referred to as the 'Steering Group'. The purpose of the Steering Group will be to:

- act as a forum to discuss and resolve performance issues amongst the Parties and to ensure strategic consistency of the Development with other development initiatives within the London Borough of Barking and Dagenham and the London Riverside Opportunity Area.
- as soon as practicable following receipt from the City of London and in any event within 2 (TWO) months of receipt review any reports/studies related to Transport via River and Rail and to make recommendations to the City of London.
- as soon as practicable following receipt from City of London and in any event within 1 (one) month of receipt review the Annual Monitoring of employment obligations.
- as soon as practicable following receipt from the Council and in any event within 1 (month) calendar month of receipt, review the job description for any posts created to serve the development – Travel Plan Co-ordinator, Employment officers and make recommendations to the City of London.
- The owner will submit a report on sustainable transport measures to the steering group on how they will be implemented on Practical Completion of the development
- review of sustainable modes listed in obligation 12 & 15. The monitoring of these obligations will be based on the trips considered within the CTA. If the trips reach 90% of the CTA over a two-week period and it is part of a trend in usage of vehicles over a month, then the Owner will review the effectiveness of the sustainable transport measures and ensure reasonable endeavours have been used to fully implement them and bring forward options of further mitigation measures where reasonable. The Owner shall update the Steering Group on the measures taken, as necessary. The Steering Group will have the opportunity to review these measures and advise or suggest further mitigation if necessary.
- Other stakeholders including local businesses, the Port of London Authority will be invited as and when considered necessary in relation to any of the above-mentioned obligations.
- Allow businesses in Dagenham Dock to raise representation to the group. Where representations are made require the City of London to provide a response within 1(month).

18.2. There will also be a requirement to update Members briefing on an annual basis over progress of development.

18.3. Other stakeholders including local businesses and the Port of London Authority will be invited as and when considered necessary in relation to any of the above-mentioned obligations.

18.4. There will also be a requirement to update Members of the planning committee over progress of the development.

18.5. The creation of the steering group will ensure adequate recourses are available and committed on all parties to ensure the proposed development and its wider regenerative benefits are realised, whilst ensure the impacts of the development are suitably addressed.

## **19. Conclusion**

- 19.1. The Proposed Development is considered acceptable in land use terms and when considered as a whole will be provided an appropriate land use within adopted Core Strategy SIL designation, as the part of the statutory Development Plan and accord with the London Plan, and emerging Local Plan.
- 19.2. Through construction and operational phases, the Proposed Development will bring substantial employment and regenerative benefits to the borough (including educational opportunities linking to the development aspirations of LBBDD for the Dagenham Dock area). These benefits are to be secured within the s106 agreement.
- 19.3. Further contributions have been secured in terms of wider placemaking, through master-planning, public realm enhancements and improvements to the local cycle network.
- 19.4. The proposal, subject to further details secured at reserved matters stage, will be well designed and officers are satisfied that the Proposed Development would deliver a high-quality, well-integrated, inclusive and sustainable place.
- 19.5. It is considered that the scheme will bring substantial vehicular traffic to the local network and along the A13. It is considered that these transport impacts of the Proposed Development have been thoroughly assessed by the Applicant in discussion with Planning and Highways officers, and with TfL and neighbouring businesses. The assessment indicates that the additional traffic will result in some increase in journey time westbound on the A13. Officers have also taken account of the conclusions of the LROA Transport Study undertaken by Jacobs. Officers are satisfied that the Proposed Development will not have an unacceptable impact on the highway network subject to S106 obligations, including works at the local junctions and at the Goresbrook Interchange, which will ensure impact on the local highway network is appropriately mitigated against and managed.
- 19.6. Officers are mindful that the proposed level of parking exceeds the standards specified in Local Plan Policy BR9 and London Plan Policy T6. However, Officers are satisfied that this level of parking provision can be justified due to the unique use and that appropriate measures have been secured to encourage a reduction in parking from the opening of the new market and over time, where possible. This is through a combination of on-site and off-site mitigation measures secured via condition and within the s106 agreement.
- 19.7. In relation to local businesses, there are strong and valid concerns over the scale of the development and the consequential impact on existing businesses. Through a combination of measures within the s106 agreement and via conditions, covering matters such as construction, dust, short- and long-term mitigation measures and junction improvement works, officers consider the impact to be suitability mitigated as far as possible at this stage.
- 19.8. Officers also consider that the submission of a Travel Plan and the appointment of a Travel Plan Coordinator to engage with local stakeholders throughout design development will enable consideration of wider sustainable travel benefits to be promoted across the site and in the wider area. In addition, with the Steering Group, there will be an avenue for local businesses to be able to be kept informed and involved in further detailed development, notably the design of the local junctions.
- 19.9. The Energy Strategy submitted as part of the Proposed Development demonstrates that the proposals would sufficiently reduce carbon dioxide emissions, with any off set to be secured through the s106 agreement.

- 19.10. With regard to the heritage impacts of the Proposed Development, the setting of Jetty No. 4 and Approach is preserved, and the Proposed Development causes no harm to its significance.
- 19.11. Officers have considered the reviews and reports and are satisfied the ES has been appropriately reviewed in accordance with The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (EIA Regulations) and all the environmental information taken into account.
- 19.12. Considered as a whole, the Proposed Development is considered to accord with the Development Plan. It is on this basis and on the basis of all other material considerations that the grant of outline planning permission is recommended.

## Appendix 1: Development Plan Context

<b>Development Plan Context:</b>	
The Council has carefully considered the relevant provisions of the Council's adopted development plan and of all other relevant policies and guidance. Of particular relevance to this decision were the following Framework and Development Plan policies and guidance:	
<i>National Planning Policy Framework (NPPF) (MHCLG, Feb 2019)</i>	
<i>London Plan</i>	Policy GG1 - Building Strong and Inclusive Communities Policy GG2 - Making the Best Use of Land Policy GG3 - Creating a Healthy City Policy D1 - London's Form, Character and Capacity for Growth Policy D2 - Infrastructure Requirements for Sustainable Densities Policy D3 - Optimising Site Capacity Through the Design-Led Approach Policy D4 - Delivering Good Design Policy D5 - Inclusive Design Policy D8 - Public Realm Policy D9 – Tall Buildings Policy D11 - Safety, Security and Resilience to Emergency Policy D12 - Fire Safety Policy D14 - Noise Policy HC1- Heritage and Conservation Policy G1 - Green Infrastructure Policy G5 - Urban Greening Policy G6 - Biodiversity and Access to Nature Policy SI1 - Improving Air Quality Policy SI2 - Minimising Greenhouse Gas Emissions Policy SI3 - Energy Infrastructure Policy SI7 - Reducing Waste and Supporting the Circular Economy Policy SI8 - Waste Capacity and Net Waste Self-Sufficiency Policy SI12 - Flood Risk Management Policy SI13 - Sustainable Drainage Policy T1 - Strategic Approach to Transport Policy T2 - Healthy Streets Policy T3 - Transport Capacity, Connectivity and Safeguarding Policy T4 - Assessing and Mitigating Transport Impacts Policy T5 - Cycling Policy T6 - Car Parking
<i>Local Development Framework (LDF) Core Strategy (July 2010)</i>	Policy CM1 – General Principles for Development Policy CR1 – Climate Change and Environmental Management Policy CC3 – Achieving Community Benefits Through Developer Contributions Policy CP2 – Protecting and Promoting Our Historic Environment Policy CP3 – High Quality Built Environment
<i>Local Development Framework (LDF) Borough Wide Development Plan Document (DPD) (March 2011)</i>	Policy BR1 – Environmental Building Standards Policy BR2 – Energy and On-Site Renewables Policy BR3 – Greening the Urban Environment Policy BR4 – Water Resource Management Policy BR5 – Contaminated Land Policy BR9 – Parking Policy BR10 – Sustainable Transport Policy BR11 – Walking and Cycling Policy BR13 – Noise Mitigation Policy BR14 – Air Quality Policy BR15 – Sustainable Waste Management Policy BC7 – Crime Prevention Policy BC8 – Mixed Use Development Policy BE4 – Managing the Evening Economy

	<p>Policy BP2 – Conservation Areas and Listed Buildings  Policy BP3 – Archaeology  Policy BP4 – Tall Buildings  Policy BP11 – Urban Design</p>
<p><i>The London Borough of Barking and Dagenham’s Draft Local Plan: (Regulation 19 Version) is at an “advanced” stage of preparation. Having regard to NPPF paragraph 216 the emerging document is now a material consideration and limited weight will be given to the emerging document in decision-making, unless other material considerations indicate that it would not be reasonable to do so.</i></p>	
<p><i>The London Borough of Barking and Dagenham’s Draft Local Plan: (Regulation 19, December 2020)</i></p>	<p>Policy SP1 - Delivering Growth  Policy SP4 - Delivering High Quality Design in the Borough  Policy SP5 - Enhancing our Natural Environment.  Policy SP6 - Securing a Sustainable and Clean Borough  Policy DM11 - Responding to Place  Policy DM14 - Conserving and Enhancing Heritage Assets and Archaeology  Policy DM19 - Urban Greening  Policy DM20 - Nature Conservation and Biodiversity  Policy DM24 - Energy, Heat and Carbon Emissions  Policy DM26 - Improving Air Quality  Policy CM27 – Land Contamination  Policy DM28 - Managing Flood Risk, including Surface Water management  Policy DM29 - Managing our Waste.  Policy DM31 - Making Better Connected Neighbourhoods  Policy DM32 - Cycle and Car Parking  Policy DM33 - Deliveries, Servicing and Construction  Policy DM36 - Development Contributions</p>
<p><i>Supplementary Planning Documents / Other</i></p>	<p>Shaping Neighbourhoods: Character and Context Supplementary Planning Guidance (GLA, June 2014)</p> <p>Accessible London – Achieving an Inclusive Environment Supplementary Planning Guidance (GLA, October 2014)</p> <p>Sustainable Design and Construction Supplementary Planning Guidance (GLA, April 2014)</p> <p>Planning Advice Note - Waste and Recycling Provisions in New and Refurbished Residential Developments (10 February 2013)</p> <p>London Riverside Opportunity Area Planning Framework (OAPF) (2015)</p>

**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. In particular, interference with property rights including by impacts on neighbouring properties has been considered. It is the view of officers that insofar as such interference arises by the grant of planning permission, it is in the public interest and proportionate.

*Equalities*

In determining this planning application, Be First on behalf of the London Borough of Barking & Dagenham has had regard to its equality’s obligations including its obligations under section 149 of the Equality Act 2010 (as amended).

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

*Local Government (Access to Information) Act 1985*

Background papers used in preparing this report:

- Planning Application
- Statutory Register of Planning Decisions
- Correspondence with Adjoining Occupiers
- Correspondence with Statutory Bodies
- Correspondence with other Council Departments
- National Planning Policy Framework
- London Plan
- Local Plan

## Appendix 2: Relevant Planning History

<i>Application Number:</i>	<i>15/00314/PRIOR4</i>	<i>Status:</i>	<i>Prior Approval Granted 20/04/2015</i>
<i>Description:</i>	<i>Application for prior notification of proposed demolition of Barking Power Station.</i>		
<i>Application Number:</i>	<i>19/01501/SCREEN</i>	<i>Status:</i>	<i>EIA Development</i>
<i>Description:</i>	<i>Screening Opinion: Proposed demolition of Barking Power Station consisting of the demolition of all buildings (excluding the cooling water shaft headhouse and structures associated with the cooling water intake/outtake tunnels, and the gas pipeline infrastructure) and redundant plant associated with the decommissioned Barking Reach Power Station to ground (slab) level.</i>		
<i>Application Number:</i>	<i>19/01331/PRIOR4</i>	<i>Status:</i>	<i>Prior Approval Granted 06/09/2019</i>
<i>Description</i>	<i>Application for prior notification of proposed demolition of: Pylons 1-9 from Barking Reach Power Station to Renwick Road Substation.</i>		
<i>Application Number:</i>	<i>20/00129/PRIOR4</i>	<i>Status:</i>	<i>Prior Approval Granted 25/02/2020</i>
<i>Description:</i>	<i>Application for prior notification of proposed demolition of Barking Reach Power Station including all structures (excluding the cooling water shaft head house and certain structures associated with the cooling water intake/outtake tunnels, and the gas pipeline infrastructure) and redundant plant associated with the decommissioned Barking Reach Power Station to the top of the lowest man-made slab level. Proposal includes the below ground marginal work regarding the culverts.</i>		
<i>Application Number:</i>	<i>19/01610/SCOPE</i>	<i>Status:</i>	<i>Scoping Opinion issues 01/03/2020</i>
<i>Description:</i>	<i>Outline application (with all matters reserved except access) for site remediation/demolition/enabling works, and development of a consolidated wholesale market and ancillary uses with associated services floorspace, car parking and landscaping.</i>		
<i>Application Number:</i>	<i>18/01804/HAZ</i>	<i>Status:</i>	<i>Revoked 01/04/2019</i>
<i>Description</i>	<i>Revocation of the Hazardous substances consent</i>		
<i>Application Number:</i>	<i>20/01094/FULL</i>	<i>Status:</i>	<i>Pending consideration</i>
<i>Description</i>	<i>Below and above ground works associated with decommissioning the former Barking Reach Power Station Site including below ground demolition; remediation of the site; decommissioning and demolition of the cooling water system comprising intake and outfall tunnels, associated pump station and outfall structure(s). decommissioning and demolition works associated with gas, fuel distillate and utility infrastructure</i>		



### **Appendix 3: Consultation Responses**

The following consultations have been undertaken:

- LBBB Community Solutions
- LBBB Policy and Participation
- LBBB Employment and Skills
- LBBB District Heating / Energy
- LBBB CCTV, Community Safety and Public Protection
- LBBB Environmental Health
- LBBB Emergency Planning
- LBBB Refuse Services
- LBBB Car Club / Travel plan / CPZ / Parking
- LBBB Access Officer
- LBBB Environmental Health
- LBBB Lead Local Flood Authority
- LB Newham
- LB Bexley
- LB Havering
- Thurrock County Council
- Designing Out Crime
- Essex and Suffolk Water Company
- National Grid
- UK Power Networks
- London Fire Brigade
- Thames Water
- London Underground Infrastructure
- Greater London Authority
- Historic England Archaeology
- Port of London
- Historic England Buildings
- Transport for London
- London City Airport
- Natural England
- Environment Agency
- Be First Regeneration
- Highways England
- Be First Transport Development Management

<b>Summary of Consultation responses:</b>		
<b>Consultee and date received.</b>	<b>Summary of Comments</b>	<b>Officer Comments</b>
<b>Environmental Health</b>	<p>Responded on 18th June 2020 advising any planning permission should be subject to conditions relating to:</p> <ol style="list-style-type: none"> <li>1. Contaminated Land</li> <li>2. Construction Management and Site Waste Management Plan</li> <li>3. Acoustic Protection</li> <li>4. Noise from Non-Residential Uses and Plant and Structure Borne Noise Emissions</li> <li>5. Details of Any Commercial Kitchen Extract Ventilation System</li> <li>6. Piling, Deep Foundations and Boreholes</li> <li>7. Hours of Use of Non-Residential Uses and Delivery/Collection Hours</li> <li>8. Air Quality and Air Quality Neutral Assessment</li> <li>9. Emissions from Non-road mobile machinery (NRMM)</li> <li>10. Light</li> </ol>	<p>Following the comments, a meeting took place with the applicant's team and a response provided by Aecom on behalf of the applicant. The agreed conditions arising from the meeting have been recommended to the planning permission with the exception of a financial contribution should Air Quality neutral not be met. This is a matter instead secured within the s106 agreement.</p>
<b>Environment Agency</b>	<p>Environmental Agency responded on 15<sup>th</sup> July confirming they have no objections to the application on flood risk grounds. The site is located within Flood Zone 3 and is protected to a very high standard by the Thames tidal flood defences up to a 1 in 1000 (0.1%) chance in any year flood event. EA latest flood modelling shows the site would be at risk if there was to be a breach in the defences or they were to be overtopped.</p> <p>They have recommended 7 conditions should planning permission be granted.</p>	<p>The requested conditions have been imposed.</p>
<b>Greater London Authority</b>	<p>Stage 1 received 13<sup>th</sup> July 2020.</p> <p>Principle of development is strongly supported. To ensure an exemplary standard of design the applicant should provide a design code or similar document that can be secured by condition.</p>	<p>The applicant is recommended for approval subject to conditions which have been suggested by the GLA.</p>

	<p>The inclusive design statement should be updated to provide more detail on measures to support those with protected characteristics. Further information on Air Quality is required. The proposed development raises strategic transport concerns with respect to its potential impact on the A13. The level of car parking is unacceptable and must be reduced. Further information on energy, water and urban greening is required.</p> <p>The GLA have also requested a number of conditions.</p> <p>25<sup>th</sup> September 2020 response received on Air Quality advising they are satisfied the development can be Air Quality Neutral and that conditions should be recommended to secure this.</p> <p>30<sup>TH</sup> September 2020 response received related to design advising that following amendments to Chapters 9 and 10 of the Design and access statement they are satisfied the relevant changes have been made.</p>	<p>Further discussions have taken place on Transport matters with Transport for London and these are discussed within the TfL response.</p>
<b>London Underground Infrastructure</b>	<p>Response received on 11/06/2020 advising London Underground Infrastructure Protection has no comment to make on this planning application</p>	<p>Noted</p>
<b>Historic England (Archaeology)</b>	<p>Response received on 26th June 2020 advising no objection subject to an Archaeological condition.</p>	<p>Requested condition imposed.</p>
<b>Designing Out Crime Officer 03/06/2020</b>	<p>03/06/2020 In order to promote a continuous level of security for a project, the security of the construction phase should be considered. Crime on building sites and construction sites often contribute to spikes in crime figures for the local area and place a burden on local blue light resources and the local community.</p> <p>08/09/2020 However recent consultations appear to have failed to engage with police at this pivotal stage and the lack of data focusing on security for the proposed site leave the police no other option other than not to support this application.</p>	<p>The applicants have since met with Designing Out Crime Officer. Officers are satisfied, given the proposal is at outline stage, this matter can be adequately dealt with at reserve matters stage and has been conditioned.</p>
<b>Historic England (Building)</b>	<p>Response received on 3<sup>RD</sup> June 2020, On the basis of the information available to date, we do not wish to offer any comments.</p>	<p>Noted.</p>
<b>Natural England</b>	<p>Response received on 15th June 2020 raising no objection</p>	<p>Noted.</p>

<b>London City Airport</b>	Response received on 22nd June 2020 advising no objection subject to a bird striking condition	The relevant condition has been recommended.
<b>LBD Access officer</b>	Response received on 23rd June providing comments on accessible parking and changing places facilities.	The proposal is at outline stage, this matter can be adequately dealt with at reserve matters stage and has been conditioned.
<b>LBD Waste</b>	Response received on 20 <sup>th</sup> July advising of general requirements for commercial waste.	The response has been passed to the applicant. Waste and Circular economy matters will be secured via condition.
<b>London Fire Brigade</b>	Response received on 1st July advising no fire hydrants are required and emergency fire vehicle access guidance provided.	Noted.
<b>Port of London Authority</b>	<p>Response received on 3rd July 2020 confirming the PLA is supportive of the overall scheme particularly with regard to the potential for the site to make use of the River Thames for the onward transportation of goods, specifically into Central London.</p> <p>The submitted Transport Statement (TS) includes a section on River Freight, stating that the City of London is investigating the opportunity for river freight into the site including the potential acquisition of a river jetty and adjacent land at the southern end of Hindmans Way to support river freight operations. The TS further states that establishment of suitable and viable alternative river operations will take time to establish and will unlikely to be fully in place upon the proposed occupation of the markets by 2025. The PLA considers that an appropriately worded condition must be added to ensure the potential for river freight is fully investigated and set out. The PLA must be able to review and comment on the addendum to the TS when this has been completed.</p> <p>It is noted that a detailed Construction Logistics Plan (CLP) will be produced by the applicant once a contractor has been appointed. It is essential that within the CLP</p>	<p>The response from the PLA has been considered and a financial contribution towards further studies on river and rail have been secured within the s106 agreement. In addition, the CLP/CEMP have also been secured via condition. The s106 also includes the creation of a steering group where it is envisaged the PLA could attend to further inform future freight by river use.</p>

	<p>there is full consideration of the use of the River Thames a part of the construction phase of the development through the supply chain. Further comments received on 25<sup>th</sup> September 2020 acknowledging the further information provided and the emphasis on the above conditions.</p>	
<p><b>Transport for London</b></p>	<p>Transport for London have been involved throughout the course of the pre-application and also during the application. The final comments received were on 19<sup>th</sup> February 2021 and further comments received afterwards including on 5<sup>th</sup> March. The response can be summarised as:</p> <ul style="list-style-type: none"> <li>-A13 is already a heavily congested network</li> <li>- in this context the impact is inevitably disproportionately higher, the scheme adds 14% to the baseline traffic on the westbound on-slip at the Goresbrook Interchange in the period beginning 0600 (9% at 0700 and 3% at 0800).</li> <li>-The works proposed by the applicant at Goresbrook Interchange are necessary for reasonable levels of access to the market, providing capacity at that junction to accommodate its own traffic. They do not appear to provide any elements of mitigation as is required by Policy T4(E).</li> <li>- While the replacement flyover is funded by the A13 management contract, there is as yet limited funding for the other schemes and therefore no certainty over their delivery. In any case, these proposed schemes would not fully mitigate the impact of this scheme.</li> <li>-We are concerned about this impact, particularly in light of the need to address the significant cumulative transport impacts of this and other projected development within the emerging Local Plan and as envisaged at a strategic level in the new London Plan. We believe that these issues should be considered strategically with TfL and neighbouring boroughs on a sub-regional basis.</li> <li>-First, a contribution should be secured toward schemes on the A13 to better manage traffic, particularly to safeguard road safety at times of increased congestion, and to safeguard bus journey time on the approaches to Goresbrook Interchange and on the section of A13 on which they run (email of 5<sup>th</sup> March suggests a contribution of £4million)</li> </ul>	<p>Following a meeting held on 2<sup>nd</sup> March,</p> <p>TfL has agreed a financial contribution towards Hydrogen is not required.</p> <p>A contribution towards bus provision has been secured within the agreement.</p> <p>In relation to the A13 the applicant has demonstrated that the relatively small increase in traffic on the A13 compared to existing flows is within reasonable levels of impact. The Applicant is contributing to the mitigation set out within the strategic transport study of the LROA. This mitigation is considered by officers as proportionate to the level of impact on the A13.</p> <p>Officers feel the additional £4million contribution has not been</p>

	<ul style="list-style-type: none"> <li>-Second, limits on traffic entering and departing the site during key time periods.</li> <li>- TfL have recommended a number of conditions.</li> <li>- A financial contribution towards buses (£2.95m)</li> <li>- A financial contribution towards Hydrogen fuelling stations.</li> <li>- It is essential that any on-carriageway cycle lanes are segregated appropriately from other vehicle traffic. The most appropriate form of segregation is likely to be the use of “orca and wand” units, which carry a retro-reflective “wand” which will show up in the same way as a traffic cone, and the “orca” will provide tactile and audible feedback to any driver who goes over them.</li> <li>-To reduce the consequential impacts of vehicle movement on emissions and air quality, it is expected that the requirements of the London Plan in terms of electric vehicle charging will be met. Policy T6(G) requires that all operational parking includes electric vehicle charging provision including rapid charging. Since customer parking is in part justified on the basis that it is operational, we will expect charging facilities to be installed.</li> <li>- Highway works appear reasonable</li> <li>-We remain concerned that their arrival at the site and connections within it may be compromised by the heavy emphasis on vehicle movement. This matter should be addressed specifically at Reserved Matters stage.</li> <li>-TfL have also requested attendance on the Steering group and provided a list of items they wish to be covered within the group.</li> </ul>	<p>accompanied by adequate justification and the works proposed by the contribution are not covered within the LROA study which was jointly commissioned by Transport for London.</p> <p>Therefore, this is not considered necessary to make the development acceptable.</p> <p>Lastly, a number of TfL comments have been addressed via the imposition of conditions and/or s106 agreements.</p>
<b>Network Rail</b>	Response received on 06 <sup>th</sup> October 2020 advising of informatives should planning permission be granted.	The informatives have been passed to the applicant.
<b>LBBB Drainage</b>	Response received on 3rd July 2020 confirming the officer is satisfied with the proposals and that the precise details will come forward at reserve matters stage.	The necessary conditions have been imposed.
<b>Thames Water</b>	Response received on 16th June 2020 advising Waste Thames Water do not have any	Noted.

	objection to the above planning application, based on the information provided.	
<b>Transport Development Management</b>	<p>Ongoing discussions and comments provided on several occasions. Final comments received on 10/02/2021.</p> <p>The comments can be summarised as:</p> <ul style="list-style-type: none"> <li>- In support of an Outline Planning Application (OPA) 20/01097/OUTALL for the relocation of the City Markets an extensive, Transport Assessment (TA) with multiple traffic surveys completed during the busy periods before the Coronavirus outbreak was submitted in May 2020 and the subsequent TA Addendum (TAA) submitted in August 2020. At the request of the LPA a Consolidated Transport Assessment (CTA) has been prepared in addition to these documents. This CTA incorporates additional elements and comprises microsimulation traffic modelling VISSIM, more data analysis, interview surveys, the feedback from the consultation undertaken and results of the London Riverside Opportunity Area (LROA) Study outcomes, into a single document. The conclusions of the previous documents have been incorporated into this document and therefore CTA only needs to be considered at this stage for the purposes of the OPA.</li> </ul> <p>To reduce traffic impacts short term and long-term mitigation measures are proposed. Short term measures consist of both on-site and off-site measures to be implemented from opening of the wholesale markets in 2025/2026. The long-term measures will be implemented off-site with a wider strategic outlook to increase the use of alternative modes and capacity for the delivery of goods by rail and river freight.</p> <p>It is shown in the CTA table 6.12 with on-site mitigation measures it's predicted the total number of vehicle trips reduces by 1,817 vehicles to 8,950 vehicles per day.</p> <ul style="list-style-type: none"> <li>-Microsimulation modelling (VISSIM) has also been undertaken to analyse current capacity that includes the local highway network and the Goresbrook Interchange as a complete network. The VISSIM model covers the AM peak periods 06:00-07:00, 07:00-08:00 and 08:00-09:00. The 2020 baseline results show a significantly greater journey time for the A13 in the westbound direction compared to the eastbound direction, which is free flowing, in all time periods assessed. Congestion on the A13 westbound</li> </ul>	These comments have been taken into account and inform the conditions and obligations recommended to this permission.

	<p>carriageway is such that drivers try to bypass it by leaving and re-joining the A13 via the westbound off and on-slips.</p> <p>-The CTA in relation to the wider strategic A13 highway network, incorporate the Package 1 measures recommended in the LROA study which identifies improvements to the Goresbrook Interchange in the detailed modelling assessment and reflects the forecasted impact related to the development specifically.</p> <p>The Applicant proposes to bring forward the LROA Goresbrook Interchange Package 1 measures to be implemented by 2025 to accommodate background traffic growth and the predicted traffic to and from the Proposed Development site.</p> <p>-The baseline 2020 highway modelling results and subsequent 2025 and 2031 base scenarios, indicate that, conditions on the A13 must be improved to relieve the congestion on the strategic network.</p> <p>-It is intended that there will be multiple points for vehicles to access via Chequers Lane, with separate access for HGVs, LGVs / vans, car, cyclists, and pedestrians. The ground floor illustrative plans show the north access is proposed for HGV access only while the remaining three accesses can be used for car, van, bicycle, and pedestrians.</p> <p>-The applicant has reflected our earlier comments about the reduction from the proposal in the previous TA of 3060 parking spaces based on the three existing markets to this final proposed total of 2,112 vehicle parking spaces. -</p> <p>The commitment by the applicant to implement significant measures both in the short- and long-term and their objective approach to continue to reduce vehicle trips, and associated parking overtime the parking level is considered appropriate.</p> <p>-20% should be ECVP and remaining passive, and 10% blue badge.</p> <p>-This cycle parking provision will be in line with The Published London Plan (2020) cycle parking standards for B8 and D1 land providing a total of 126 long-stay and 82 short-stay cycle parking spaces across the uses.</p> <p>-the comment outlines the mitigation measures agreed with the applicant</p> <p>The proposal achieves the principal transport policy objectives and consequently it is our view policy compliant. The assumptions made in the assessment are considered robust and the</p>	
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	<p>findings regarding the additional trips associated with the proposed consolidated markets have been subject to testing and modelling to show these can be accommodated on the network. It is believed the proposed measures address the traffic related impacts arising from the proposed development and that the transport networks supporting the development will continue to operate satisfactorily following the developments full occupation. Therefore, subject to the proposed mitigation measures being secured and based on the information that has been provided it seems that there are no apparent adverse highway implications to suggest the development will give rise to significant numbers of new trips or any substantial safety reasons that this should not be approved because of issues relating to the transport and highway network.</p>	
<p><b>Urban Design Officer</b> <b>29/07/2020</b></p>	<p>The Design and Access Statement is comprehensive, the scale, nature and parameters are acceptable and the basic design principles are sound. The future reserve matters are where the proposed detailed design principles/moves will require Urban Design input.</p>	<p>Noted.</p>
<p><b>Highways England</b></p>	<p>On 6th August 2020 a holding response was issued, followed by detailed on comment on 2nd September. Further responses were received on 30th September and 29th October raising a number of concerns on the A13 Junction with the M25.</p> <p>Following the CTA a final response was received on 21st February 2021 advising Highways England offer no objection On the basis that, with robust travel plan measures implemented, we are satisfied that the proposal will not materially affect the safety, reliability and/or operation of the Strategic Road Network (the tests set out in DfT Circular 02/2013, particularly paragraphs 9 &amp; 10, and MHCLG NPPF2019, particularly paragraphs 108 and 109) on the Strategic Road Network, particularly M25 Junction 30</p>	<p>Noted.</p>

<b>Neighbour Notification:</b>	
<b>Site Notices Erected:</b>	11 <sup>th</sup> June 2020
<b>Date of Press Advertisements:</b>	11 <sup>th</sup> June 2020, 9 <sup>th</sup> September 2020, 20 <sup>th</sup> January 2021
<b>Number of neighbouring properties consulted:</b>	267 letters sent on three separate dates
<b>Number of responses:</b>	<p>7 Representations and one clarification.</p> <ul style="list-style-type: none"> <li>• Hovis Limited in <b>objection</b> to the application</li> <li>• Hansons Aggregates in <b>objection</b> to the application</li> <li>• Dr Loannis Anagnostopoulos in <b>objection</b> to the application.</li> <li>• Ford Motor Company Ltd in <b>support</b> of the application</li> <li>• Lagmar in <b>support</b> of the application</li> <li>• Barking Riverside Ltd <b>neutral</b> to the application</li> <li>• DHL Ltd in <b>objection</b> to the application</li> <li>• Along with clarification from a local business.</li> </ul>

2.1. The representations are discussed in more detail below.

### **Hovis**

2.2. On 15/06/2020 a holding response was received raising the following initial concerns:

- Impact on local traffic highway
- Impact on Chequers Lane
- Impacts on dust levels during construction.

2.3. This was followed by detailed comments received on 30/07/2020. The detailed comments can be summarised as follows.

- Hovis have a head count of around 350 staff at the site, the majority of which drive to the site.
- They undertake circa 150 HGV deliveries with the peak time of midnight to 4am which coincides with a busy period of the existing markets.
- All of Hovis products are transported by road.
- The site has the sole access point from the Goresbrook Interchange.
- The site supplies all of London and the South East with products
- The nature of these products and need to supply in the morning means their delivery times cannot be altered.
- There is a concern Chequers Lane is in an inadequate condition to deal with the proposed development.
- The way Hovis products are packaged dust can contaminate them and render them unusable.

- 2.4. The representation is accompanied by detailed third party reviews of the application undertaken by Stantec:
1. Dust and Air Quality Impact Review, Stantec
  2. Chequers Lane and Proposed Site Access Review
  3. Construction and Operational Vehicle Impact Review
- 2.5. The letter summarises the position as Hovis requesting:
1. The following are secured by planning conditions/s106:
    - Detailed Construction Environmental Management Plan
    - Ultra-Site Considerate Constructors standards
    - Hours of construction work
    - Dust Management Plan and monitoring
    - Commitment to improve and adopt Chequers Lane.
  2. The following alterations are made:
    - Access Parameter Plan
    - Construction waste storage locations
    - CEMP construction access zones.
  3. The following further information is provided:
    - Air Quality ES Chapter Addendum
    - Transport Assessment Addendum, including proposed mitigation through infrastructure investment.
- 2.6. On 30<sup>th</sup> September 2020 a further response was received raising the following matters. It also advised that Hovis was in discussion with the applicant.
- Hovis are concerned that the planning application significantly under-estimates the number of traffic movements generated by the proposed development.
  - Hovis are concerned that the planning application does not put forward at least one appropriate design solution for Chequers Lane.
  - Hovis are concerned that the current condition of Chequers Lane is not adequate to support the proposals and that the unadopted status of the road could frustrate the delivery of the scheme.
- 2.7. On 22<sup>nd</sup> February 2021, Be First officers met with Hovis on site, where the concerns especially relating to the Chequers Lane junction with Choats Road was discussed. The main concern from Hovis is the proximity of the site's access to the junction and therefore the consequential impact if the junction works do not fully account for Hovis deliveries.
- 2.8. Following the meeting and in response to the Consolidated Transport Assessment, a further response was received from Hovis. The response includes an Appendix A – a Transport Review by Stantec. The response raises and re-iterates the following concerns:
- Hovis remain concerned that the planning application significantly under-estimates the number of traffic movements generated by the proposed development.
  - Hovis remain concerned that the mitigation measures proposed are not sufficient.
  - Hovis remain concerned regarding the Chequers Lane / Choats Road T-Junction layout

- Hovis are concerned that the Traffic Modelling has not undergone proper review.

### **DHL**

2.9. DHL are also based at the Hovis site; they provided a response on 10th August 2020 raising the following three issues:

- Impact on local traffic highway
- Impact on Chequers Lane
- Impacts on Dust levels during construction.

### **Dr Loannis Anagnostopoulos**

2.10. Object as this will generate tons of rubbish, more pollution from vehicles coming and going and will attract more rodents to an area that already has huge problems.

### **Lagmar (Barking) Ltd**

2.11. Lagmar (Barking) Ltd responded in support of the application on 10th February 2021 advising they own the Vicarage Fields shopping centre within Barking Town Centre.

2.12. Lagmar advised they fully support the principle of the proposal and the investment and new jobs that it will generate and that it could act as a positive catalyst in the Borough for the growth of food-related business in the area, which forms a key strand of the BTC Regeneration Strategy.

2.13. They have requested a number of conditions to ensure ancillary uses remain ancillary to the markets in order to ensure they do not become of a scale that affects the town centre.

### **Ford Motor Company Ltd**

2.14. Ford Motor Company Ltd submitted a response on 25<sup>th</sup> September 2020 confirming their support for the planning application, as it continues the ongoing redevelopment of Dagenham supporting the needs of the local community.

2.15. Further to this Ford advise it re-enforces Dagenham as a major multi-modal (Road/Rail/River) logistics hub, forming a significant gateway into London for industry and businesses along the Thames Estuary.

### **Hanson**

2.16. On 07<sup>th</sup> July 2020, SLR Consulting Ltd objected to both planning applications. The main issues from the letter can be summarised as:

- Hanson have been operating from the site for almost 40 years, with night-time deliveries between 11pm and 7am.
- Hanson use the site for the sale and transport of aggregates with deliveries taking place from the River Thames and sales and deliveries made using the surrounding highway.
- Hanson object on the basis of the highway improvements not being known and therefore question whether the application has been submitted prematurely and therefore should be held in abeyance or withdrawn.
- Food markets are potentially sensitive receptors to dust and therefore there could be an 'agents of change' issue arising with concerns over dust modelling.
- Further information should be provided on Air Quality Neutral
- Noise chapter within the ES should also be updated.

- In relation to 20/01094/FULL decommissioning of the inlet shaft will require works to take place to Jetty 4 and no formal agreement is in place for this with Hanson
- BearingPoint Study into Freight should be submitted.
- Hanson request to be involved in post-planning to ensure works do not impact on Jetty.

2.17. On 2<sup>nd</sup> October, a further response from SLR Consulting Ltd on behalf of Hanson's was received. The main points from the letter can be summarised as:

- Pleased to see further information.
- Concerns remain.
- The Air Quality Assessment is not considered sufficiently robust to inform determination of the planning application.
- The application is considered premature.
- All mitigation should be brought forward in advance of the development.

2.18. A third response from SLR Consulting on behalf of Hanson's was received on 10<sup>th</sup> February 2021.

- The comments raised in the previous letters remain and are not superseded by this letter.
- The Consolidated Transport Assessment fails to consider seasonal fluctuations.
- If the traffic generation does not accord with the CTA/ Travel Plan, then robust and appropriate alternative measures should be identified and secured through the s106 agreement.

### **Barking Riverside Limited (BRL) 22/09/2020**

2.19. BRL submitted a consultation response to the application summarised as:

- The application has come ahead of the conclusion of that work and indeed, the Local Plan, any adoption of the London Plan and any review of the OAPF.
- We would suggest that a key issue in the consideration of the application is how the development will impact upon the A13 and the local network, the identification, delivery and funding of any interventions that are necessary.
- The study area of the Transport Assessment and Addendum for the London Markets application is small and clearly there would be wider impacts which have not been picked up in the submission documents, but which we would hope are included in the Jacobs study. There is therefore a need to identify the impacts of the Markets application on the wider area so that proportionate contributions towards improvements can be identified and secured.
- The Transport Assessment and Addendum identify that background traffic and the Market in combination will result in congestion on the highway network. This highlights the importance of developing a joint solution to resolving traffic issues now, and to avoid BRL having to provide further mitigation to meet any additional capacity when bringing forward subsequent land parcels, after the Market application has been approved.
- In addition to the above, the City Markets proposal gives rise to wider opportunities to support and contribute to the ongoing regeneration of London Riverside.
- BRL look forward to working with the Council, TfL and other stakeholders in continuing to deliver the beneficial regeneration of London Riverside.

### **Monolith UK Ltd**

2.20. Monolith UK Ltd based opposite the application site emailed on 8th February requested further details of the application. A link to the website was provided and no further comments on the application have been received.

**Officer Summary:**

Officers have had full regard to all the representations made on this outline planning application and are satisfied the impacts of the proposal has been fully considered in the decision-making process. The material planning considerations are addressed within the planning assessment.









1. The Applicant is responsible for the design and construction of the site and for the safety of the site during the demolition process. The Applicant is also responsible for the removal of all debris and the restoration of the site to its original condition. The Applicant is also responsible for the removal of all asbestos and lead from the site. The Applicant is also responsible for the removal of all other hazardous materials from the site. The Applicant is also responsible for the removal of all other materials from the site. The Applicant is also responsible for the removal of all other materials from the site.



**KEY**  
 Application Boundary

Demolition of buildings and equipment to be covered by the approved new structure for demolition (P4) (see also P4/10/1)

Show (blue) and above (green) ground works associated with the former railway station.

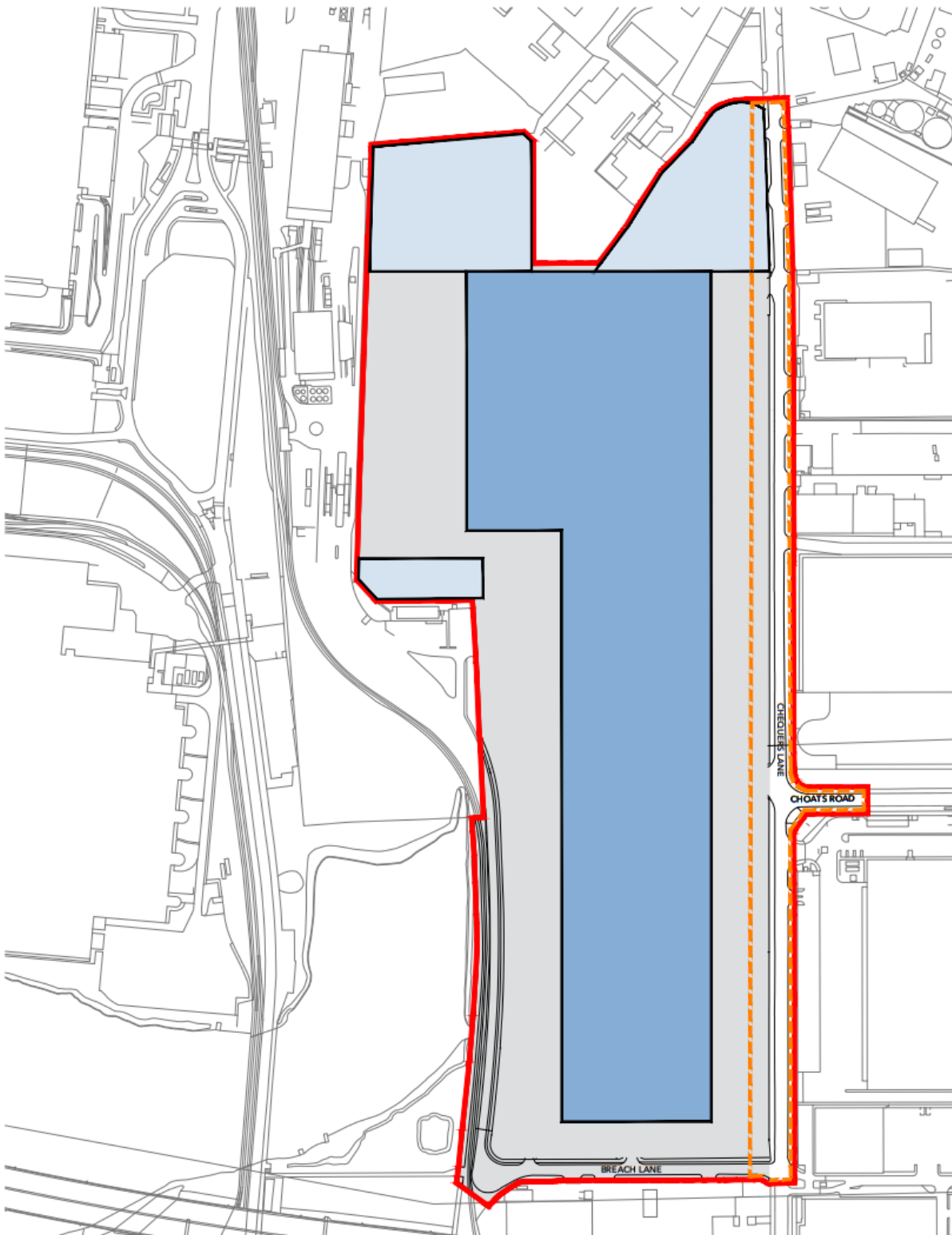
Power Station Site including demolition, ground and processing of debris, restoration of the site, above ground and below ground associated works including water, sewer, gas and electric, decontamination and demolition works associated with the gas pipeline and utility infrastructure. These works are covered under a separate 'at' Planning Application (P4) (see also P4/10/1)

Demolition of buildings to be covered by both the P4/10 and the application

Note:  
 For further information, refer to the Demolition Specification.

24/10/20  
**PLANNING**  
 City of London Planning Department  
 City of London  
 CHOATE LANE, BARKING  
 DEMOLITION PLAN

A10 (shown) M16 W9 24/10/20  
 4628 CA 01 05 DW A 01011 P/1



1:1000 AT MB WP 24.04.20  
 4028 CA 00 00 DN A 51032 PL1

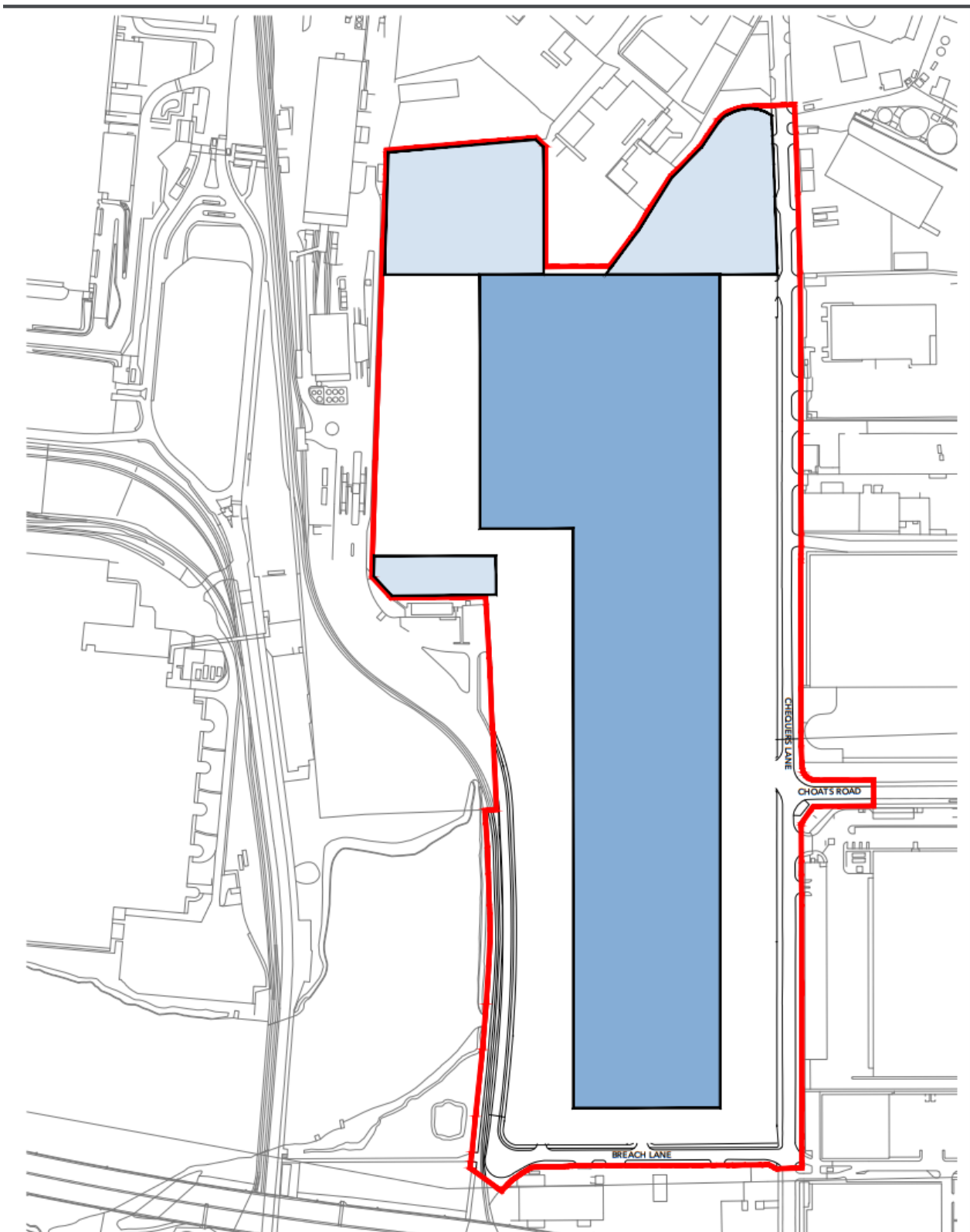
- KEY**
- Application Boundary
  - Development Zones
  - Major Buildings
  - Ancillary Buildings
  - Material which contributes to the appearance of the street scene
  - Access Zone

**Note:**  
 Any area within the Development Zones not used by a building can be used for landscaping, parking, amenity, or other uses.

24.04.20 09:00  
**PLANNING**  
 020 7546 6000  
 20160101

**City of London**  
 CHEQUERS LANE, BARNING  
 CITY OF LONDON  
 PARAMETER PLAN  
 ACCESS AND CIRCULATION

CITY OF LONDON  
 CHEQUERS LANE, BARNING  
 CITY OF LONDON  
 PARAMETER PLAN  
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- KEY**
- Application Boundary
  - Development Zones
  - Existing Buildings
  - Ancillary Buildings

**Note:**

- Drawing to be read alongside the Development Specification
- For further information on matters refer to Development Specification

PLANNING  
2018.07.20 Update  
2018.07.20 Issue  
2018.07.20 Issue



CITY OF LONDON  
CHECKERS LANE PARKING  
CITY OF LONDON  
PARAMETER PLAN  
DEVELOPMENT ZONES  
MARKET AND ANCILLARY BUILDINGS  
1:2000 A1 MB MP 24.04.20  
4258 CA 03 XX DR A 51051 PL1

## Appendix 6: List of Planning Conditions

### Terms and Definition

In this planning permission, the following defined terms are used:

- **“Development Zone”** means one of the areas show on Drawing 01051 Rev PL1 (Parameter Plan Development Zones – Market Building and Ancillary Buildings dated 24.04.20).
- **“Food School (Dagenham Dock)”** means the on-site food education facility at Dagenham Dock, which will be delivered by the Corporation as part of the wider market’s co-location programme.
- **“Phase”** means the area of development as defined under the Phasing Plan to be submitted under condition 5.

### List of approved documents

- Design and Access Statement prepared by Chetwoods September 2020
- Circular Economy Statement prepared by AECOM dated May 2020.
- Outline Operational Waste and Recycling Strategy prepared by AECOM dated May 2020.
- Energy Statement prepared by AECOM dated May 2020.
- Sustainability Statement prepared by AECOM dated May 2020.
- Environmental Statement prepared by AECOM dated May 2020.
- Environmental Statement Addendum prepared by AECOM dated August 2020.
- Arboricultural Impact Assessment prepared by AECOM dated May 2020.
- Consolidated Transport Assessment prepared by Momentum dated January 2021.
- Flood Risk Assessment prepared by AECOM dated May 2020.
- Foul Sewage and Utilities Assessment prepared by AECOM dated May 2020.
- Outline Surface Water Drainage Strategy prepared by AECOM dated May 2020.
- Outline Construction Resource Management Plan prepared by AECOM dated May 2020.
- Outline Construction Logistics Plan prepared by AECOM dated May 2020.
- Phase 1 Geotechnical Desk Study Report prepared by AECOM dated May 2020.
- Statement of Community Involvement prepared by London Communications Agency dated May 2020.
- Framework Travel Plan prepared by Momentum dated May 2020.
- Development Specification prepared by Deloitte dated May 2020.
- Ground Contamination Preliminary Risk Assessment and Site Investigation Scheme prepared by Arup dated May 2020.
- Planning Statement prepared by Deloitte dated May 2020.

## **General**

### **1. Reserved Matters to be Submitted.**

Approval of the details of the access, appearance, landscaping, layout and scale of the proposed development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development begins (excluding demolition, remediation and enabling works) and the development shall not be carried out except in accordance with the details so approved.

*Reason: The application is in outline only and these details remain to be submitted and approved.*

### **2. Timing of Reserved Matters Submission**

The applications for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this outline permission.

*Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).*

### **3. Timing of Reserved Matters Commencement**

The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

*Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).*

### **4. Approved Parameter Plans and documents**

The development hereby permitted shall be completed in accordance with the following submitted Demolition & Parameter Plans and documents, unless otherwise agreed in writing with the Local Planning Authority:

#### **Demolition & Parameter Plans**

- 01031 Rev PL1 – Demolition Plan dated 24.04.20.
- 01051 Rev PL1 – Parameter Plan – Development Zones – Market Building and Ancillary Buildings dated 24.04.20.
- 01061 Rev PL1 – Parameter Plan – Proposed Maximum Heights dated 24.04.20.
- 01052 Rev PL1 – Parameter Plan – Access and Circulation dated 24.04.20.

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

### **5. Phasing Plan**

No development shall take place until a phasing plan showing how the development will be implemented in a comprehensive manner has been submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented only in accordance with the approved phasing plan.

*Reason: The phasing plan is required prior to commencement of development to allow the community infrastructure levy (CIL) liability to be calculated for each phase and for any relief to be determined.*

## **Information required prior to demolition works.**

### **6. Dust Management Plan**

Unless all demolition works take place under the Full Planning Application (FPA) reference 20/01094/FULL, a Dust Management Plan, including full details of the dust mitigation measures, shall be submitted and approved in writing by the Local Planning Authority.

The details shall:

- have regard to the Dust Risk Assessment presented in the ES Addendum Chapter 9 dated August 2020 and prepared by AECOM; and
- include details of how the measures will be monitored and the location the findings will be available to interested third parties.

*Reason: in order to reduce the environmental impact of the construction phase and the impact on the amenities of neighbouring businesses.*

## **Information required within reserved matters.**

### **7. Compliance Design and Access Statement**

Each application for reserved matters consent must include a statement to demonstrate compliance with Chapter 9 Design Principles for Later Reserved Matters (dated 29.09.2020) and Chapter 10 Inclusive Design Statement (dated 29.09.2020) prepared by Chetwoods.

*Reason: To ensure that the scheme is implemented in accordance with the principles and parameters established by this permission, in order to secure an exemplar development.*

### **8. Details of all boundary treatment**

Each application for reserved matters must include details of all boundary treatment of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details [and permanently retained thereafter].

*Reason: To ensure that the finished appearance of the development will respect the character and visual amenities of the local area.*

### **9. Hours of Operation for ancillary uses**

Each application for reserved matters shall include details of opening hours for any ancillary use of the site as wholesale markets.

Wholesale trading operations in the markets hereby permitted shall begin no earlier than 11pm and cease at 07:00 on any given date. Retail trading operations ancillary to the wholesale trading shall not be carried out outside the hours of 23:00 and 9:00 on any given date.

*Reason: To minimise the transport impacts of the development and to ensure the proposal does not detract from the viability or vitality of the borough's town centres.*

### **10. Circular Economy Statement**

Each application for reserved matters shall be accompanied by an updated Circular Economy Statement and Operational Waste Management Strategy, which shall be submitted to and approved in writing by the Local Planning Authority. The statement shall include the principles set out in the Outline Operational Waste & Recycling Strategy dated May 2020 and prepared by AECOM.

*Reason: In the interest of creating safer, sustainable communities.*

### **11. Energy Statement and District Heating Network Connection**

Each application for reserved matters shall be accompanied by an updated Energy Statement demonstrating how the development accords with the energy targets outlined in the Energy Statement prepared by AECOM (dated May 2020) and complies with the adopted London Plan 2021. The strategy should include an overheating analysis and mitigation where required; how the site's potential for PV is maximised, with the maximum extent of PV informed by energy reduction targets and the energy demand of the development; and details of the heat pumps and waste heat recovery system. This statement shall be submitted to and approved in writing by the Local Planning Authority.

The Statement shall include a plan demonstrating how the development is designed to be able to connect into a future district heat energy network.

The development shall be implemented in accordance with the details hereby approved.

*Reason: to ensure measures are implemented to reduce any detrimental environmental impacts and deliver an energy efficient and sustainable development.*

## **12. BREEAM target**

The submission of reserved matters shall be accompanied with a statement demonstrating how the development is designed to achieve an 'Excellent' Building Research Establishment Environmental Assessment Methodology (BREEAM 2018) rating or equivalent. Where the assessment requires individual BREEAM Retail assessments a "Very Good" BREEAM 2018 rating will be targeted for those areas as outlined in the Sustainability Statement prepared by AECOM (dated May 2020).

*Reason: In the interest of energy efficiency and sustainability.*

## **13. Soft Landscaping/ tree provision/ biodiversity enhancement measures**

The submission of reserved matters shall be accompanied by a detailed landscaping statement incorporating Biodiversity Enhancement measures and improvement in the CAVAT value of the trees compared to the existing site. The Biodiversity enhancement measures shall accord with section 4.3 of the ES Volume II Appendix 6-4: Biodiversity Net Gain Report prepared by AECOM dated May 2020 and achieve a minimum with 10% biodiversity net gain.

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

*Reason: To ensure a high-quality landscape treatment of the site is achieved which will enhance the character, appearance and biodiversity of the site and local area.*

## **14. Arboricultural Method Statement**

The submission of reserved matters shall be accompanied by an Arboricultural Method Statement addressing the matters listed in section 7.2. of the Arboricultural Impact Assessment prepared by AECOM dated May 2020. Should these matters be covered under the FPA, clarification should be made to the Local Planning Authority.

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

*Reason: To protect local trees and ensure compliance with the Environmental Assessment.*

## **15. Updated Inclusive Design Statement**

Each application for reserved matters consent must be accompanied by an updated Inclusive Access Statement referring to the principles outlined in the Design and Access Statement Chapter 10 Inclusive Design Statement (dated 29.09.2020), prepared by Chetwoods. The Statement shall include the following:

- details of staff welfare facilities; and



- details of all changing places facilities for each market.

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

*Reason: In order to ensure that the scheme is implemented in accordance with the principles and parameters established by this permission, in order to secure an exemplar development.*

#### **16. On-site Food School**

The development must include an on-site Food School. Details of which shall be submitted within the relevant reserved matters application. The details shall be accompanied with a plan showing the location and size of the Food School as well as the opening hours of the facility.

The development shall be implemented in accordance with the details hereby approved, prior to occupation of the development.

*Reason: To ensure the on-site facility proposed within the application is realized.*

#### **17. Fire Safety Statement**

Each application for reserved matters consent must be accompanied by a fire statement produced by an independent third party suitably qualified assessor which shall detail the building's construction, methods, products and materials used; the means of escape for all building users including those who are disabled or require level access (including the provision of fire evacuation lifts) together with the associated management plan; access for fire service personnel and equipment; ongoing maintenance and monitoring and how provision will be made within the site to enable fire appliances to gain access to the building.

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

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

#### **18. Secure by Design Statement**

Any reserved matters applications shall be accompanied by a Secure by Design Statement. The Statement shall set out how the development achieves a Certificate of Compliance in respect of the Secure by Design scheme (silver), or alternatively achieve security standards (based on Secure by Design principles) to the satisfaction of the Metropolitan Police.

The statement shall include best practice security principles set within chapter 9.7 of the Design and Access Statement prepared by Chetwoods.

All security measures applied to the approved development shall be permanently retained thereafter.

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

#### **19. Air Quality Report demonstrating Air Quality Neutral**

Each application for reserved matters consent must be accompanied by a report demonstrating how the development hereby permitted achieves Air Quality Neutral emissions benchmarks as set out in Appendix 5 of Greater London Authority Document "Sustainable Design and Construction" SPG, April 2014. Where the development is not air quality neutral, appropriate mitigation should be proposed in the Air Quality Report for approval by the Local Planning Authority.

*Reason: To protect the amenity of neighbouring occupiers and to ensure the proposal does not have an adverse air quality impact within the borough*

#### **20. Transport Assessment (including parking provision)**



Each application for reserved matters consent must be accompanied by a detailed layout of vehicle parking spaces (including provision for HGV, LGV and Cars) informed by an updated Transport Assessment which includes the results of any initiatives to reduce parking provision at the existing markets (Billingsgate, New Spitalfields and Smithfield Markets).

The maximum number of vehicle parking spaces shall not exceed 2,112 parking spaces at any time.

The details should include the design of blue badge disabled parking having regard to the adopted London Plan.

The updated Transport Assessment will include details on the deliveries to the site, servicing, and circulation within the site.

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

*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.*

## **21. Scheme of Highway Works**

The submission of reserved matters shall include a scheme of highways works at the junction of Chequers Lane with Choats Road, and Chequers Lane has been submitted and approved in writing by the local planning authority:

The scheme shall incorporate the following as a minimum:

- traffic light signals at the junction of Chequers Lane and Choats Road.
- upgrade of the length of Chequers Lane adjacent to such part of the Site as necessary to support the use of the Proposed Development to adoptable standard (or such other satisfactory highway measures as may be first approved by the local planning authority); and
- a cycle lane on the northern end of Chequers Lane connecting to Choats Road.
- Removal of the existing cross over and access point at the Junction of Chequers Lane and Choats Road.

The development shall not be occupied until the approved works have been implemented in full.

*Reason: In order to ensure an acceptable and safe highway safety*

## **22. Travel Plan**

Each application for reserved matters shall include a Travel Plan which shall be submitted to and approved in writing by the Local Planning Authority in consultation with Transport for London. That Travel Plan shall include measures for minimising car trips and promoting and encouraging travel to/from the site by sustainable modes such as walking, cycling and public transport. The approved Travel Plan shall provide a programme for monitoring, reviewing, maintaining and developing the Travel Plan in relation to the targets in accordance with TfL's iTRACE monitoring practices.

*Reason: To ensure that the proposal abides by the Council's sustainable transport objectives.*

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

Each application for reserve matters shall include a delivery and servicing plan for all the proposed uses within that reserve matters. 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.*

#### **24. Electric Vehicle Charging Points and Rapid Electric Vehicle Charging Points**

Each application for reserved matters consent that includes car parking spaces shall be accompanied by detailed plans showing the provision of Electric Vehicle and Rapid Electric Vehicle Charging Points.

- a. A minimum of 5% of all spaces shall be Rapid Charging Spaces (including 5% of all HGV spaces, subject to the capacity of the electricity network)
- b. A minimum of 15% of all spaces (not including those under part (a)) shall be active spaces and
- c. The remainder 80% shall have passive provision.

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

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

#### **25. Cycle Parking**

Each application for reserved matters consent (in consultation with TfL) must be accompanied by a detailed layout of cycle parking demonstrating compliance with the London Plan 2021 and the LCDS. The spaces shall thereafter be made permanently available for the occupants of the building(s).

*Reason: To ensure reasonable provision of cycle spaces is made within the site for the parking of bicycles and to encourage sustainable modes of transport.*

#### **26. Details of external lighting**

Each application for reserved matters consent must be accompanied by details of any external lighting associated with the development including levels of illumination, position, structure, direction of illumination, which shall be submitted to and approved in writing by the Local Planning Authority. The details should demonstrate how light spillage is avoided to the Dagenham Breach and Lower Beam River in Dagenham SINC.

The development shall be carried out in accordance with those details as may be approved.

*Reason: In the interest of character and appearance and to avoid any adverse impact on local ecology.*

#### **27. Dust Management Plan**

Each application for reserved matters shall include an updated dust risk assessment based upon the risk assessment presented in the ES Addendum Chapter 9, dated August 2020, and prepared by AECOM, which shall be undertaken in compliance with the Greater London Authority and London Councils' "the Control of Dust and Emissions from Construction and Demolition SPG" July

2014 The risk assessment and the monitoring and mitigation plan shall be submitted to the Local Planning Authority for approval.

No demolition or development shall commence until an Air Quality Dust Management Plan (AQDMP) is submitted to and approved in writing by the Local Planning Authority. The AQDMP must include an Air Quality Dust Risk Assessment (AQDRA) that considers residential receptors on-site and off-site of the development and is undertaken in compliance with the methodology contained within Chapter 4 of the Mayor of London's "The Control of Dust and Emissions during Construction and Demolition", SPG, July 2014 and the identified measures recommended in the AQDRA.

*Reason: in order to reduce the environmental impact of the construction phase and the impact on the amenities of neighbouring businesses*

### **28. Wind Mitigation measures**

Each application for reserved matters consent must be accompanied by a full wind micro-climate assessment and shall include details of any wind mitigation needed to serve the development. The details shall have regard to the ES Volume I Chapter 18 and Volume II Appendix 18 AECOM May 2020.

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

*Reason: to ensure the micro-climate in and around the site is acceptable and results in an acceptable pedestrian environment.*

### **29. Ecological Management Plan**

Each application for reserved matters shall be accompanied by an updated Ecological Management Plan. The plan should include the aims and objectives as set out in chapter 4. Aims and Objectives of the Ecological Management Plan - ES Addendum Volume II: Appendix 6-5: Ecological Management Plan dated August 2020, prepared by AECOM.

The development shall be carried out in accordance with the Ecological Management Plan.

*Reason: In order to protect local ecology.*

## **Prior to commencement of matters reserved by condition**

### **30. Sustainable Drainage System**

The development permitted under subsequent reserved matters shall not commence (except for demolition, remediation and enabling works) unless and until a surface water drainage scheme for the site (based on sustainable drainage principles SuDS) demonstrating regard to the recommendations of 'Surface Water Management Plan' and 'Local Flood Risk Management Strategies', has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall include:

- a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development.
- a demonstration that the surface water run-off generated up to and including the 100 years plus Climate Change critical storm period will not exceed the run-off from the undeveloped site following the corresponding rainfall event.
- completed Barking and Dagenham Surface Water Drainage Pro-forma for new developments form.
- details of how the proposed surface water drainage scheme will be maintained; and

- a drainage scheme nominating the ownership, management and maintenance arrangements.

The surface water drainage scheme shall be implemented prior to the first occupation and/or use of the development and be constructed in accordance with the approved details.

*Reason: To safeguard the public from surface water flood risk, protect the environment and respond to climate change. The imposition of this prior to commencement planning condition is considered necessary to prevent commencement of works until the requirements have been met because the timing of compliance is fundamental to the decision to grant planning permission.*

### **31. Construction Environmental Management Plan (CEMP)**

The development permitted under subsequent reserve matters shall not commence (except for demolition, remediation and enabling works) until a Construction Environmental Management Plan (CEMP) for the relevant Development Zone has been submitted to and approved in writing by the Local Planning Authority.

These plans shall incorporate details of:

- a) the parking of vehicles of site operatives and visitors.
- b) loading and unloading of plant and materials.
- c) storage of plant and materials used in constructing the development.
- d) the erection and maintenance of security hoarding(s) including decorative displays and facilities for public viewing, where appropriate.
- e) wheel washing facilities.

measures to control the emission of dust, dirt and emissions to air during construction; such measures to accord with the guidance provided in the document "The Control of Dust and Emissions during construction and demolition" SPG, July 2014, including but not confined to, non-road mobile machinery (NRMM) requirements.

- g) a scheme for recycling/disposing of waste resulting from demolition and construction works.
- h) the use of efficient construction materials.
- i) methods to minimise waste, to encourage re-use, recovery and recycling, and sourcing of materials; and
- j) 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.
- k) Demonstrating compliance where possible with Ultra – Site Considerate Constructor Standards

Demolition and construction work and associated activities are to be carried out in accordance with the recommendations contained within British Standard 5228:2009+A1:2014, "Code of practice for noise and vibration control on construction and open sites", Parts 1 and 2.

The approved CEMP shall be implemented for the entire period of the construction works at the site, to the satisfaction of the Local Planning Authority.

*Reason: The CEMP is required prior to commencement of development in a Development Parcel in order to reduce the environmental impact of the construction phase and the impact on the amenities of neighbouring businesses*

### **32. Construction Resource Management Plan**

The development permitted under subsequent reserve matters shall not commence until a Construction Resource Management Plan (CRMP) for the relevant reserve matters has been submitted to and approved in writing by the Local Planning Authority. The Plan shall set out the principles for construction waste management, identify measures to minimise waste by design,

estimate construction waste quantities, set targets for waste minimisation and a framework for construction waste monitoring that the contractor will be required to implement on-site.

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

*Reason: To ensure effective waste management.*

### **33. Construction Logistics Plan**

The development hereby permitted under subsequent reserve matters shall not commence until a Construction Logistics Plan (CLP) has been submitted to and approved in writing by the Local Planning Authority. The Plan shall be designed to minimise deliveries of materials and export of any waste materials within the times of peak traffic congestion on the local road network. The Plan shall be implemented in accordance with the approved details and thereafter maintained.

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

### **34. Invasive Non-Native Species Management Plan (INNS)**

The development permitted under subsequent reserve matters shall not commence until an Invasive Non-Native Species Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall detail measures to be implemented in order to minimise the risk of aiding the spread of the invasive plant species that are known to be located at the OPA Site.

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

*Reason: in order to protect local ecology and ensure compliance with the ES.*

### **35. Construction Noise**

The development (excluding demolition, remediation and enabling works) permitted under subsequent reserve matters shall not commence until an acoustic report has been submitted to and approved in writing by the Local Planning Authority. Such a report will demonstrate that Construction noise levels at the nearest neighbouring buildings from should not exceed 75 dB LAeq,10h during weekday daytime (08:00 – 18:00) and 75 dB LAeq,5h during Saturday daytime (08:00 – 13:00).

Where it is considered impractical to meet this noise limit the report should detail mitigation measures taken to reduce noise to a minimum. The approved measures for the mitigation of construction noise shall be implemented prior to the commencement of all works and be maintained until the development has been completed.

*Reason: To ensure that works do not prejudice the ability of neighbouring occupier's reasonable enjoyment of their properties and to ensure that works shall not represent any unacceptable level of noise. The imposition of this prior to commencement planning condition is considered necessary to prevent commencement of works until the requirements have been met because the timing of compliance is fundamental to the decision to grant planning permission.*

### **36. Archaeology**

The development permitted under subsequent reserve matters shall not commence until a Stage 1 Written Scheme of Investigation (WSI) has been submitted to and approved by the Local Planning Authority in writing. For land that is 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. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.
- B. Where appropriate, details of a programme for delivering related positive public benefits.
- C. The 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.

*Reason: Heritage assets of archaeological interest survive on the site. The planning authority wishes to secure the provision of archaeological investigation followed by the subsequent recording of significant remains prior to development (including preservation of important remains), in accordance with recommendations given by the borough and in the NPPF.*

### **37. Contamination**

The development permitted under subsequent reserve matters shall not commence until:

(a) an investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination.
- (ii) an assessment of the potential risks to human health; property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments; and
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

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

b) a detailed remediation scheme, to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment, has been prepared and submitted to the Local Planning Authority for approval in writing. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

b) The approved remediation scheme must be carried out in accordance with its terms prior to commencement of the development, other than that required to carry out remediation,

unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

- c) Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority. The report shall include results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met.
- d) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of (a), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of (b), which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

*Reason: Contamination must be identified prior to commencement of development to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors.*

### **38. Water Quality Monitoring Plan**

The development hereby permitted under subsequent reserve matters shall not commence until a monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the Local Planning Authority, has been submitted to, and approved in writing by, the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the Local Planning Authority.

*Reason: To ensure that the site does not pose any further risk to human health or the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures. This is in line with paragraph 170 of the National Planning Policy Framework.*

### **39. Bird Strike Risk Statement**

The development (excluding demolition, remediation and enabling works) hereby permitted under subsequent reserve matters shall not commence unless the following have been submitted to and approved by the Local Planning Authority having consulted with London City Airport Ltd:

1. A bird strike risk statement. The statement shall demonstrate that the development comprised within the relevant Phase (as under condition 4), does not increase the risk of bird strike hazard to aircraft using London City Airport when measured against the conditions existing on the whole development site at the time of the submission of the statement.
2. A Bird Hazard Management Plan (BHMP). This document should layout a methodology which will ensure the level of risk to aircraft is not elevated above the baseline level established in the bird strike risk statement.

*Reason: This site's location is within London City Airport's area of concern with respect to bird strikes. Details provided have given insufficient certainty that there will be no elevated risk to aircraft through bird strike.*

## **Prior to occupation of each phase**

### **40. Energy Statement**

A post completion report, following up the requirements specified under condition 11, shall be provided and approved in writing by the Local Planning Authority within SIX (6) months of first occupation of any phase of the development. This report shall be submitted to and approved in writing by the Local Planning Authority.

*Reason: to ensure an energy efficient and sustainable development.*

### **41. BREEAM target**

The BREEAM 2018 post-construction assessment, following up the requirements specified under condition 12, shall be submitted to and approved in writing by the Local Planning Authority within SIX (6) MONTHS of the market opening for trading, to demonstrate that the development is in accordance with an agreed methodology to ensure that the required minimum rating has been achieved.

*Reason: In the interest of energy efficiency and sustainability.*

### **42. Circular Economy Statement**

A post completion report, following up the requirements specified under condition 10, must be provided and approved in writing by the Local Planning Authority prior to the first occupation of any phase of the development.

*Reason: In the interest of creating safer, sustainable communities.*

### **43. Operational Waste and Recycling Strategy**

Notwithstanding the details in the Outline Operational Waste & Recycling Strategy dated May 2020, prepared by AECOM, the development hereby permitted shall not be first occupied unless and until a fully detailed Operational Waste & Recycling Strategy (OWRS) has been submitted to and approved in writing by the Local Planning Authority. The OWRS shall include details on how waste will be managed. The development shall only be constructed in accordance with the approved details.

*Reason: To ensure adequate levels of waste management and recycling within the site.*

### **44. Secure by Design accreditation**

Within three months of first occupation, a 'Secure by Design' accreditation (or an alternative as per condition 18) shall be obtained for such building or part of the building and shall be submitted to and approved in writing by the Local Planning Authority.

*Reason: In the interest of creating safer, sustainable communities.*

### **45. Flood Warning and Evacuation Plan**

The development shall not be occupied until a Flood Warning and Evacuation Plan has been submitted to and approved in writing by the Local Planning Authority. The details show demonstrate how needs of vulnerable and disabled users of the markets have been addressed.

*Reason: to ensure a flood resilient design and emergency planning is taken into account.*

## **Compliance conditions**

### **46. Surface Water Drainage**



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

*Reason: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 170 of the National Planning Policy Framework.*

#### **47. Piling, Deep Foundations and Boreholes**

- 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 piling method statement shall be submitted for approval in writing detailing 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.*

#### **48. Construction Working Hours**

Demolition and construction work and associated activities, other than internal works do not audible outside the site boundary, are only to be carried out between the hours of 07:00 and 19:00 Monday to Friday and 07:00 and 13:00 Saturday, with no work on Sundays or public holidays without the prior written permission of the Local Planning Authority. Driven piling or ground improvement work which will generate perceptible off-site ground borne vibration is only to be carried out between the hours of 07:00 and 19:00 Monday to Friday.

*Reason: To ensure that the proposed demolition and construction work does not cause nuisance and disturbance to neighbour occupiers and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.*

#### **49. Maximum Quantum of Floorspace**

The development hereby approved shall be limited to a maximum of 237,946 sqm.

*Reason: In order to ensure that the development causes no additional impact that has not been assessed as part of the planning application proposal*

#### **50. Uses Ancillary to the wholesale markets.**

- a. Unless otherwise approved in writing on a reserved matter application pursuant to this application, any office and Food and Beverage provision shall at all times be ancillary to the wholesale markets and for no independent purposes.
- b. Unless otherwise approved in writing on a reserved matter application pursuant to this application, no ancillary use to the wholesale market floorspaces falling within Class E

(a, b, c) shall exceed 300sqm, with the exception of a canteen for the use of staff, traders and customers.

*Reason: to prevent large out-of-centre commercial units in order to protect existing and emerging town centres.*

### **51. Noise from Uses and Plant and Structure Borne Noise Emissions**

Noise from the uses hereby permitted, shall be controlled so as to be inaudible inside the nearest noise-sensitive premises as identified in ES Addendum Chapter 8 dated August 2020, prepared by AECOM. The initial test for compliance with the 'inaudibility' criterion will be that noise should be no more than barely audible outside those noise-sensitive premises. In the event there is disagreement as to whether such noise is or is not audible the following numerical limits shall be used to determine compliance with this condition:

- the LAeq (CUAN) shall not exceed LA90 (WCUAN); and
- the L10 (CUAN) shall not exceed L90 (WCUAN) in any 1/3 octave band between 40Hz and 160Hz.

CUAN = Commercial/Community Use Activity Noise Level, WCUAN = representative background noise level without commercial/community use activity noise, both measured 1 metre from the façade of the noise-sensitive premises

The combined rating level of the noise from any plant installed pursuant to this permission (other than plant which is only to be operated in emergency circumstances) shall not exceed the existing background noise level outside the window to any noise-sensitive room. Any assessment of compliance in this regard shall be made according to the methodology and procedures presented in BS4142:2014+A1:2019.

*Reason: To ensure noise-sensitive premises in the vicinity of site are adequately protected from noise*

### **52. Noise from Plant**

The combined rating level of the noise from any plant installed pursuant to this permission (other than plant which is only to be operated in emergency circumstances) shall not exceed the existing background noise level outside the window of the nearest noise sensitive premises as identified in ES Addendum Chapter 8 dated August 2020, prepared by AECOM. Any assessment of compliance in this regard shall be made according to the methodology and procedures presented in BS4142:2014+A1:2019.

*Reason: To ensure noise-sensitive premises in the vicinity of site are adequately protected from noise*

### **53. Site specific non-road mobile vehicles (NRMM)**

During onsite construction works, all non-road transportable industrial equipment or vehicles which are fitted with an internal diesel-powered compression ignition engine between 37 and 560KW and not intended for transporting goods or passengers on roads are required to be NRMM registered and comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance 'Control of Dust and Emissions from Construction and Demolition SPG' July 2014. Such vehicles must be run on ultra-low sulphur diesel (also known as ULSD 'cleaner diesel' or 'green diesel'). "Ultra-low sulphur diesel" means fuel meeting the specification within BS EN 590. Where these standards are succeeded, they should be applied no later than 1 year after succession. Exemptions to these standards may be granted for specialist equipment or for equipment with alternative emission reduction equipment or run-on alternative fuels. Such exemptions shall be applied for in writing to the LPA in advance of the use of such vehicles, detailing the reasons for the exemption being sought and clearly identifying the subject vehicles. Exemptions that are granted will be in writing and such vehicles must not be used until written exemption has been received by the applicant. No vehicles or plant to which the above emission standards apply shall be on site, at any time, whether in use

or not, unless it complies with the above standards, without the prior written consent of the local planning authority.

*Reasons: To ensure that air quality is not adversely affected by the development and to protect the amenity of future occupants and/or neighbours.*

#### **54. Flood Risk Assessment**

The development permitted by this planning permission shall only be carried out in accordance with the approved flood risk assessment Flood Risk Assessment prepared by AECOM (dated May 2020) and the mitigation measures detailed within the Environmental Statement dated May 2020 (including Addendum dated August 2020) prepared by AECOM.

*Reason: to minimise the risk of internal flooding and to ensure the safety of the occupants during a flood to ensure users of the site*

#### **55. Foul Sewage and Utilities Assessment**

The development permitted by this planning permission shall only be carried out in accordance with ES Volume I Chapter 9: Surface Water Environment dated May 2020 and prepared by AECOM.

*Reason: to ensure water efficiency measures are captured to minimise demand for water and to ensure compliance with the ES*

#### **56. Explosive Ordnance Threat Assessment**

The development permitted by this planning permission shall only be carried out in accordance with the mitigation measures set in table 10-11: Remediation and Decommissioning Additional Mitigation Measures of the ES Volume I Chapter 10: Ground Conditions and Hydrogeology AECOM May 2020

*Reason: to reduce risk to human health and to ensure compliance with the ES mitigation measures*

#### **57. Asbestos and Contamination Removal**

The development permitted by this planning permission shall only be carried out in accordance with the UXO risk and mitigation measures set out in paragraph 10.5.53 of the – ES Volume I Chapter 10: Ground Conditions and Hydrogeology AECOM May 2020

*Reason: to reduce risk to human health and to ensure compliance with the ES mitigation measures*

#### **58. Transport for London's Code of Practice for quieter deliveries**

The development permitted shall be carried out in accordance with the Transport's for London Code of Practice for quieter deliveries dated May 2018.

*Reason: to ensure compliance with the ES mitigation measures*

## **Appendix 7: Section 106 Heads of Terms:**

### **Administrative**

1. Payment of the Council's professional and legal costs, whether or not the deed completes.
2. Payment of the Council's reasonable fees of £3,500.00 in monitoring (£500 per Head of Term Section – excluding Transport, Employment and Food Related obligations) and implementing the Section 106 and payable on completion of the deed.
3. Indexing – all payments are to be index linked from the date of the decision notice to grant planning permission to the date on which payment is made, using BCIS or Consumer Price index (as appropriate).

### **Energy and Sustainability**

4. Carbon off-setting to ensure the development achieves zero-carbon standards.

Where it is clearly demonstrated that zero-carbon standard (based on net-zero regulated CO2 emissions) cannot be achieved on-site, any shortfall should be provided through a cash in lieu contribution (£95/ per tonne over a 30 year period as the rate in place at the time of the application's determination) to the borough's carbon offset fund, and/or off-site (provided that an alternative proposal is identified, and delivery is certain and agreement is reached by the Council of no appropriate alternative projects can be agreed).

The estimated carbon offset payment of (£95/ per tonne as the rate in place at the time of the application's determination) should be paid to the Council.

Trigger: prior to commencement of development (excluding demolition/enabling and remediation works).

5. The development to achieve Air Quality Neutral

Where the Air Quality Neutral benchmark cannot be met the Owner must propose on- or off-site additional mitigation measures or make a contribution to off-setting their emissions (£29,000 per tonne of NOx over the established benchmark figure and a marginal abatement cost of £45,510 per tonne of PM at the time of this discussion).

The estimated contribution should be paid to the Council.

Trigger: Prior to commencement of development (excluding demolition/enabling and remediation works).

6. Future proof development in order to ensure it could connect to a District Heating Network

As part of Reserved Matters planning application, the Owner will submit a District Heating Network (DHN) Statement to the Council for approval to detail how the development and each phase could connect to the DHN or future DHN, how the Energy Centre within the development will serve the needs of the development and could serve the wider DHN, and how energy demands will be met prior to connection to any DHN.

Trigger: statement to be submitted upon submission of the first Reserved Matters Application.

7. A financial contribution (£25,000.00) towards a wider study for Dagenham Dock de-centralised energy network potential

The Owner and Be First will agree the scope of the study through the steering group at the time of commission. The progress of the study will be reported to the Steering Group.

Trigger: payment to be made Prior to commencement of development (excluding demolition/enabling and remediation works).

### **Waste**

8. A financial contribution (£25,000.00) towards a waste audit

The Owner and Be First will agree the scope of the study through the steering group at the time of commission. The progress of the study will be reported to the Steering Group.

Trigger: payment to be made prior to commencement of development (excluding demolition/enabling and remediation works).

### **Transport**

9. The Owner will enter into a S278 Agreement for carrying out improvements to Goresbrook Interchange (the 'Goresbrook Interchange Highway Works')

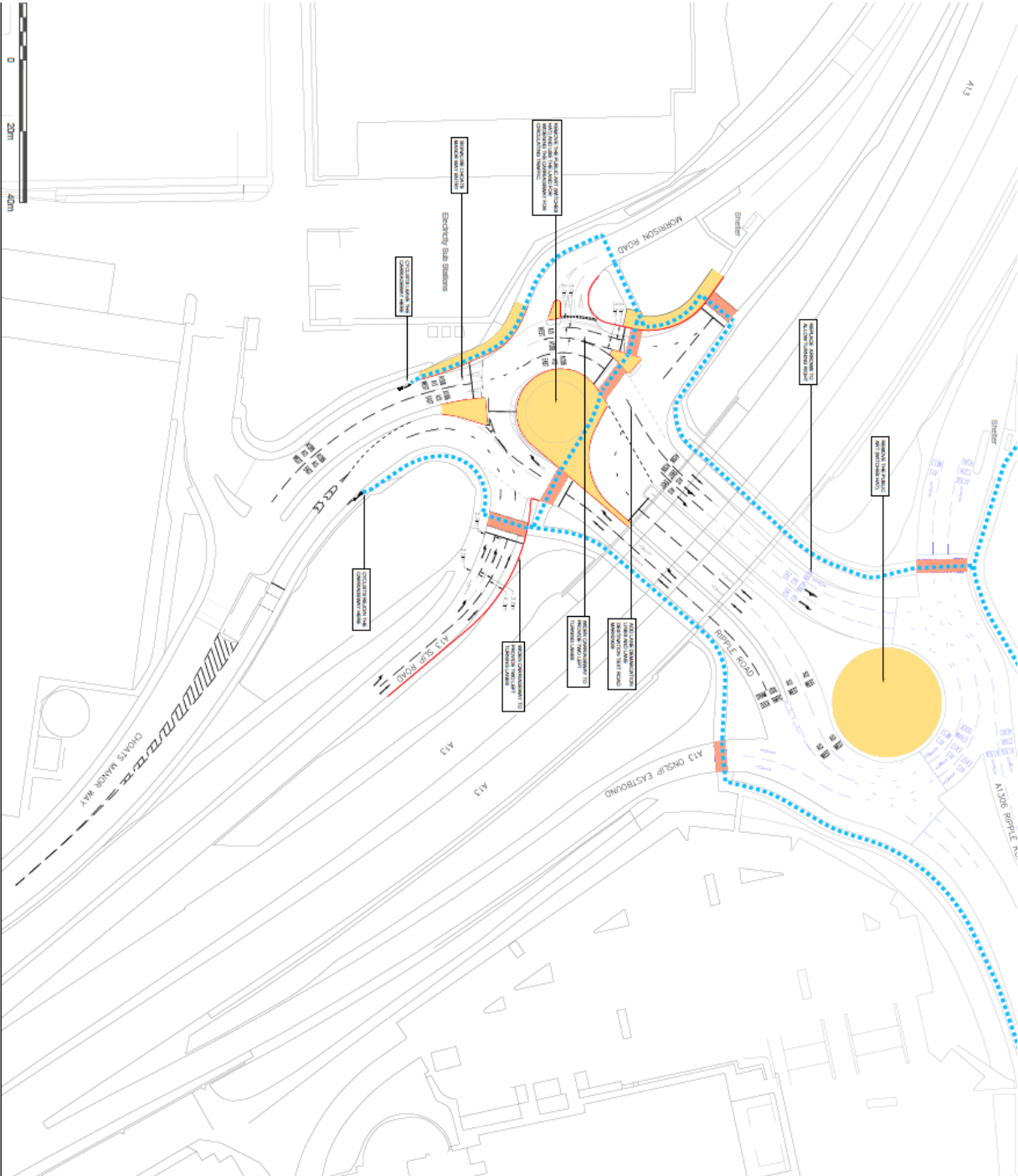
The works should include:

- Interventions highlighted on drawing ref.M000687-DR-000-008 Rev.F
- Signalisation of existing priority Choats Manor Way arm and Morrison Road on Southern Roundabout; this will be carried out if further modelling demonstrate such upgrade improves efficiency.

Any new public realm design will be dealt with via a separate planning application in discussion between the Owner the Local Planning Authority.

The improvements will be supported by a Highway Works Specification including details of the estimated costs of the Goresbrook Interchange Highway Works. These will be secured to the value of a Highway Works Bond and will be completed prior to occupation of Development (subject to all necessary approvals).

The S278 Agreement (and all related approvals and consents) shall not be unreasonably withheld or delayed by the highway authorities (the highway authority being LBBD and TfL). The highway authority shall use all reasonable endeavours to ensure congestion mitigation measures provided for in the S278 Agreement are in place prior to the intended date of first occupation. An agreed programme specifying all necessary procedural and implementation stages and their anticipated dates shall be included in the S106/278 Agreement and the parties shall carry out such stages in accordance with the programme.



- NOTES**
1. Do not scale from this drawing. If to doubt refer to the Project Manager for clarification.
  2. Dimensions are in metres unless stated otherwise.
  3. This plan is based on OS Blue map only.
  4. Existing items and existing road markings shown incidentally in grey.
  5. This is a preliminary design for information purposes only.
  6. This drawing has not been subjected to Road Safety Audit.

- KEY**
- Proposed road markings (line types vary)
  - Existing road markings (line types vary) that should be retained
  - Proposed footway
  - Proposed kerb line
  - Existing Tarmac crossings (for gullies and pedestrian)
  - Existing or retained of campaigner cycle route

NO.	DATE	REVISION	BY	CHKD	APP'D
1	12/11/23	ISSUED FOR CONSULTATION	MM	MM	MM
2	15/11/23	AMENDED TO REFLECT COMMENTS FROM CONSULTATION	MM	MM	MM
3	15/11/23	3 LANE ROAD BENEATH TO A13	MM	MM	MM
4	15/11/23	EXISTING CYCLE ROUTE (FURTHER SOUTH)	MM	MM	MM
5	15/11/23	EXISTING CYCLE ROUTE (FURTHER SOUTH)	MM	MM	MM
6	15/11/23	EXISTING CYCLE ROUTE (FURTHER SOUTH)	MM	MM	MM
7	15/11/23	EXISTING CYCLE ROUTE (FURTHER SOUTH)	MM	MM	MM
8	15/11/23	EXISTING CYCLE ROUTE (FURTHER SOUTH)	MM	MM	MM
9	15/11/23	EXISTING CYCLE ROUTE (FURTHER SOUTH)	MM	MM	MM
10	15/11/23	EXISTING CYCLE ROUTE (FURTHER SOUTH)	MM	MM	MM

**momentum**  
TRANSPORT CONSULTANCY

100, Abchurch Lane, London EC4N 3DF

CONSULTATION OF CITY MARKET

A13 CHAULTS INTERCHANGE ROUNDABOUT  
PROPOSED INTERVENTIONS FOR 2031  
OPTION 3

**FOR INFORMATION**

DATE: 15/11/23  
DRAWING NO: M000687-DR-000-008

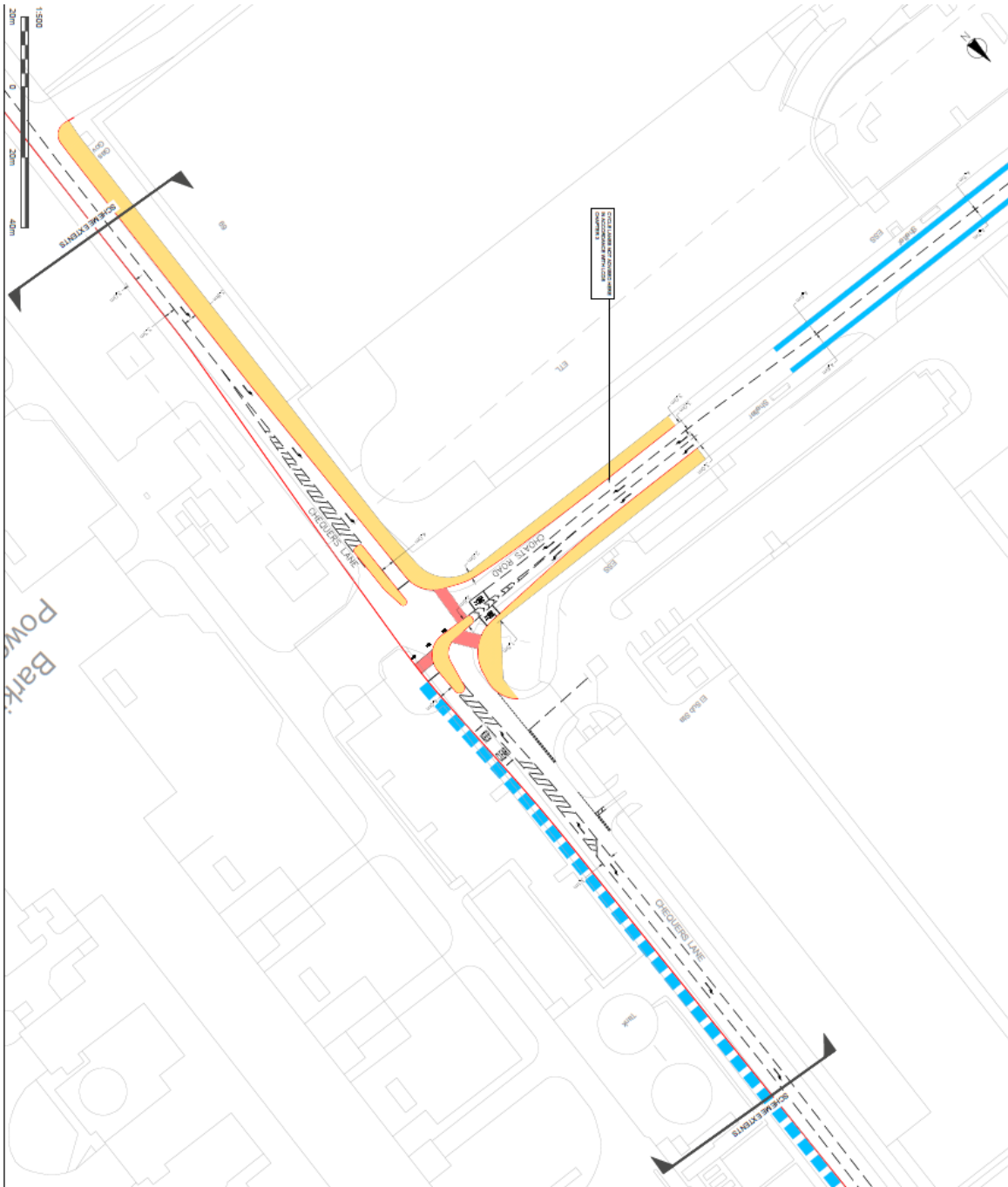
10. The Owner will enter into a S278 Agreement for carrying out improvements to the junctions at Choats Manor Way / Choats Road Roundabout and Choats Road / Chequers Lane Junction (the 'Local Junctions Highways Works')

The improvements will be supported by a Highway Works Specification including details of the estimated costs of the Local Junctions Highway Works. These will be secured to the value of a Highway Works Bond and will be completed prior to occupation of Development (subject to all necessary approvals). The S278 Agreement (and all related approvals and consents) shall not be unreasonably withheld or delayed by the highway authority. The highway authority shall use all reasonable endeavours to ensure congestion mitigation measures provided for in the S278 Agreement are in place prior to the intended date of first occupation. An agreed programme specifying all necessary procedural and implementation stages and their anticipated dates shall be included in the S106/278 Agreement and the parties shall carry out such stages in accordance with the programme.

The Local Junctions Highways Works are presented on drawing ref.M000687-DR-000-007 Rev.B at and drawing ref.M000687-DR-000-001 Rev.B.

[Chequers Lane works to be covered by planning condition and separate agreement with GLA Property. Approach to be agreed with GLA Property; including the need for a s278 agreement to connect the works on the public highway to the private road]





- NOTES**
1. Do not scale from this drawing. If in doubt refer to the Project Design Statement.
  2. Dimensions are in metres unless stated otherwise.
  3. If there is any ambiguity between the drawing, other drawings and the Specification, refer to the Project Manager for clarification.
  4. This plan is based on OS data mapping only.
  5. Existing lines shown in grey.
  6. This is a preliminary design for information purposes only.
  7. This drawing has not been subjected to Road Safety Audit.

- KEY**
- Proposed footway
  - Proposed cycle lane
  - Proposed road markings (line type vary)
  - Proposed controlled pedestrian crossing
  - Proposed off-street cycle route
  - Proposed on-street cycle route
  - Existing cycle lane to be provided where width is available. Refer to indicative arrangement drawing M000687-05A-012.

NO.	DESCRIPTION	DATE	BY	CHKD
1	ISSUED FOR TENDER	15/08/20	MM	MM
2	REVISED	15/08/20	MM	MM
3	REVISED	15/08/20	MM	MM
4	REVISED	15/08/20	MM	MM
5	REVISED	15/08/20	MM	MM
6	REVISED	15/08/20	MM	MM
7	REVISED	15/08/20	MM	MM
8	REVISED	15/08/20	MM	MM
9	REVISED	15/08/20	MM	MM
10	REVISED	15/08/20	MM	MM

**momentum**  
TRANSPORT CONSULTANTS

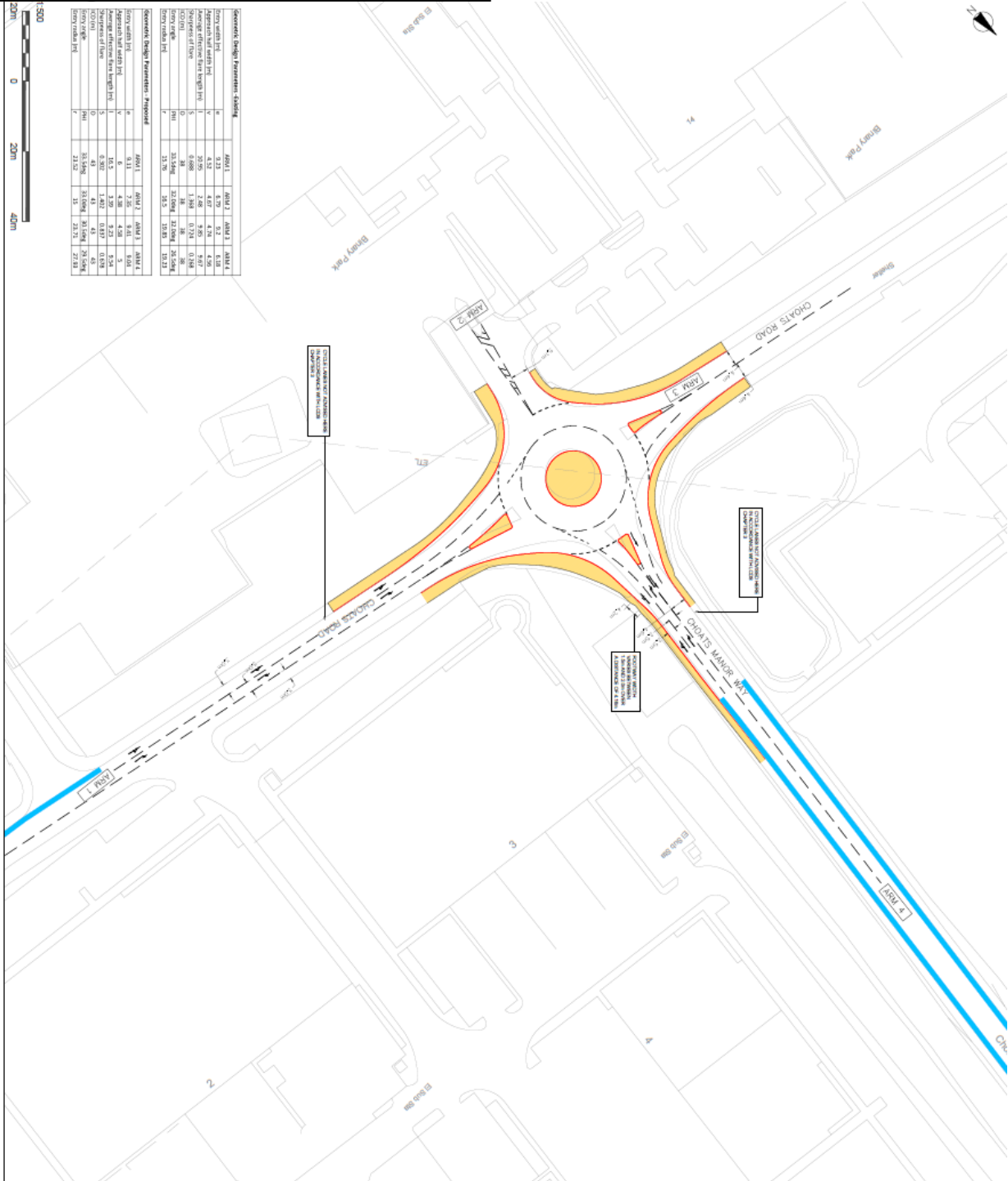
100, Abchurch Lane  
London EC4N 3DF

CONSOLIDATION OF CITY MARKET  
CHANT'S ROW/CHERTSEY LANE T JUNCTION  
OPTION 9B

DATE: 15/08/20  
SCALE: A1

FOR INFORMATION

DRAWING NO: M000687-DR-000-007  
REV: B



**Geometric Design Parameters - Standing**

From width (m)	AS11	AS12	AS13	AS14	AS14.1
Approach width (m)	4.32	4.32	4.32	4.32	4.32
Approach width (m) - 100%	4.32	4.32	4.32	4.32	4.32
Approach width (m) - 75%	3.24	3.24	3.24	3.24	3.24
Approach width (m) - 50%	2.16	2.16	2.16	2.16	2.16
Approach width (m) - 25%	1.08	1.08	1.08	1.08	1.08
Approach width (m) - 0%	0	0	0	0	0
Approach width (m) - 100%	4.32	4.32	4.32	4.32	4.32
Approach width (m) - 75%	3.24	3.24	3.24	3.24	3.24
Approach width (m) - 50%	2.16	2.16	2.16	2.16	2.16
Approach width (m) - 25%	1.08	1.08	1.08	1.08	1.08
Approach width (m) - 0%	0	0	0	0	0
Approach width (m) - 100%	4.32	4.32	4.32	4.32	4.32
Approach width (m) - 75%	3.24	3.24	3.24	3.24	3.24
Approach width (m) - 50%	2.16	2.16	2.16	2.16	2.16
Approach width (m) - 25%	1.08	1.08	1.08	1.08	1.08
Approach width (m) - 0%	0	0	0	0	0

**Geometric Design Parameters - Proposed**

From width (m)	AS11	AS12	AS13	AS14	AS14.1
Approach width (m)	4.32	4.32	4.32	4.32	4.32
Approach width (m) - 100%	4.32	4.32	4.32	4.32	4.32
Approach width (m) - 75%	3.24	3.24	3.24	3.24	3.24
Approach width (m) - 50%	2.16	2.16	2.16	2.16	2.16
Approach width (m) - 25%	1.08	1.08	1.08	1.08	1.08
Approach width (m) - 0%	0	0	0	0	0
Approach width (m) - 100%	4.32	4.32	4.32	4.32	4.32
Approach width (m) - 75%	3.24	3.24	3.24	3.24	3.24
Approach width (m) - 50%	2.16	2.16	2.16	2.16	2.16
Approach width (m) - 25%	1.08	1.08	1.08	1.08	1.08
Approach width (m) - 0%	0	0	0	0	0



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  5. Existing items shown in grey.
  6. This is a preliminary design for information purposes only.
  7. This drawing has not been subjected to Road Safety Audit.

**KEY**

- Proposed footway
- Proposed kerb line
- Proposed road markings (see separate drawing)
- Proposed road layout
- Proposed road layout (see separate drawing)
- Proposed road layout (see separate drawing)
- Proposed road layout (see separate drawing)

NO.	REVISION	DATE	BY	CHECKED
1	ISSUE FOR TENDER	15/01/2024	AS	AS
2	ISSUE FOR TENDER	15/01/2024	AS	AS
3	ISSUE FOR TENDER	15/01/2024	AS	AS
4	ISSUE FOR TENDER	15/01/2024	AS	AS
5	ISSUE FOR TENDER	15/01/2024	AS	AS
6	ISSUE FOR TENDER	15/01/2024	AS	AS
7	ISSUE FOR TENDER	15/01/2024	AS	AS
8	ISSUE FOR TENDER	15/01/2024	AS	AS
9	ISSUE FOR TENDER	15/01/2024	AS	AS
10	ISSUE FOR TENDER	15/01/2024	AS	AS

**momentum**  
CITY OF LONDON

**CONSOLIDATION OF CITY MARKETS**

**CHAITS ROAD ROUNDABOUT**

**FOR INFORMATION**

DATE: 15/01/2024  
SCALE: @ A1

## 11. Cycle improvements works.

In conjunction with items 9 and 10, the Owner under a s278 Agreement will deliver dedicated cycle lanes from the Goresbrook Interchange along Choats Manor Way, Choats Road (east of Choats Manor Way only) and along Chequers Lane (covering the application site to Dagenham Dock C2C station).

The improvements will be supported by a Highway Works Specification including details of the estimated costs of the Local Junctions Highway Works. These will be secured to the value of a Highway Works Bond. The works should also detail measures adopted to ensure the safety of Cyclists given the prevalence of HGVs, having regard to the LCDS.

The implementation of this obligation may be dependent on the timescales to deliver items 9 and 10, however will be obligated to be completed prior to occupation of Development.

## 12. Implementation of Sustainable Transport Measures outlined in the Consolidated Transport Assessment

The Sustainable Transport Measures must be implemented from opening as outlined in section 6.4 of the Consolidated Transport Assessment

The measures include but not necessarily limited to:

- a charge for use of the car park at the Development between 7am and 10pm.

Car parking to be solely used in conjunction with the market and ancillary uses and for no other purpose unless agreed otherwise with the Council.

- Wholesale Common Closure time

This measure shifts the operational hours of the markets and aligns the closing time for wholesale trading for all three markets to 07:00 to reduce the impact on the road network morning peak.

- Vehicle scheduling

Vehicle scheduling refers to the allocation of time slots for supplier vehicles to adhere to when delivering goods to the site. Staggering supplier trips would be beneficial to the market operation across the day by allowing management of vehicle arrivals and reducing the concentration of those arriving and departing during peak times.

- Dwell time reductions

The applicant has advised the internal market layout would ensure supplier drop off points are localised and managed (to prevent multiple suppliers drop points as is the case in the existing markets). A Supplier would therefore unload at a single docking point, rather than partially unloading at one dock before moving onto another dock for further unloading. The aim is to reduce Suppliers' time on site meaning more Suppliers can leave the site earlier.

- Click and Collect

A 'click and collect' service will be made available for the co-located market to spread the number of customer collections across operational hours. This is separate from the vehicle scheduling measure outlined above as 'click and collect' would apply to Customers rather than Suppliers. The pre-packing of goods (that have been purchased remotely) for collection would also allow Customers to pick up their goods and leave in a short space of time. This would reduce customer dwell times on site and shift outbound customer trips to an earlier period and thereby reducing the impact on the morning peak.

- Consolidation (third party logistics)

The aim is to encourage Customers to choose to use an independent delivery service with goods consolidated into HGVs rather than making multiple trips to the markets in car/vans to collect goods themselves. Additionally, trader and supplier HGV trips would be consolidated into larger HGVs. This would reduce the number of daily trips overall, and the number of Trader, Supplier and Customer trips during the morning peak.

Rapid Electric Vehicle Charging Points – (including consideration of HGV Charges) and a review on demand and take -up.

13. A financial contribution of £150,000.00 towards the development of a strategic infrastructure masterplan study focused on modal shift, including the river / rail freight proposition, innovation, promotion and support of low carbon and autonomous vehicles.

The scope of the masterplan study will be submitted to the Council for approval. The scope will be discussed with relevant members of the Steering Group.

Trigger: on signing of the S106 agreement or on submission of the Private Bill whichever is the later.

14. The owner for agrees to pay £2.95m towards the enhancement of local bus services to serve the development.

The owner for agrees to pay the Council £2.95m (index-linked from the date of planning permission) towards necessary changes to local bus services (night-time services and morning peak capacity to serve the development).

The exact frequencies and balance between these two existing bus services (EL2 and 145), or any potential alternative or additional bus services (as may be the case following service changes prior to or in the time period covered by the five years' funding), will be determined at a later date.

Triggers:

- Payment 1 - £100,000.00 payable on commencement of development
- Payment 2 - £490,000.00 payable on practical completion.
- Payment 3 - £590,000.00 on first occupation
- Payment 4 - £590,000.00 one year following occupation.
- Payment 5 - £590,000.00 two years following occupation.
- Payment 6 - £590,000.00 three years following occupation.

- a) Payment 1 will be made to LBBD and released to TfL to commence the approval process for the necessary changes to the bus service(s) to serve the development.
- b) Payment 2 will be payable subject to demonstration that the changes to bus service(s) will be in place on first occupation of the development. Note that for efficient service planning, including coordination with other bus service changes, TfL may at its own risk introduce some or all of the necessary changes to the bus service(s) in advance of first occupation.

- c) If in the event TfL is unable to provide confirmation that it intends to make the necessary changes to bus service(s) such that they will be in place at first occupation of the development, payments 2- 6 shall cease.
- d) In the event of (C) taking place, the Owner shall submit to the Council for approval (in consultation with TfL) a proposal for alternative bus provision in the form of a shuttle bus service.

The approved shuttle bus service shall run for a minimum period of 5 years from occupation of the development, unless necessary changes are made to TfL service(s) at a later date or it is demonstrated to the satisfaction of the Council that the shuttle bus service is no longer required. In considering whether the service is no longer required the Owner shall also demonstrate that amendments to the shuttle bus service to ensure it is attractive to potential passengers have not had the desired effect. If TfL services come online within the 5-year period, money will be made available on a pro-rata basis for the remaining part of the period to support the service as proposed above.

#### 15. Car Parking Management Plan

By the 3rd anniversary of occupation of the development, a revised car park management plan shall be submitted to and approved in writing by the local planning authority. The revised CPMP shall be accompanied with a report monitoring car usage to date and include details of how a minimum 20% reduction in car parking will be implemented by the 6th Anniversary of the development to achieve an overall minimum reduction of 30% of the original parking provision by the 10th anniversary.

The Owner, the Council and TfL will work together with the Travel Plan Coordinator to ensure reasonable endeavours are used towards achieving these targets, and to determine if the targets should be varied to reflect the operational requirements of the market. This work will take account of the progress of the modal shift study (i.e., strategic masterplan the Owner is contributing to, and the river/rail proposition being led and funded separately).

Trigger: The Plan must be approved by the Council upon the third anniversary of occupation of the Development.

#### 16. Site Wide Travel Plan

The Owner shall develop a Site Wide Travel Plan that accords with the approved Framework Travel Plan in consultation with TfL.

Trigger: submitted to the Council for their approval before practical completion.

#### 17. Parking and CCTV contribution

The Owner will make a financial contribution of £269,500.00 towards off-site parking restrictions and CCTV enforcement.

Trigger: payment prior to commencement of development (excluding demolition/enabling and remediation works). with monitoring fee paid three months post occupation.

## 18. Travel Plan coordinator

The Owner will work with the Council to appoint a Travel Plan Coordinator for a term of 10 years. To be funded by the Owner.

The job description and appointment will be discussed with relevant members of the Steering Group and will include an obligation to engage with local businesses on at least an annual basis to promote sustainable modes of transport.

Trigger: appointment to be confirmed upon commencement of development (excluding demolition works).

### **Design**

## 19. Public realm masterplan

The Owner will pay £100,000.00 towards the preparation of a Public Realm Masterplan for the Dagenham Dock Area.

The scope, programme and progress of the masterplan should be reported and discussed at Steering Group meetings.

Trigger: payment to be made upon submission of the first Reserved Matters application.

## 20. Public realm improvement contribution

The Owner will pay a contribution of £750,000.00 towards improvements near and around Dagenham Dock C2C Station and Chequers Lane.

The extent of the area this contribution should go towards is to be agreed through discussion between relevant members of the Steering Group and other contributors that may be in place post signature of this agreement.

Trigger: payment to be made 6 months prior to completion of the masterplan or the commencement of development whichever is the earliest.

### **Employment, Training, Education and Supply Chain – General Provision**

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

Plans must be submitted at least three months before the start of the construction phase and provide a named point of contact who is accountable for delivery and reporting of the obligations.

The plan must provide a forecast of the estimated FTE workforce and detail the projected spend with local suppliers and the number of jobs, apprenticeships, 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.

Templates for the initial plan, method statement and monitoring forms will be provided by Be First. In addition, 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 before commencement.

22. Local employment, training and supply chain Council's monitoring

The Owner will pay the Council a fixed sum of £1,500.00 for the monitoring of this S106 covenant.

Trigger: payment to be made upon submission of the First Reserved Matters application.

23. Local employment, training and supply chain contribution

The Owner will pay a fixed contribution £1,052,500.00 to the Council to support the delivery of employment, training and supply chain commitments of this S106 legal agreement.

Trigger: payment to be made prior to commencement of development (excluding demolition/enabling and remediation works), excluding demolition works.

24. Local employment, training and supply chain monitoring

Subject to the findings of evidence collected through the agreed employment and training processes, the Owner will pay compensation to LBBD if it is found that the shortfall in the delivery of any employment or training specified in the agreement can be attributed to the Owner having not used reasonable endeavours to follow the agreed processes.

Once development is underway, monitoring forms must be submitted monthly for the first three months and quarterly thereafter.

Regular site visits or meetings will be scheduled with the named point of contact to review evidence and discuss progress. These will take place quarterly in cases where there are concerns about underperformance but may be less regular where clear evidence of obligations being met has been provided.

Confirmation that all obligations have been met – or appropriate compensation agreed – must be provided before the council will approve a developer's application for discharge.

The council may take legal action in cases where obligations are not fulfilled.

Trigger: monitoring reports submitted on a quarterly basis by the Employment Coordinator.

**Employment, Training and Supply Chain – Construction**

## 25. Employment during Construction

The Owner will use reasonable endeavours to ensure that jobs are provided to LBBB residents, during the construction and remediation phases (where works have not begun before completion of the S106 agreement).

The jobs to be provided in accordance with the following:

- 25% of the total jobs (FTE) created by the construction phase are filled by LBBB residents.
- Ensure at least 20% of the workforce on a project are new jobs and seek to 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.
- Expectation that developers and their sub-contractors commit to adhere to the Unite Construction Charter, of which the council and Be First are signatories. This includes ensuring that all operatives on site are directly employed on a PAYE basis under a contract of employment and paid no less than the London Living Wage.

A significant phase of the works to build the new market is the demolition, decommissioning and remediation works to clear and prepare the site for construction. This is due to the legacy of the site as a power station which means there is significant underground infrastructure that needs to be decommissioned and remediated to enable the redevelopment of the site. These works are covered by a prior notification for demolition (ref. 20/00129/PRIOR4) and a separate full planning application (ref. 20/01094/FULL). Although these works are not covered by this Section 106 legal agreement, they are interrelated and a pre-requisite for delivering the new market. Therefore, the jobs generated by the works under the full planning application and prior notification of demolition should also be considered against the employment, supply chain and training targets for the construction phase of the Section 106 for application ref. 20/01097/OUTALL.

## 26. Training during Construction

During the remediation and construction phases (where works have not begun before completion of the S106 agreement), the Owner's dedicated Employment and Skills officer will work with the Councils Employment and Enterprise team to facilitate the following activities when procurement is commenced, through inclusion of requirements in tender documentation, and during the procurement and contracting processes to embed good practice into the contract documentation:

- 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, provided there are no health and safety issues.



## 27. Supply Chain during Construction

The Owner will work in partnership with LBBB during the construction phase to undertake the following:

- Submit a Tender Event Schedule detailing the list of work packages being offered to competitive tender for the developer and all sub-contractors, including timeframes, values of packages and framework agreements.
- Source good and services from the borough wherever possible, with an aim that this will represent at least 25% of the value of all goods and services required for the development.
- Use reasonable endeavours 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 construction stage 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.

A significant phase of the works to build the new market is the demolition, decommissioning and remediation works to clear and prepare the site for construction. This is due to the legacy of the site as a power station which means there is significant underground infrastructure that needs to be decommissioned and remediated to enable the redevelopment of the site. These works are covered by a prior notification for demolition (ref. 20/00129/PRIOR4) and a separate full planning application (ref. 20/01094/FULL). Although these works are not covered by this Section 106 legal agreement, they are interrelated and a pre-requisite for delivering the new market. Therefore, the jobs generated by the works under the full planning application and prior notification of demolition can also be considered against the employment, supply chain and training targets for the construction phase of the Section 106 for application ref. 20/01097/OUTALL.

### **Employment, Training and Supply Chain – End User**

## 28. Employment – End User

The Owner will use reasonable endeavours to ensure that the Owner's employees and jobs with its contractors are provided to LBBB residents during the end-user phase in accordance with the following:

- Seek to ensure that all vacancies are advertised through the council's job brokerage service, 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.
- Expectation that end-users commit to best-in-class employment standards including payment of the London Living Wage.

The City will work with the employment and training officer to agree processes to encourage traders to support the creation of job opportunities for local residents in order achieve the following objectives, where possible:

- Sui Generis floorspace: seek to ensure a minimum of 10% of the estimated total jobs (FTE) are filled by LBBB residents; and 80% of the net additional jobs generated (FTE) are filled by LBBB residents
  - Ancillary retail use: seek to ensure a minimum of 25% of the estimated total jobs (FTE) are filled by LBBB residents.
- Seek to ensure that all vacancies are advertised through the council's job brokerage service, 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.
- Expectation that end-users commit to best-in-class employment standards including payment of the London Living Wage.

## 29. Training and Education – End User

Working with the employment and training officer, the Owner will aim to provide training events: subject to demand during the operational phase of the market (subject to ram:

- Outreach: 108 outreach sessions and 4,320 people engaged Apprenticeships: 50 apprenticeships completed and 2,000 individual training days, with at least half of the apprenticeships being given priority for local residents.
- Non-Local workers: 2,400 individual training days and 2,100 traders trained.
- Food Industry: 1,750 individual training days and 1,000 workers trained in the wider food industry.
- Food Based: 150 fee-paying activity sessions 2,100 people engaged (workers in related food industry, recreational courses etc., of which a minimum 30% are local residents.
- 5 training courses in Environmental Health, 75 individuals trained – Food hygiene on approval premises (students and refresher courses).

## 30. Supply Chain – End User

The Owner will work in partnership with LBBB for the first 8 years of the operational phase to undertake the following:

- Submit a Tender Event Schedule detailing the list of work packages being offered to competitive tender for the developer and all sub-contractors, including timeframes, values of packages and framework agreements.
- Source good and services from the borough wherever possible, with an aim that this will represent at least 25% of the value of all goods and services required for the development.
  - Use reasonable endeavours 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.

## **Food School**

### **31. Framework for Business Case**

The Owner will contribute up to £75,000.00 to support the preparation of an agreed vision and development of a business case for the Food School Barking Town Centre and the Shadow Food School Programme.

The business case must indicate a preferred option according to mutually agreed objectives taking into account activities taking place at the Food School Dagenham Dock. Payment to be made upon signing of S106 agreement.

### **32. Preparation of a Business Case**

The Owner will contribute further funding of up to £175,000.00 to support the further establishment of the business case for the Food School Barking Town Centre and initiation of the shadow food school programme, including relevant partnerships and capital spending.

Payment to be made upon submission of the Private Bill or signing of the S106 agreement, whichever is the latter.

The activities proposed under the Shadow Food School Programme may include:

- To establish and maintain an engagement programme with traders, food industry and livery companies, to shape the training offer at the Food School Dagenham Dock and the Food school Barking Town Centre;
- Delivery of training and engagement in the lead up to the opening of the education facilities in Dagenham Dock site and Barking Town Centre (E.g. taster course, events, short term testing courses), with the view to help the build-up of the long-term education offers in Dagenham Dock site and the Barking Town Centre (e.g. scoping of courses and testing of options and business models for the two food facilities);
- Building links and fostering partnerships between industry with local schools/training providers, explore the way to create strong training pathways at entry level and CPD that meet the needs of the sector more broadly in view of the Food school Barking Town Centre. Sign-posting and providing training opportunities to market traders and the local food sector;

- Building the wider food curriculum across local schools. Activities such as audit of the 63 schools in the borough to enable and promote food the delivery of an effective food technology curriculum, professional development courses for school staffs and relevant curriculum support programmes; and
- Activities to raise awareness and interest in food (e.g. healthy eating), food careers and raise the profile and quality of the teaching of food technology in schools. Examples include industry-led CPD, food technology conference, schools' community supermarket, industry site visits and talks in schools, 'Great B&D Bake Off' interschool competition, and relevant resource support and development.

Any surplus fund will be ring-fenced to contribute to the Food school, Food Hub and/or Food activation programme activities subject to agreement with the applicant via the Food Education Steering Group.

The preparation of the business case for the Food School Barking Town Centre and the Shadow Food School Programme will be overseen by the Food Education Steering Group.

### 33. Delivery of the Food School

The Owner will contribute up to £750,000.00 (and any unspent balance from business plan monies) to deliver and support the operation of the Food School Barking Town Centre (such as to provide upgrade to facilities at the TSA site or an alternative site in Barking Town Centre as part of B&D College) and the continued delivery of the Shadow Food School Programme if required under the agreed vision and business case.

Payment is to be made once the private bill has received Royal Assent and the markets move is confirmed.

Relevant members of the Steering Group can make the decision to utilise the fund flexibly across the Food school, Food Hub and/or Food activation programme activities when required, subject to agreement with the Owner via the Food Education Steering Group.

Any surplus fund will be ring-fenced to contribute to additional activities subject to agreement with the applicant.

## **Food Hub**

### **34. Preparation of Business Case**

The Owner will contribute up to £75,000 to support the development of a business case for the construction and delivery of a Food Hub, complementary to the Food School Barking Town Centre, Food School Dagenham Dock and to the new wholesale market at Dagenham Dock. The business case must indicate a preferred option identified according to mutually agreed objectives which should also indicate a positive Net Present Value across the scheme within 20 years. Payment to be made upon signing of s106 agreement.

The City will provide up to £175,000 to support the construction and delivery of a Food Hub, such as the design feasibility and procurement of an operator for the food hub. This is subject to a viable business case according to mutually agreed objectives as well as indicating a positive Net Present Value across the scheme within 20 years. Payment to be made upon submission of the Private Bill or signing of the S106, whichever is the latter.

Any surplus fund will be ring-fenced to contribute to the Food school, Food Hub and/or Food activation programme activities subject to agreement with the applicant via the Food Education Steering Group.

### **35. Delivery of Food Hub**

The Owner will provide up to £1,500,000 to support the construction and/or delivery of a Food Hub, (complementary to the Food School Barking Town Centre, Food School Dagenham Dock and to the new wholesale market at Dagenham Dock). The Owner shall only be obligated to provide this contribution where a business case indicates a positive Net Present Value across the scheme within 20 years and it is agreed between both parties that it would be in their respective interest to invest in as per the mutually agreed objectives.

This obligation would cease to have effect if both parties cannot agree on the mutual objectives or the business case is proven to be unviable for up to a period of 5 years following the First Occupation of the application site as a wholesale market.

The delivery of the business for the Food Hub will be overseen by the Food Education Steering Group.

### **36. Food Activation Programme**

The Owner will provide up to £1,000,000.00 towards the design and delivery of a Food Activation Programme, including the appointment of two coordinators working on education pathway and food economy (linking with existing and future wholesale market needs). The Food Activation Programme will draw upon activities developed at the Food School Dagenham Dock and the Food School Barking Town Centre.

The aim of the programme is to:

- encourage an awareness of the food industry in the Borough both for residents, traders and the wider food industry this may include promotion materials, branding and website, and the organisation of physical events as appropriate; and
- start to attract complementary food users to locate in the Borough, facilitating interaction with landlords and developers.

The Food Activation Programme will be overseen by the Food Education Steering Group, including job descriptions for the appointment of the two coordinators.

Trigger: Phased payment based on the following:

- 15% on signing of the s106 agreement.
- 35% is on submission of the private bill
- 25% on approval of reserved matters
- 25% on commencement of development

### **Additional items**

37. Provision of five small market stands will be provided for the use of LBBB SME's in the market halls (which halls to be agreed).

These will be reserved for take up in the first 6 months of opening and will be available rent free for a year for those in occupation and half rent for the following year.

It will be expected that these units will then be recycled on commercial terms for use for other SMEs or retained by the existing tenant until the end of 5 years. If not filled after 6 months, these will be made available for use by other traders.

The employment and training officer will monitor the take up of these stalls and report to the operational board on their management and on all employment and training matters.

Trigger: From opening of the new market.

38. Appoint an Employment Coordinator to start in post 3 months prior to construction phase through to end use occupation (minimum 5 years post first occupation).

Their role is to monitor all employment, skills and enterprise obligations. Working closely with the LBBB Employment and Skills team, they will ensure the local labour obligations were met, and to ensure feedback is provided to local suppliers if they were unsuccessful in any tender bids.

LBBB requests to be included on the recruitment panel for this post if it is an external appointment.

An example list of duties include:

- Engagement with local suppliers.
- Organise and arrange local engagement events.
- Manage and keep up to date a local business directory.
- Work with LBBB Council Services where required.
- Set up and Lead on meet the buyer's events.
- Set up and lead a steering group.
- Ensure all obligations are achieved and where not possible, able to demonstrate and evidence reasonable endeavours.

Trigger: appointment confirmed prior to completion.

39. Creation of a Steering group including an annual payment of £7,500 for a period of 10 years.

The steering group will meet on a quarterly basis, with the first meeting starting prior to construction of development to discuss and resolve performance issues, review planning obligations, and act as a forum for reporting the various monitoring matters in relation to the s106. The steering group will be required to on an annual basis present to members of the planning committee and ward members an update on the progress of the development.

Membership will include but not be limited to at least:

- 1 (one) representative on behalf of City of London
- 1 (one) representative on behalf of the Council and
- 1 (one) representative on behalf of TfL

The purpose of the steering group will be to:

- act as a forum to discuss and resolve performance issues amongst the Parties and to ensure strategic consistency of the Development with other development initiatives within the London Borough of Barking and Dagenham and the London Riverside Opportunity Area.
- as soon as practicable following receipt from the City of London and in any event within 2 (TWO) months of receipt review any reports/studies related to Transport via River and Rail and to make recommendations to the City of London.
- as soon as practicable following receipt from City of London and in any event within 1 (one) month of receipt review the Annual Monitoring of employment obligations
- as soon as practicable following receipt from the Council and in any event within 1 (month) calendar month of receipt, review the job description for any posts created to serve the development – Travel Plan Co-ordinator, Employment officers and make recommendations to the City of London.
- The owner will submit a report on sustainable transport measures to the steering group on how they will be implemented on Practical Completion of the development
- review of sustainable modes listed in obligation 12 & 15. The monitoring of these obligations will be based on the trips considered within the CTA. If the trips reach 90% of the CTA over a two-week period and it is part of a trend in usage of vehicles over a month, then the Owner will review the effectiveness of the sustainable transport measures and ensure reasonable endeavours have been used to fully implement them and bring forward options of further mitigation measures where reasonable. The Owner shall update the Steering Group on the measures taken, as necessary. The Steering Group will have the opportunity to review these measures and advise or suggest further mitigation if necessary.
- Other stakeholders including local businesses, the Port of London Authority will be invited as and when considered necessary in relation to any of the above-mentioned obligations.
- Allow businesses in Dagenham Dock to raise representation to the group. Where representations are made require the City of London to provide a response within 1(month).

- There will also be a requirement to update Members briefing on an annual basis over progress of development.

Trigger: first payment to be made upon signature of this deed, then annually from the date of the deed.

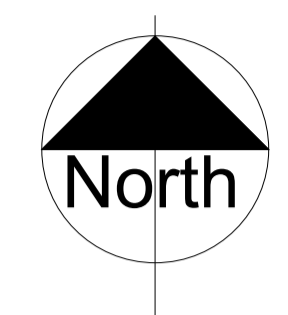
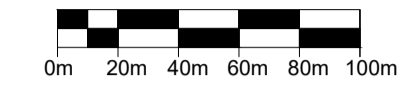
### **Ultra-Low Emission**

#### 40. Implementation of a local ULEZ

The owner covenants to introduce an Ultra-Low Emissions Zone within the site in accordance with the most recent guidance set by Transport for London regardless of whether the existing ULEZ has been extended to the site.



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 Please note the information contained within this drawing is solely for the benefit of the employer and should not be relied upon by third parties.  
 The CDM hazard management procedures for the Chetwoods aspects of the design of this project are to be found on the "Chetwoods - Hazard Analysis and Design Risk Assessment" and/or drawings. The full project design team's comprehensive set of hazard management procedures are available from the Principle Designer appointed for the project.



Application Boundary

Note:

- Site plan ownership boundaries provided by the City of London Corporation

P1	First Issue.	24.04.20	MB/MF
Rev	Revision Description	Date	Author/Reviewer

**PLANNING**

32 Frederick Street,  
 Birmingham, B1 3HH  
 +44 (0)121 234 7500  
 www.chetwoods.com



Project  
**CITY OF LONDON  
 CHEQUERS LANE, BARKING**

Client  
**CITY OF LONDON**

Drawing Title  
**SITE LOCATION PLAN**

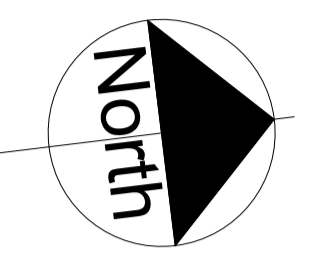
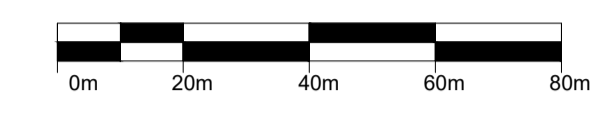
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Project	Originator	Zone	Level	Type	Role	Number	Rev
4626	CA	00	00	DR	A	01001	PL1



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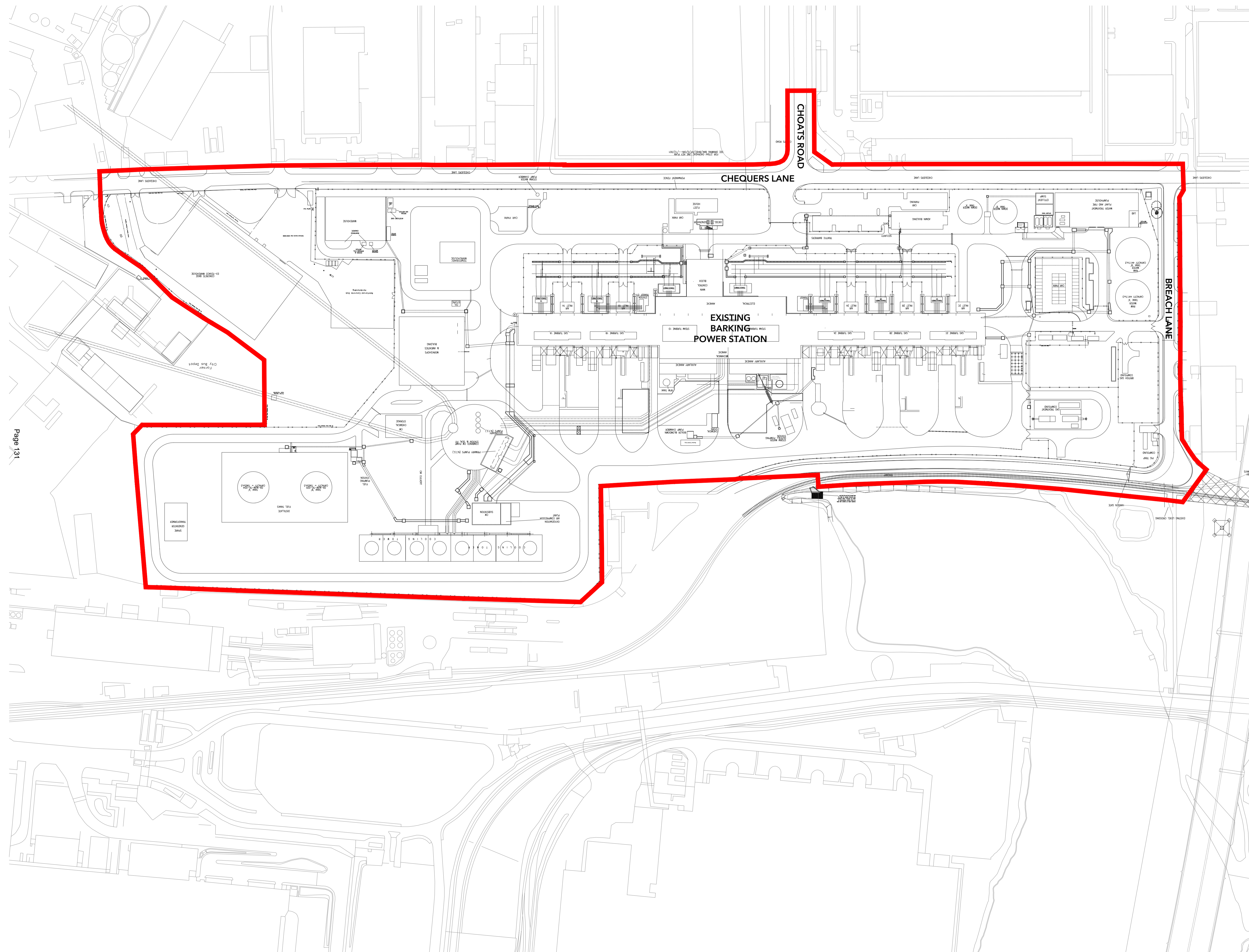
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KEY

 Application Boundary

Note:  
 - Site plan ownership boundaries provided by the City of London Corporation



Page 131

Rev	Revision Description	Date	Author	Reviewer
P1	First Issue.	24.04.20	MB/MF	

**PLANNING**  
 32 Frederick Street,  
 Birmingham, B1 3HH



Project  
**CITY OF LONDON  
 CHEQUERS LANE, BARKING**

Client  
**CITY OF LONDON**

Drawing Title  
**SITE PLAN**

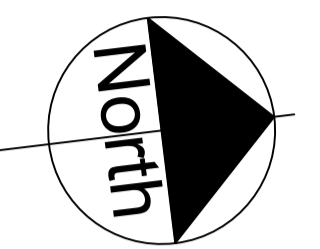
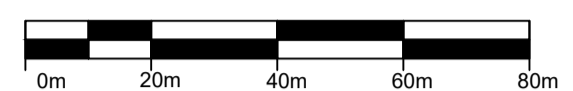
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Project	Originator	Zone	Level	Type	Role	Number	Rev.
4626	CA	00	00	DR	A	01002	PL1

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 The CDM hazard management procedures for the Chetwoods aspects of the design of this project are to be found on the "Chetwoods - Hazard Analysis and Design Risk Assessment" and/or drawings. The full project design teams comprehensive set of hazard management procedures are available from the Principle Designer appointed for the project.



KEY

-  Application Boundary
-  Development Zones
-  Market Buildings
-  Ancillary Buildings
-  Market vehicle circulation/parking/access/loading/unloading area
-  Access Zone

Note:

- Any area within the Development Zones not filled by a built form can be used for circulation, loading or parking. Refer to Development Specification for further details.

P1	First Issue.	24.04.20	MB/MF
Rev	Revision Description	Date	Author/Reviewer

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**CITY OF LONDON  
 CHEQUERS LANE, BARKING**

Client  
**CITY OF LONDON**

Drawing Title  
**PARAMETER PLAN:  
 ACCESS AND CIRCULATION**

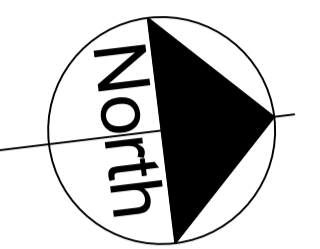
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Project	Originator	Zone	Level	Type	Role	Number	Rev
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KEY

-  Application Boundary
-  Demolition of buildings and equipment to be covered by the approved Prior Notification for Demolition (PND) ref. 20/00129/PRIOR4
-  Below (blue) and above (green) ground works associated with the former Barking Reach
-  Power Station Site including demolition, removal and processing of slabs, remediation of the site, decommissioning and demolition of the cooling water intake/outtake tunnels and associated cooling water shaft head house and structure, decommissioning and demolition works associated with the gas pipeline and utility infrastructure. These works are covered under a separate Full Planning Application submitted at the same time as this application
-  Demolition of buildings to be covered by both the PND and this application

Notes:

- For further information, refer to the Development Specification.

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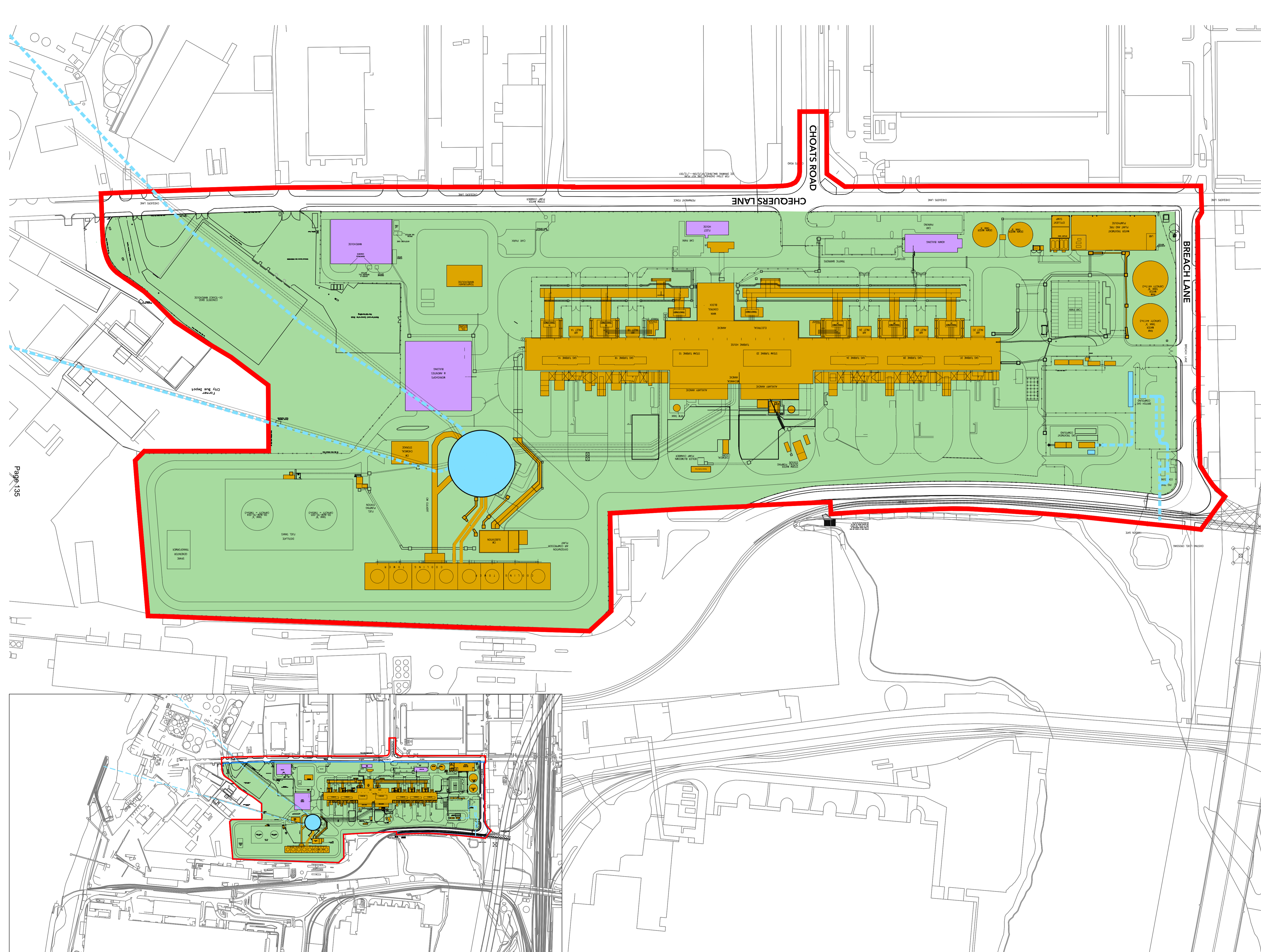
Project  
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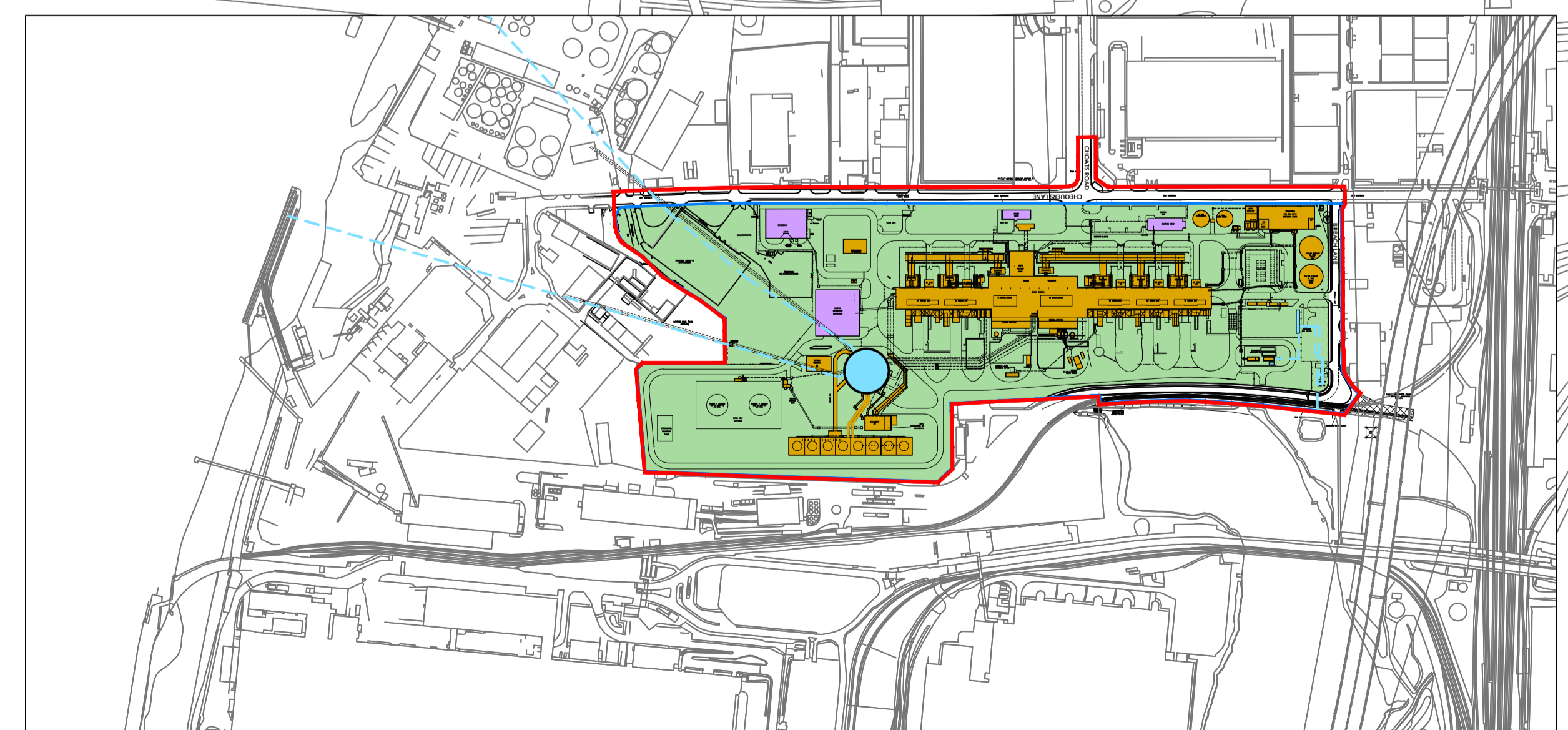
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As shown	A1	MB	MF	24.04.20

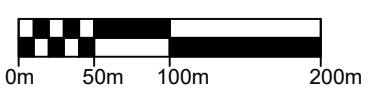
Project	Originator	Zone	Level	Type	Rate	Number	Rev
4626	CA	00	00	DR	A	01031	PL1



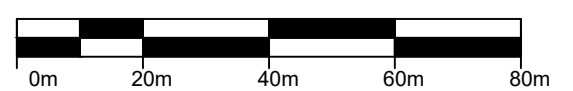
Page 135



**WIDE DEMOLITION PLAN**  
 SC: 1:5000



**DEMOLITION PLAN**  
 SC: 1:1200

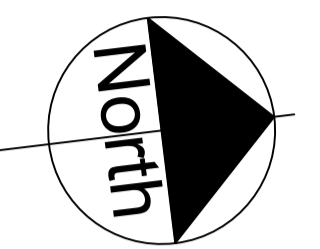
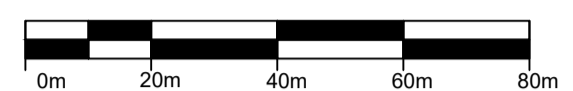




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KEY

-  Application Boundary
-  Development Zones
-  Market Buildings
-  Ancillary Buildings

Note:

- Drawing to be read alongside the Development Specification
- For further information on footprints refer to Development Specification

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Drawing Title  
**PARAMETER PLAN  
 DEVELOPMENT ZONES  
 MARKET AND ANCILLARY BUILDINGS**

Scale	Size	Drawn	Checked	Date
1:1200	A1	MB	MF	24.04.20

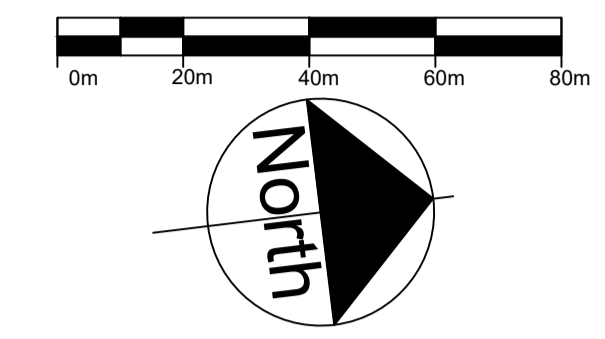
  

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KEY

-  Application Boundary
-  Development Zones
-  Maximum height above finished floor level (FFL)
-  Market Building (Maximum height 32m above FFL)
-  Ancillary Buildings (Maximum height 12.5m above FFL)
-  Market vehicle circulation/parking/access/loading/unloading area (Maximum height 7.5m above FFL)
-  Maximum height zone for distinct architectural design features (Maximum height of 45m above FFL)

Note:

- Refer to the Development Specification for information about the maximum height zone for architectural design features.

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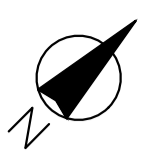
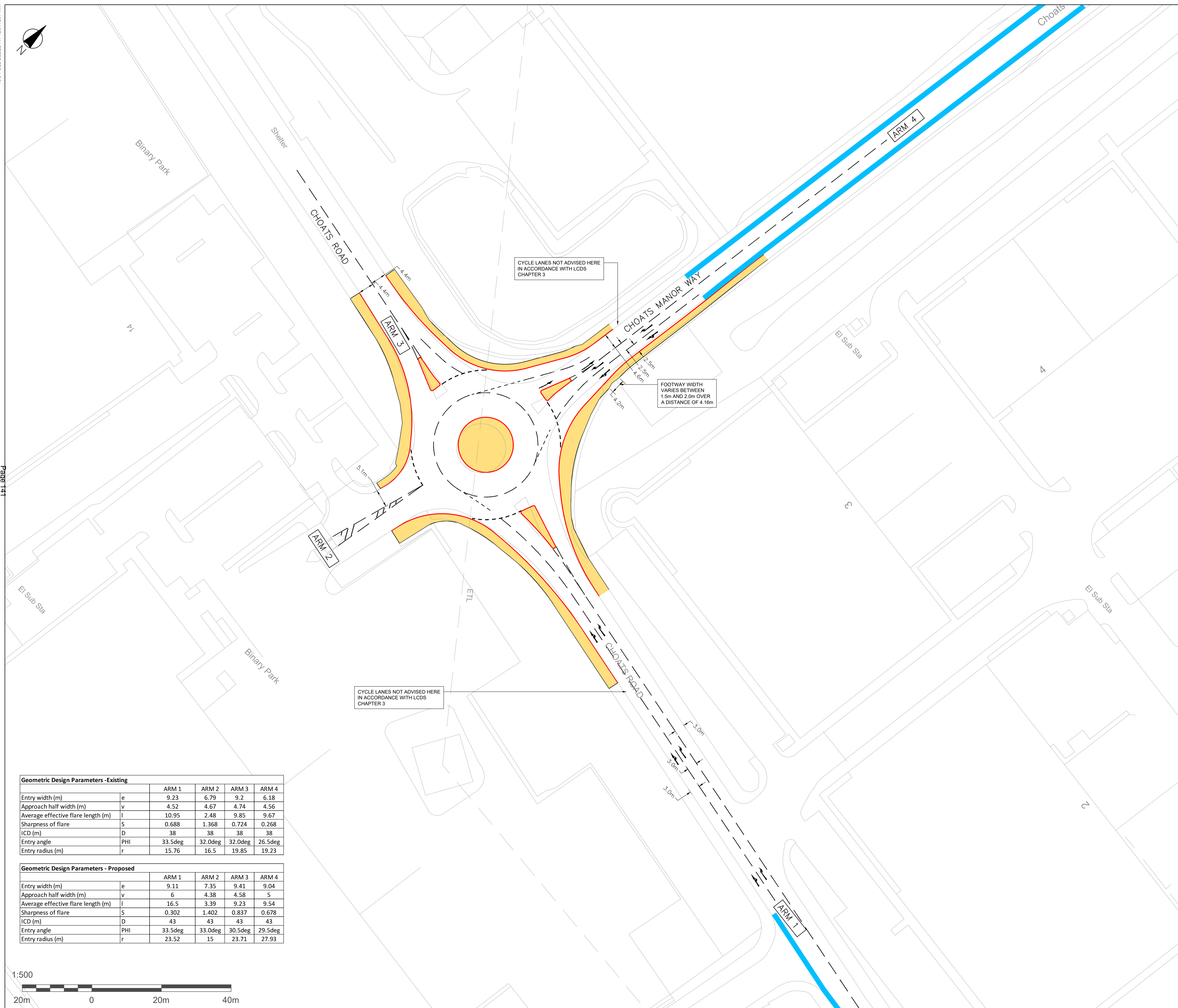
Drawing Title  
 PARAMETER PLAN:  
 PROPOSED MAXIMUM HEIGHTS

Scale	Size	Drawn	Checked	Date
1:1200	A1	MB	MF	24.04.20

Project	Originator	Zone	Level	Type	Role	Number	Rev
4626	CA	00	XX	DR	A	01061	PL1

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**Geometric Design Parameters - Existing**

	ARM 1	ARM 2	ARM 3	ARM 4
Entry width (m)	e 9.23	6.79	9.2	6.18
Approach half width (m)	v 4.52	4.67	4.74	4.56
Average effective flare length (m)	l 10.95	2.48	9.85	9.67
Sharpness of flare	S 0.688	1.368	0.724	0.268
ICD (m)	D 38	38	38	38
Entry angle	PHI 33.5deg	32.0deg	32.0deg	26.5deg
Entry radius (m)	r 15.76	16.5	19.85	19.23

**Geometric Design Parameters - Proposed**

	ARM 1	ARM 2	ARM 3	ARM 4
Entry width (m)	e 9.11	7.35	9.41	9.04
Approach half width (m)	v 6	4.38	4.58	5
Average effective flare length (m)	l 16.5	3.39	9.23	9.54
Sharpness of flare	S 0.302	1.402	0.837	0.678
ICD (m)	D 43	43	43	43
Entry angle	PHI 33.5deg	33.0deg	30.5deg	29.5deg
Entry radius (m)	r 23.52	15	23.71	27.93



OVERVIEW PLAN

**NOTES**

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2. Dimensions are in metres unless stated otherwise.
3. If there is any ambiguity between this drawing, other drawings and the Specification, refer to the Project Manager for clarification.
4. This plan is based on OS Base mapping only.
5. Existing items shown in grey.
6. This is a preliminary design for information purposes only.
7. This drawing has not been subjected to Road Safety Audit.

**KEY**

- Proposed footway
- Proposed kerb line
- Proposed road markings (line types vary)
- Advisory cycle lane to be provided where width is available. Refer to indicative arrangement drawing M000687-SK-011 and 012.

REV	DATE	REVISION DESCRIPTION / DETAILS	DRN BY	CHKD BY	APRVD BY
B	18/02/21	INDICATIVE CYCLE FACILITIES ADDED	PS	UM	DM
A	14/08/20	INITIAL ISSUE	UM	DHG	DM



CLIENT: CITY OF LONDON

JOB TITLE: CONSOLIDATION OF CITY MARKETS

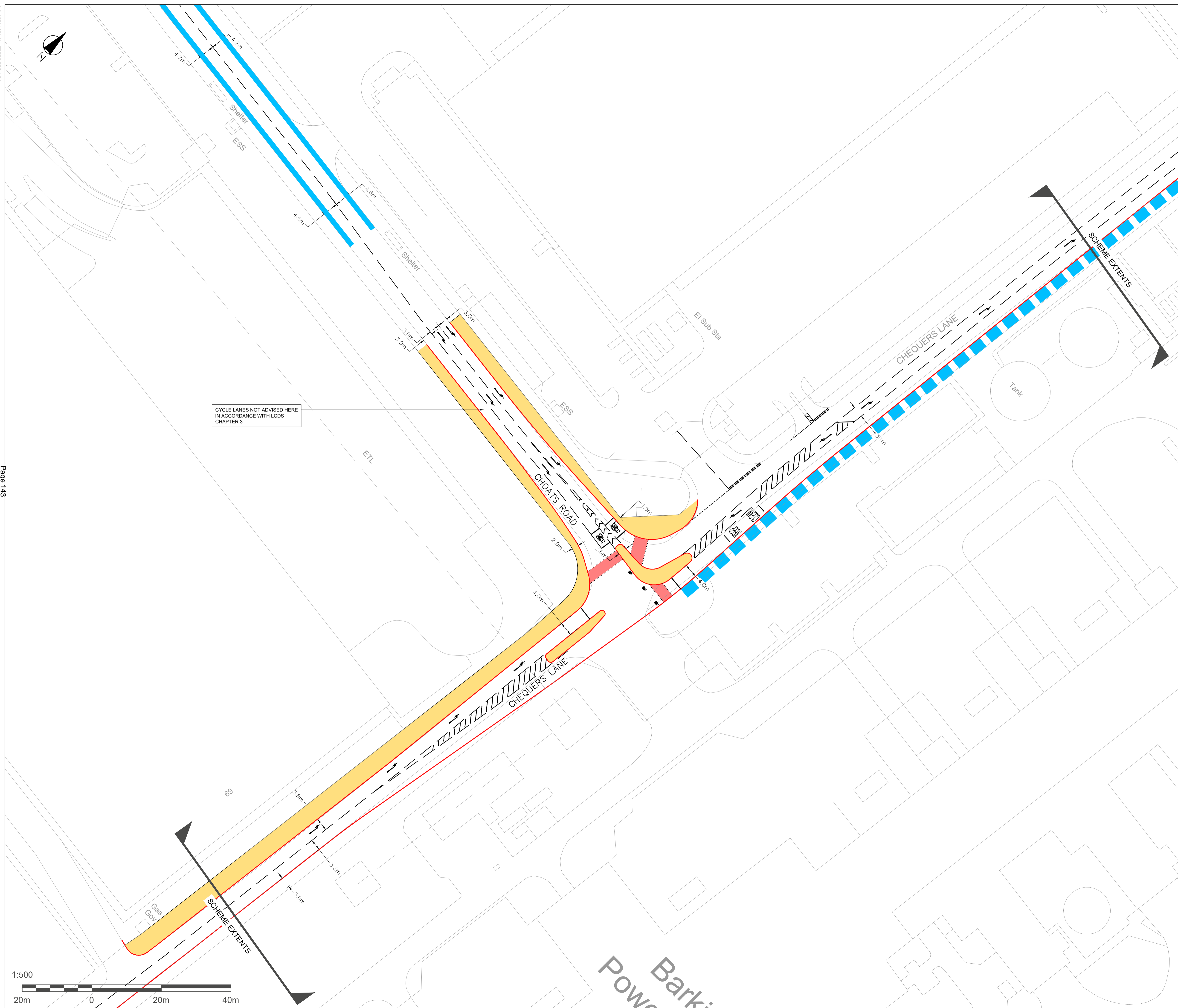
DRAWING TITLE: CHOATS ROAD ROUNDABOUT

STATUS: **FOR INFORMATION**

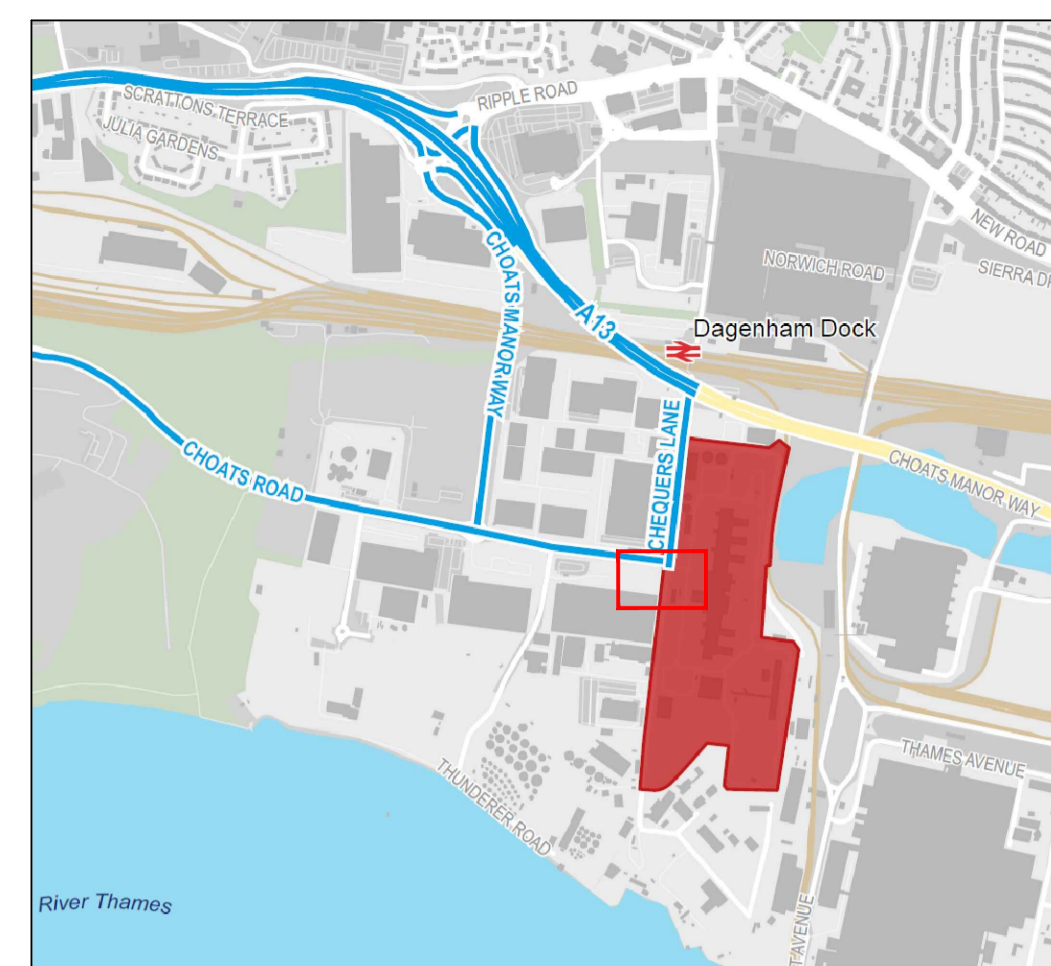
DRAWING NO: M000687-DR-000-001	REV: B	SCALE: 1:500 @ A1
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CHAPTER 3



OVERVIEW PLAN

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4. This plan is based on OS Base mapping only.
5. Existing items shown in grey.
6. This is a preliminary design for information purposes only.
7. This drawing has not been subjected to Road Safety Audit.

KEY

- Proposed footway
- Proposed kerb line
- Proposed road markings (line types vary)
- Proposed controlled pedestrian crossing
- Proposed off carriageway cycle route. Refer to indicative arrangement drawing M000687-SK-013.
- Advisory cycle lane to be provided where width is available. Refer to indicative arrangement drawing M000687-SK-012.

REV	DATE	REVISION DESCRIPTION / DETAILS	DRN BY	CHKD BY	APRVD BY
B	18/02/21	INDICATIVE CYCLE FACILITIES ADDED	PS	UM	DM
A	16/11/20	INITIAL ISSUE	UM	DHG	DM



CLIENT: CITY OF LONDON

JOB TITLE: CONSOLIDATION OF CITY MARKETS

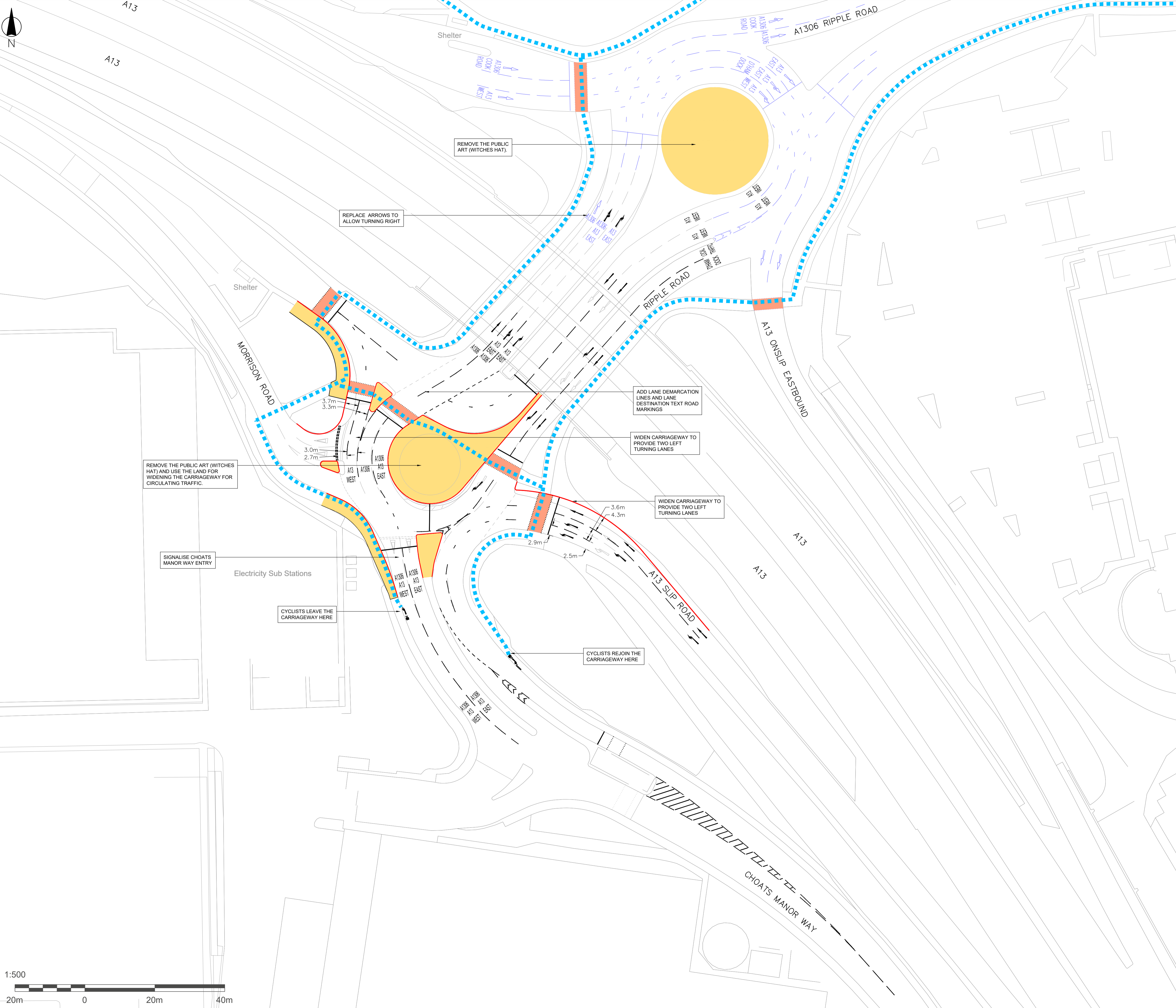
DRAWING TITLE: CHOATS ROAD/CHEQUERS LANE T JUNCTION OPTION 9B

STATUS: FOR INFORMATION

DRAWING NO:	REV:	SCALE:
M000687-DR-000-007	B	1:500 @ A1

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OVERVIEW PLAN

NOTES

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3. This plan is based on OS Base mapping only.
4. Existing items and existing road markings shown indicatively in grey.
5. This is a preliminary design for information purposes only.
6. This drawing has not been subjected to Road Safety Audit.

KEY

- Proposed road markings (line types vary)
- Existing road markings (line types vary) that should be refreshed
- Proposed footway
- Proposed kerb line
- Existing Toucan crossings (for cyclists and pedestrians)
- Existing or relocated off carriageway cycle route

F	17/02/21	HATCH ADDED	PS	UM	DM
E	09/12/20	AMENDED TO AVOID THIRD PARTY LAND	UM	DHG	DM
D	09/12/20	2 LANES FROM RIPPLE RD TO A13W	UM	DHG	DM
C	24/09/20	EXISTING CYCLE FACILITIES SHOWN	UM	DHG	DM
B	08/09/20	RIPPLE RD PROPOSALS ADDED	UM	IRT	KD
A	26/08/20	INITIAL ISSUE	UM	DHG	DM
REV	DATE	REVISION DESCRIPTION / DETAILS	DRN BY	CHKD BY	APRVD BY



CLIENT: CITY OF LONDON

JOB TITLE: CONSOLIDATION OF CITY MARKETS

DRAWING TITLE: A13 CHOATS INTERCHANGE ROUNDABOUT PROPOSED INTERVENTIONS FOR 2031 OPTION 3

STATUS: FOR INFORMATION

DRAWING NO: M000687-DR-000-008      REV: F      SCALE: 1:500 @ A1



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Working in partnership


**Barking &  
Dagenham**

## LONDON BOROUGH OF BARKING & DAGENHAM PLANNING COMMITTEE

22<sup>nd</sup> March 2021

### Application for Full Planning Permission

<b>Case Officer:</b>	Nasser Farooq	<b>Valid Date:</b>	28/05/2020
<b>Applicant:</b>	London Borough of Barking and Dagenham	<b>Expiry Date:</b>	17/08/2020
<b>Application Number:</b>	20/01094/FULL	<b>Ward:</b>	River Ward
<b>Address:</b>	Barking Power Station Chequers Lane, Dagenham, Barking and Dagenham, RM9 6PF		

The purpose of this report is to set out the Officer recommendations to Planning Committee regarding an application for a full planning application relating to the proposal below at Barking Power Station Chequers Lane, Dagenham, RM9 6PF

#### Proposal:

Below and above ground works associated with decommissioning the former Barking Reach Power Station Site including below ground demolition; remediation of the site; decommissioning and demolition of the cooling water system comprising intake and outfall tunnels, associated pump station and outfall structure(s); decommissioning and demolition works associated with gas, fuel distillate and utility infrastructure.

#### Officer Recommendations:

Planning Committee is asked to resolve to:

1. agree the reasons for approval as set out in this report; and
2. delegate authority to the London Borough of Barking & Dagenham's Director of Inclusive Growth in consultation with LBBD Legal Services to grant planning permission subject to the Conditions listed at Appendix 5.

## Conditions Summary:

### General

1. Statutory Time Limit
2. Approved Plans

### Information required prior to demolition works

3. Dust Management Plan

### Prior to commencement of development

4. Construction Environmental Management Plan (CEMP)
5. Construction Resource Management Plan
6. Construction Logistics Plan
7. Invasive Non-Native Species Management Plan (INNS)
8. Archaeology
9. Contamination
10. Water Quality Monitoring Plan
11. Method Statement for protection of Jetty 4.
12. Water Tunnel Decommissioning Methodology.

### Compliance conditions

13. Construction Working Hours
14. Site specific non-road mobile vehicles (NRMM)
15. Explosive Ordnance Threat Assessment
16. Asbestos and Contamination Removal
17. Transport's for London Code of Practice for quieter deliveries

## OFFICER REPORT

### Background Information:

The City of London Corporation (the Applicant), through statute established in the Victorian era, has the responsibility to provide and operate wholesale markets at Smithfield (meat and poultry), New Spitalfields (fruit, vegetables and flowers) and Billingsgate (fish). These world-renowned markets are safeguarded by law to serve London and the country with fresh produce.

The Applicant has advised they have carried out a series of strategic studies to question and address issues affecting the trading environment of the existing wholesale markets. The studies identified that the current facilities and trading environments at the three markets are outdated and unsustainable. The condition and quality of the buildings are below what is expected of a modern wholesale food market. The Applicant has further advised that even with significant investment, the markets would still be operating in old buildings, some listed that would be difficult to refurbish to sustainable standards.

The Applicant has advised the Court of Common Council ('CoCC'), the applicants Decision making body approved the creation of a Markets Consolidation Programme ('MCP') in March 2018 authorising the programme to search for a site for a new consolidated wholesale market and to release the Existing Sites for alternative development.

The relocation of the existing markets requires a Private Act to be passed by Parliament. Private Bills are deposited in Parliament on or before 27 November each year and are scrutinised by the Examiners of Petitions for Private Bills before being formally presented before Parliament in the following January.

The Applicant has advised that the search for a suitable location to consolidate the existing markets was undertaken in 2018, and the following four sites were considered:

- Silvertown (London Borough of Newham)
- Fairlop (London Borough of Redbridge)
- Thames Enterprise Park (Thurrock)
- Dagenham Dock (London Borough of Barking and Dagenham)

A feasibility assessment was also undertaken on expanding New Spitalfields Market in Leyton (London Borough of Waltham Forest) to accommodate the other two wholesale markets.

Following a review of all the sites, the Applicant made the choice to proceed with development at the application site at Dagenham Dock. This was acquired by the City of London Corporation in December 2018.

To facilitate the re-development of the site, this application covers demolition, decommissioning and remediation works necessary to effectively prepare the site. Those are referred to as 'preparatory works' thereafter for ease of reference.

The cooling pipes run under the river Thames and into the boundary of the London Borough of Bexley. Therefore, an identical application has been submitted to the London Borough of Bexley. However, both boroughs are only able to determine applications within their borough boundary.

This application is supported by an Environmental Statement, prepared by AECOM, which covers both enabling works proposed under this Full Planning Application and the construction of the new market proposed under an Outline Planning Application (ref:20/01097/OUTALL). Both

planning applications have been consulted upon with comments received included at Appendix 3, noting that most relate to the Outline Planning Application.

#### **Planning Constraints:**

The site is within:

- The London Riverside Opportunity Area (LROA).
- The London Sustainable Industries Park (LSIP).
- A Strategic Industrial Location (SIL).
- Flood Zone 3.
- Barking and Dagenham's Joint Waste Development Plan (JWDPD).
- The site, as with the whole Borough, is within Air Quality Management Area.
- The site is within the London City Airport Safeguarding Zone.
- The site lies within an Archaeological Priority Area.

The site is adjacent to Dagenham Breach Site of Importance for Nature Conservation (SINC) and is near to the River Thames.

The water cooling pipes to be filled run under the site all the way to the river Thames, passing close (circa 380m) to the south to the Grade II listed Jetty Number 4 And Approach, formerly at Samuel Williams and Company, Dagenham Dock listing number: 1391706

Neighbouring heritage assets include:

- 1.8km on the southern side of the River Thames within the London Borough of Bexley are the following listed buildings:
  - Grade I Listed Crossness Pumping Station listing number: 1064241
  - Grade II Listed Workshop Range to south west of main Engine House Crossness Pumping Station listing number: 1250557
  - Grade II Listed Workshop Range to south east of main Engine House Crossness Pumping Station listing number: 1064216

#### **Site and Surroundings:**

The Site is located in the south of London Borough of Barking and Dagenham ('LBBD') and the the cooling pipes run under the river Thames and into the boundary of the London Borough of Bexley. The site covers an area of approximately 16.7 hectares (ha), located between the A13 and the River Thames, within the LBBD. The Site is situated within an industrial area of Dagenham, dominated by warehouses and refining plants, and is bordered by Breach Lane to the north, Dagenham Breach (a lake and associated grassland/scrub) and an access road to a refinery on the east, Hanson UK and other refineries to the south, and Chequers Lane and industrial warehouses to the west.

On 20th April 2015, prior approval for demolition was granted by LBBD for an 'Application for prior notification of proposed demolition of Barking Power Station at Barking Power Station, Chequers Lane, Dagenham, Essex RM9 6PF' (Application Ref. 15/00314/PRIOR4).

The River Thames to the south is a Site of Importance to Nature Conservation (SINC). The area to the west of the Site comprises the 'Key Regeneration Area outside of Barking Town Centre'. To the north of the Site lies the East London Transit Route (ELT).

The application site is surrounded by a number of important employment related uses. On the south and south eastern perimeter of the site lie Hanson UK – which specialise in the transport

and sale of aggregates, asphalt, concrete and packed products, which come in from the River Thames via the Jetty to the south of the site. Further east is Ford which specialise in the motor industry.

To the west of the site lies, Hovis Ltd which operate the main south east regional distribution of bread and similar products.

Other industries in the vicinity include waste related uses and skip companies.

All these companies and the application site, (with the exception of Fords) rely on the Goresbrook Interchange as the vehicular access point to the public highway.

To the north of the site is the Dagenham Dock C2C station, which provides rails services to London and the coast in Essex.

Further west lies the Barking Riverside development. The site is currently under construction for around 10,800 new homes and associated, complementary uses. The Barking Riverside Overground station is currently under construction within the development.

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## Planning Assessment:

### 1. Principle of the Development:

- 1.1. The site is located in the London Riverside Opportunity Area falls within a designated Strategic Industrial Location in Barking and Dagenham's Policies map. It also falls within the general area of the London Sustainable Industries Park (LSIP), which is identified in Barking and Dagenham's Joint Waste Development Plan (JWDPD) as an area that will deliver waste facilities between 2010-2021.

#### Loss of Power Station

- 1.2. The site as a power station was constructed between 1992 and 1995 and was capable of generating 1000 MW of electricity. Due to poor economic conditions, it ceased operating in 2014/2015 and decommissioning began in 2018.
- 1.3. On 1st April 2019, the Hazardous Substances Consent was revoked at the request of the operator of the Power Station (ref:18/01804/HAZ).
- 1.4. Furthermore, prior approval for the majority of the Power Station buildings was granted in 2015 (ref:15/00314/PRIOR4) and again in 2020 (ref:20/00129/PRIOR4)
- 1.5. The London Riverside Opportunity Area Planning Framework (LROAPF) provides further detail on the re-development of this site. It states that the power station is no longer required for energy production and that site could *"re-balance SIL release elsewhere and provide relocation space for existing industries in the area"*.
- 1.6. In relation to the borough's development plan, the power station buildings and their use are not protected by planning policy. Therefore, taking all of the above into account officers are satisfied that the loss off the power station is considered acceptable, bearing in mind the demolition of the power station was granted under the above prior approval (ref.20/0019/PRIOR4)
- 1.7. Therefore, consequentially the loss of decommissioning and demolition of the remaining structures relating to the now redundant use are also considered acceptable in principle.

### 2. Heritage/Archaeology Impact:

- 2.1. The NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 2.2. Policy HC1 of the London Plan, Policies BP2 and CP2 of the Local Plan, Policy DM14 of the Draft Local Plan seek to conserve heritage assets and avoid harm.

#### Heritage

- 2.3. In relation to heritage, the nearest heritage asset is the Grade II listed Jetty Number 4 And

Approach, formerly at Samuel Williams and Company. This is located approximately 350m to the south of the application site. The decommissioning works include the demolition of the cooling water system comprising intake and outfall tunnels which run underneath the listed Jetty. In order to ensure the Jetty is suitably protected during the works a condition is recommended requiring a method statement for the works. Subject to the imposition of the condition, it is considered the proposed development will preserve the boroughs heritage assets.

Archaeology

- 2.4. Development plan policies require measures to identify record, protect, and where appropriate protect the site’s archaeology. It is noted that the application site lies within an Archaeological Priority Area and as such has been referred to the Greater London Archaeological Advisory Service (GLAAS) for comment.
- 2.5. GLAAS have recommended a condition requiring further investigation. This is considered necessary and is recommended on this application.
- 2.6. Overall, subject to conditions, the proposal would take suitable measures to ensure that any archaeological remains of significance would be adequately monitoring and protected, where deemed necessary.

<b>3. Sustainable Transport</b>			
<i>Net gain/loss in car parking spaces</i>	n/a	<i>PTAL Rating</i>	1b and 2
<i>Proposed number of cycle parking spaces:</i>	n/a	<i>Closest Rail Station / Walking Distance</i>	Dagenham Dock C2C station around 200m from the northern boundary of the site
<i>Restricted Parking Zone:</i>	N/A	<i>Parking stress survey submitted?</i>	N/A

- 3.1. The NPPF recognises that sustainable transport has an important role to play in facilitating sustainable development but also contributing to wider health objectives. In particular it offers encouragement to developments which support reductions in greenhouse gas emissions and those which reduce congestion. The NPPF also outlines that developments which generate significant vehicle movements should be located where the need to travel will be minimised and the use of sustainable transport options can be maximised. It is also expected that new development will not give rise to the creation conflicts between vehicular traffic and pedestrians.
- 3.2. Paragraph 103 of the NPPF states significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. The NPPF at Paragraph 109 states 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.
- 3.3. Policy T7 and SI15 of the London Plan seek to encourage development proposals to facilitate sustainable freight movement by rail, waterways and road. Furthermore, policy T7 supports the provision of hydrogen refuelling stations and rapid electric vehicle charging points at

logistics and industrial locations. Lastly, the policy also seeks to ensure development proposals facilitate safe, clean, and efficient deliveries and servicing, with a requirement on developments to provide Construction Logistics Plans and Delivery and Servicing Plans required.

#### Preparatory works

- 3.4. The application is accompanied with an outline Construction Environmental Management Plan. It is advised this will be updated by the appointed Principal Contractor(s) prior to the commencement of any site preparatory works covered under this application.
- 3.5. It is also considered necessary to recommend a condition requiring a detailed document outlining method of mitigation for potential impacts to the highway and surrounding environment within a Construction Logistic Plan. Adherence to such condition will ensure there will be no unacceptable impacts upon the safe and efficient operation of the surrounding highways or quality of the public realm and neighbouring amenity during the development phase.
- 3.6. A further condition is recommended to control the hours of development. However, having regard to the sites location away from residential uses, the hours of development will be extended to allow flexibility.
- 3.7. Overall, it is considered subject to the above conditions, the preparatory works will not have an unacceptable impact on the local highway network and neighbouring amenity.

## **4. Agents of Change**

- 4.1. The NPPF at Paragraph 182 seeks to ensure new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established.
- 4.2. This is carried through policies E7 and D13 of the London Plan and policy DMD 1 of the new Local Plan (reg 19 version). London Plan Policy D13 requires applicants to take account of the Agent of Change principles and consider and mitigate for existing noise and other nuisance generating uses in a sensitive manner in new development. London Plan Policy D14 provide further detail on managing noise, such as separating noise sensitive uses from major noise sources and incorporating good acoustic design principles.
- 4.3. Hanson UK use the Jetty and therefore the proposed works could have a disrupting impact on Hanson UK's operations. However, it is also noted that permission is required from Hanson UK to undergo works and therefore officers are satisfied the proposed works will not have an unduly detrimental impact on surrounding uses.
- 4.4. At the time of submission, it remains unclear whether the decommissioning of the water tunnels will require temporary access shafts to fill the intake and outfall tunnels. This application includes all potentially necessary works such as these temporary shafts taking place within the site application boundary however outside the Applicant's ownership. As for the above, it is noted that permission is required from relevant owners to undergo works and therefore officers are satisfied the proposed works will not have an unduly detrimental impact on surrounding uses.
- 4.5. A condition has been added to the permission to ensure details of the decommissioning methodology is provided when a contractor is appointed.

## 5. Air Quality:

- 5.1. Paragraph 170 of the NPPF states that: *“Planning policies and decisions should contribute to and enhance the natural and local environment by: ... e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality ...”*
- 5.2. Good Growth Objective 3 of the London Plan seeks to inter alia improve London’s air quality, reduce public exposure to poor air quality and minimise inequalities in levels of exposure to air pollution. Policy D3(9) seeks to ensure design helps prevent or mitigate the impacts of noise and poor air quality.
- 5.3. The 2014 update to the Mayor of London’s Sustainable Design and Construction – SPG guides developers and local authorities on what measures can be included in their designs and operations to achieve sustainable development and the objectives set out in the London Plan. Section 4.3 of the SPG concerns air quality, and sets out the Mayor’s Priorities: · “Developers are to design their scheme so that they are at least ‘air quality neutral’; · Developments should be designed to minimise the generation of air pollution; · Developments should be designed to minimise and mitigate against increased exposure to poor air quality;
- 5.4. Developers and contractors should follow the guidance set out in the Control of Dust and Emissions during Construction and Demolition SPG when constructing their development. The Control of Dust and Emissions During Construction and Demolition SPG guides councils, developers, and consultants on the implementation of relevant policies contained in the London Plan and the Mayor’s Air Quality Strategy to reduce emissions of dust and nitrogen oxides (NOx) from demolition and construction activities in London.
- 5.5. On 29<sup>th</sup> January 2020, LBBD declared a Climate Emergency in recognition that Barking and Dagenham needs to reduce greenhouse gas and carbon emissions and help meet national targets for the UK to attain net zero carbon by 2050.
- 5.6. On 15<sup>th</sup> February 2021, LBBD adopted its Air Quality Action Plan (AQAP) outlining the action to be taken to improve Air Quality between 2020-2025. Around 8 of the 43 action points within the plan relate directly to planning and in particular the application site.
- 5.7. Within the Environmental Statement, chapter 15 deals with Air Quality, in line with the methodology outlined within the scoping report.
- 5.8. Temple employed on behalf of the Local planning authority have carried out a review of the ES and requested further information.
- 5.9. Lastly, Air Quality is a significant concern of Hovis, located opposite to the application site. Within their representations dated 15<sup>th</sup> June 2020, they have submitted a report prepared by Stantec which is effectively a third-party review of the Dust and Air Quality impacts arising from the demolition and construction of the development. They have suggested matters to be secured under conditions and the officers agree the following conditions, pursuant to this application, should be included:
  - compliance with the use of site-specific non-road mobile vehicles to minimise emissions;
  - submission of a Dust Management Plan; and

- submission of an updated Construction Environmental Management Plan.

5.10. Subject to the imposition of the above conditions, officers are satisfied the proposed development will not have an unacceptable impact.

5.11. As such, the proposal is considered to comply with the above-mentioned policies and guidance, as well as the borough's Air Quality Management Plan.

## **6. Impact upon amenity**

6.1. NPPF Objective 170 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of noise pollution.

6.2. Policy D1 of the London Plan states that development design should deliver appropriate outlook, privacy and amenity. Policy D14 of the London Plan seeks to reduce, manage, and mitigate noise to improve health and quality of life.

6.3. Policy BP8 of the Borough Wide DPD seeks to protect residential amenity, by ensuring new developments 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. This is supported by Policies DM11, DM16 and DM25 of the Draft Local Plan.

6.4. The proposed development is an appropriate use with a SIL that is far from any residential property. As such, officers are satisfied the development is not envisaged to have a detrimental impact on the amenity of any residential property.

6.5. However, the proposal is within an industrial area and is of a scale that could affect the wider area. This is discussed further in the Agents of Change section of this report.

6.6. A number of conditions are recommended to ensure an acceptable impact within the vicinity these include:

- A condition restricting Construction Working Hours
- A condition limiting Noise from Non-Residential Uses and Plant and Structure Borne Noise Emissions

6.7. Subject to the imposition of these conditions officers are satisfied the proposed development conforms to the above-mentioned policies.

## **7. Biodiversity, Terrestrial and Marine Ecology**

7.1. Policy G6 of the London Plan require new developments to make a positive contribution to the protection, enhancement, creation and management of biodiversity wherever possible. Policies CR2 and BR3 of the Local Plan echo the London Plan in its strategic approach to protect and enhance biodiversity and to provide a net gain in the quality and quantity of the Borough's natural environment. This approach is also set out in Policy SP5 of the Draft Local Plan.

- 7.2. Parts of the preparatory works are within the River Thames, which is designated as a Tidal Tributaries Site of Metropolitan Importance for Nature Conservation (SMINC), a non-statutory site designated on the basis of its nature conservation interest.
- 7.3. The application site is also located approximately 15m to the west of the Dagenham Breach and lower Beam River in Dagenham Site of Importance for Nature Conservation (SINC) Borough Grade I.
- 7.4. A range of measures have been incorporated as part of the EIA Project to avoid or reduce potential impacts. Those relevant to this application include the following:
- Implementation of a CEMP that will include standard construction controls (e.g. minimising construction lighting; dust suppression; clearing vegetation outside of the nesting bird season);
  - Habitat creation, including potential biodiverse roofs, and soft landscaping aimed at enhancing connectivity with areas of habitat in the local wider area (e.g. Dagenham Breach) – to be captured under the Outline Planning Application permission;
  - Biosecurity Risk Assessment to minimise the import and spreading of invasive species.
- 7.5. Discussions have also taken place between the Applicant and the Marine Management Organisation which was established by the Marine and Coastal Access Act 2009 (the “2009 Act”) to make a contribution to sustainable development in the marine area and to promote clean, healthy, safe, productive and biologically diverse oceans and seas. The Marine Management Organisation will be consulted on subsequent material submitted for the discharge of conditions attached to this application.
- 7.6. Overall, the above matters are considered acceptable and officers are satisfied that, subject to conditions listed above, the overall impacts on Biodiversity and Ecology will be suitably managed.

## **8. Environmental Impact Assessment**

### Environmental Impact Assessment EIA Regulations

- 8.1. The Proposed Development is considered an ‘EIA development’ as it falls within the description and thresholds in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations.
- 8.2. Regulation 3 of the EIA Regulations prohibits granting planning permission unless prior to doing so, the relevant planning authority has first taken the ‘environmental information’ into consideration and stated in their decision that they have done so.
- 8.3. The ‘environmental information’ comprises the Applicant’s Environmental Statement, including any further information and any other information, and any representations received from consultation bodies or duly made by any person about the environmental effects of the development.

### EIA Scoping

- 8.4. An EIA Scoping Report was submitted on 9<sup>th</sup> October 2019, and a further addendum was submitted in December 2019 to seek a formal Scoping Opinion.



- 8.5. The EIA Scoping Report included a description of the proposed development and was accompanied by a location plan of the site and a list of the cumulative schemes to be assessed within the ES.
- 8.6. The EIA Scoping Report was reviewed on behalf of the Council by independent EIA consultants, Temple, and a formal EIA Scoping Opinion was issued on 13<sup>th</sup> March 2020 and the ES was informed by this document.

#### Environmental Information

- 8.7. An Environmental Statement (ES) was submitted by the Applicant covering the EIA Project, including the works covered by this application and the Outline Planning Permission (ref: 20/01907/OUTALL). The ES assessed the effects on the following environmental receptors (in the order they appear in the ES):
- Remediation, Decommissioning, Demolition and Construction;
  - Terrestrial Ecology
  - Marine Ecology
  - Flood Risk and Drainage
  - Surface Water Environment
  - Ground Conditions and Hydrogeology
  - Townscape and Visual
  - Archaeology
  - Traffic and Transport
  - Noise and Vibration
  - Air Quality
  - Socio-Economics
  - Climate Change
  - Wind Microclimate
- 8.8. To ensure the reliability of the ES, the Council appointed independent EIA consultants, Temple, to review the ES and to confirm whether it satisfied the requirements of the EIA Regulations. Where appropriate reference was made to other relevant documents submitted with the planning application.
- 8.9. Temple's initial review identified a number of clarifications and potential requests for 'further information' under Regulation 25 of the EIA Regulations. The Applicant was issued with a copy of Temple's Interim Review Report ("IRR") on 21<sup>st</sup> July 2020. The Applicant responded to the IRR, including through the submission of revised chapter of the ES (with results of additional ecological surveys), and a Final Review Report ("FRR") was prepared and issued to the Applicant on 20<sup>th</sup> August 2020. Lastly, the Applicant provided a response to the FRR on 3<sup>rd</sup> September 2020.
- 8.10. In addition to this, SLR Consulting, on behalf of Hanson UK, have provided responses to the Outline Planning Application on three occasions (7<sup>th</sup> July and 2<sup>nd</sup> October 2020, and 10<sup>th</sup> February 2021). Most of the comments relate to the Outline Planning Application however the officers have noted Hanson UK's concerns over the impact of the decommissioning on Jetty 4.
- 8.11. Lastly, Hovis, with support from Stantec, also submitted responses on three occasions (30<sup>th</sup> July and 30<sup>th</sup> September 2020, and 26 February 2021). Most of the comments relate to the

Outline Planning Application however the officers have noted Hovis' concerns over the following:

- Demolition management
- Air quality and dust monitoring
- Construction Waste processing
- Vehicle monitoring

8.12. Officers have considered the reviews and reports and are satisfied the ES has been appropriately reviewed in accordance with The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (EIA Regulations).

8.13. The 'Environmental Information' has been examined by the Council and has been taken into consideration by officers to reach a reasoned conclusion of the significant effects of the Proposed development, which forms the basis of the assessment presented in this report.

8.14. Appropriate mitigation / monitoring measures, as proposed by the mitigation register included at Chapter 19 of the ES, will be secured through planning conditions within this application, whilst the wider impacts are considered alongside the concurrent outline planning application (ref:20/01097/OUTALL).

## **9. Land contamination**

9.1. Policy SD1 of the London Plan and Policies BR1 and BR5 of the Borough Wide Development Plan seek to mitigate any contamination risk arising from developments.

9.2. Subject to a condition requiring further investigation and the submission of verification report for remediation measures, the officers are satisfied that the proposed land will be appropriately remediated for the proposed development in accordance with the above-mentioned policies.

## **10. Health and Safety**

10.1. The site is adjacent to Stolthaven Dagenham which is an ISO 9001 accredited bulk liquid storage terminal located on the River Thames. It stores a range of chemical, fuel and oil products. Stolthaven is designated by the Control of Major Accident Hazards (COMAH) as an upper tier facility for chemical installations and distribution and fuel storage / distribution.

10.2. The application, including the redevelopment of the site covered under the Outline Planning Application (ref:20/01097/OUTALL) has been referred to the HSE which is a statutory consultee using the HSE's Planning Advice Web App. The result confirms the HSE do not advise against the proposed development. The applicant has advised HSE have advised the applicant separately to be notified when the decommissioning works take place.

## **11. Conclusion**

11.1. The proposed development is considered acceptable in land use terms and will accord with the London Plan and emerging local plan.



- 11.2. Officers have considered the reviews and reports and are satisfied the ES has been appropriately reviewed in accordance with The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (EIA Regulations
- 11.3. The preparatory works are considered acceptable in principle and, subject to appropriate conditions controlling and managing the works any impacts on the surrounding environment, are considered to be suitably mitigated against.
- 11.4. As a whole, the proposed development is considered to accord with the Development Plan. It is on this basis that the grant of outline planning permission is recommended.

## Appendix 1. Development Plan Context

<b>Development Plan Context:</b>	
The Council has carefully considered the relevant provisions of the Council’s adopted development plan and of all other relevant policies and guidance. Of particular relevance to this decision were the following Framework and Development Plan policies and guidance:	
<i>National Planning Policy Framework (NPPF) (MHCLG, Feb 2019)</i>	
<i>London Plan</i>	<ul style="list-style-type: none"> <li>Policy GG1 - Building Strong and Inclusive Communities</li> <li>Policy GG2 - Making the Best Use of Land</li> <li>Policy GG3 - Creating a Healthy City</li> <li>Policy D14 - Noise</li> <li>Policy G5 - Urban Greening</li> <li>Policy G6 - Biodiversity and Access to Nature</li> <li>Policy SI1 - Improving Air Quality</li> <li>Policy SI12 - Flood Risk Management</li> <li>Policy SI13 - Sustainable Drainage</li> <li>Policy SD1 – Opportunity Areas</li> <li>Policy T1 - Strategic Approach to Transport</li> <li>Policy T2 - Healthy Streets</li> <li>Policy T3 - Transport Capacity, Connectivity and Safeguarding</li> </ul>
<i>Local Development Framework (LDF) Core Strategy (July 2010)</i>	<ul style="list-style-type: none"> <li>Policy CM1 – General Principles for Development</li> <li>Policy CM2 – Managing Housing Growth</li> <li>Policy CM5 – Town Centre Hierarchy</li> <li>Policy CR1 – Climate Change and Environmental Management</li> <li>Policy CP2 – Protecting and Promoting Our Historic Environment</li> <li>Policy CP3 – High Quality Built Environment</li> </ul>
<i>Local Development Framework (LDF) Borough Wide Development Plan Document (DPD) (March 2011)</i>	<ul style="list-style-type: none"> <li>Policy BR1 – Environmental Building Standards</li> <li>Policy BR2 – Energy and On-Site Renewables</li> <li>Policy BR3 – Greening the Urban Environment</li> <li>Policy BR4 – Water Resource Management</li> <li>Policy BR5 – Contaminated Land</li> <li>Policy BR10 – Sustainable Transport</li> <li>Policy BR11 – Walking and Cycling</li> <li>Policy BR13 – Noise Mitigation</li> <li>Policy BR14 – Air Quality</li> <li>Policy BR15 – Sustainable Waste Management</li> <li>Policy BP2 – Conservation Areas and Listed Buildings</li> <li>Policy BP3 – Archaeology</li> <li>Policy BP8 – Protecting Residential Amenity</li> </ul>
<i>The London Borough of Barking and Dagenham’s Draft Local Plan: (Regulation 19 Version) is at an “advanced” stage of preparation. Having regard to NPPF paragraph 216 the emerging document is now a material consideration and limited weight will be given to the emerging document in decision-making, unless other material considerations indicate that it would not be reasonable to do so.</i>	
<i>The London Borough of Barking and Dagenham’s Draft Local Plan: (Regulation 19, December 2020)</i>	<ul style="list-style-type: none"> <li>Policy SP5 - Enhancing our Natural Environment</li> <li>Policy SP6 - Securing a Sustainable and Clean Borough</li> <li>Policy DM14 - Conserving and Enhancing Heritage Assets and Archaeology</li> <li>Policy DM19 - Urban Greening</li> <li>Policy DM20 - Nature Conservation and Biodiversity</li> <li>Policy DM24 - Energy, Heat and Carbon Emissions</li> <li>Policy DM26 - Improving Air Quality</li> <li>Policy CM27 – Land Contamination</li> <li>Policy DM28 - Managing Flood Risk, including Surface Water Management</li> <li>Policy DM33 - Deliveries, Servicing and Construction</li> <li>Policy DM36 - Development Contributions</li> </ul>

<p><i>Supplementary Planning Documents / Other</i></p>	<p>Shaping Neighbourhoods: Character and Context Supplementary Planning Guidance (GLA, June 2014)</p> <p>Accessible London – Achieving an Inclusive Environment Supplementary Planning Guidance (GLA, October 2014)</p> <p>Sustainable Design and Construction Supplementary Planning Guidance (GLA, April 2014)</p> <p>Planning Advice Note - Waste and Recycling Provisions in New and Refurbished Residential Developments (10 February 2013)</p> <p>London Riverside Opportunity Area Planning Framework (OAPF) (2015)</p>
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**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 had regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010 (as amended).

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

*Local Government (Access to Information) Act 1985*

Background papers used in preparing this report:

- Planning Application
- Statutory Register of Planning Decisions
- Correspondence with Adjoining Occupiers
- Correspondence with Statutory Bodies
- Correspondence with other Council Departments
- National Planning Policy Framework
- London Plan
- Local Plan

## Appendix 2. Relevant Planning History

Application Number:	15/00314/PRIOR4	Status:	Prior Approval Granted 20/04/2015
Description:	Application for prior notification of proposed demolition of Barking Power Station.		
Application Number:	19/01501/SCREEN	Status:	EIA Development
Description:	Screening Opinion: Proposed demolition of Barking Power Station consisting of the demolition of all buildings (excluding the cooling water shaft headhouse and structures associated with the cooling water intake/outtake tunnels, and the gas pipeline infrastructure) and redundant plant associated with the decommissioned Barking Reach Power Station to ground (slab) level.		
Application Number:	19/01331/PRIOR4	Status:	Prior Approval Granted 06/09/2019
Description:	Application for prior notification of proposed demolition of: Pylons 1-9 from Barking Reach Power Station to Renwick Road Substation.		
Application Number:	20/00129/PRIOR4	Status:	Prior Approval Granted 25/02/2020
Description:	Application for prior notification of proposed demolition of Barking Reach Power Station including all structures (excluding the cooling water shaft head house and certain structures associated with the cooling water intake/outtake tunnels, and the gas pipeline infrastructure) and redundant plant associated with the decommissioned Barking Reach Power Station to the top of the lowest man-made slab level. Proposal includes the below ground marginal work regarding the culverts.		
Application Number:	19/01610/SCOPE	Status:	Scoping Opinion issues 01/03/2020
Description:	Outline application (with all matters reserved except access) for site remediation/demolition/enabling works, and development of a consolidated wholesale market and ancillary uses with associated services floorspace, car parking and landscaping.		
Application Number:	18/01804/HAZ	Status:	Revoked 01/04/2019
Description:	Revocation of the Hazardous substances consent		
Application Number:	20/01097/OUTALL	Status:	Pending consideration
Description:	Outline application (with all matters reserved) for demolition of remaining existing buildings/structures and development of a consolidated wholesale market (including market spaces, logistics, distribution, food preparation areas, storage and ancillary uses) with associated circulation and service floorspace, car parking and landscaping. [This application is accompanied by an Environmental Statement]		
Application Number:	20/01293/FULEA	Status:	Pending consideration
Description:	<u>Application within the London Borough of Bexley:</u> Outline application (with all matters reserved) for demolition of remaining existing buildings/structures and development of a consolidated wholesale market (including market spaces, logistics, distribution, food preparation areas, storage and ancillary uses) with associated circulation and service floorspace, car parking and landscaping. [This application is accompanied by an Environmental Statement]		

### **Appendix 3. Consultation Responses**

For the purposes of this section any comments received on 20/01097/OUTALL have also been considered in relation to this application due to both applications facilitating the relocation of the wholesale markets, which results in an overlap in some of the comments received.

The following consultations have been undertaken:

- LBBB Community Solutions
- LBBB Policy and Participation
- LBBB Employment and Skills
- LBBB District Heating / Energy
- LBBB CCTV, Community Safety and Public Protection
- LBBB Environmental Health
- LBBB Emergency Planning
- LBBB Refuse Services
- LBBB Car Club / Travel plan / CPZ / Parking
- LBBB Access Officer
- LBBB Environmental Health
- LBBB Lead Local Flood Authority
- LB Newham
- LB Bexley
- LB Havering
- Thurrock County Council
- Designing Out Crime
- Essex and Suffolk Water Company
- National Grid
- UK Power Networks
- London Fire Brigade
- Thames Water
- London Underground Infrastructure
- Greater London Authority
- Historic England Archaeology
- Port of London
- Historic England Buildings
- Transport for London
- London City Airport
- Natural England
- Environment Agency
- Be First Regeneration
- Highways England
- Be First Transport Development Management

<b>Summary of Consultation responses:</b>		
<b>Consultee and date received.</b>	<b>Summary of Comments</b>	<b>Officer Comments</b>
<b>Environmental Health</b>	<p>Responded on 18th June 2020 advising any planning permission should be subject to conditions relating to:</p> <ol style="list-style-type: none"> <li>1. Contaminated Land</li> <li>2. Construction Management and Site Waste Management Plan</li> <li>3. Acoustic Protection</li> <li>4. Noise from Non-Residential Uses and Plant and Structure Borne Noise Emissions</li> <li>5. Details of Any Commercial Kitchen Extract Ventilation System</li> <li>6. Piling, Deep Foundations and Boreholes</li> <li>7. Hours of Use of Non-Residential Uses and Delivery/Collection Hours</li> <li>8. Air Quality and Air Quality Neutral Assessment</li> <li>9. Emissions from Non-road mobile machinery (NRMM)</li> <li>10. Light</li> </ol>	<p>The comments mainly relate to the outline planning permission. However, where necessary conditions have been recommended to this application also.</p>
<b>Environment Agency</b>	<p>Environmental Agency responded on 15<sup>th</sup> July confirming they have no objections to the application on flood risk grounds. The site is located within Flood Zone 3 and is protected to a very high standard by the Thames tidal flood defences up to a 1 in 1000 (0.1%) chance in any year flood event. EA latest flood modelling shows the site would be at risk if there was to be a breach in the defences or they were to be overtopped.</p> <p>They have recommended 7 conditions should planning permission be granted.</p>	<p>The requested conditions have been imposed.</p>
<b>London Underground Infrastructure</b>	<p>Response received on 11/06/2020 advising London Underground Infrastructure Protection has no comment to make on this planning application</p>	<p>Noted</p>
<b>Historic England (Archaeology)</b>	<p>Response received on 26th June 2020 advising no objection subject to an Archaeological condition.</p>	<p>Requested condition imposed.</p>
<b>Designing Out Crime Officer 03/06/2020</b>	<p>03/06/2020 In order to promote a continuous level of security for a project, the security of the construction phase should be considered. Crime on building sites and construction sites often contribute to spikes in crime figures for the local area and place a burden on local blue light resources and the local community.</p>	<p>The comments mainly relate to the outline planning permission.</p>

	08/09/2020 However recent consultations appear to have failed to engage with police at this pivotal stage and the lack of data focusing on security for the proposed site leave the police no other option other than not to support this application.	
<b>Historic England (Building)</b>	Response received on 3 <sup>RD</sup> June 2020, On the basis of the information available to date, we do not wish to offer any comments.	Noted.
<b>Natural England</b>	Response received on 15th June 2020 raising no objection.	Noted.
<b>London City Airport</b>	Response received on 22nd June 2020 advising no objection subject to a bird striking condition.	The comments mainly relate to the outline planning permission.
<b>LBBD Access officer</b>	Response received on 23rd June providing comments on accessible parking and changing places facilities.	The comments mainly relate to the outline planning permission.
<b>LBBD Waste</b>	Response received on 20 <sup>th</sup> July advising of general requirements for commercial waste.	The comments mainly relate to the outline planning permission. However, where necessary conditions have been recommended to this application also.
<b>London Fire Brigade</b>	Response received on 1st July advising no fire hydrants are required and emergency fire vehicle access guidance provided.	Noted.
<b>Port of London Authority</b>	Response received on 3rd July 2020 confirming the PLA is supportive of the overall scheme particularly with regard to the potential for the site to make use of the River Thames for the onward transportation of goods, specifically into Central London. The submitted Transport Statement (TS) includes a section on River Freight, stating that the City of London is investigating the opportunity for river freight into the site including the potential acquisition of a river jetty and adjacent land at the southern end of Hindmans Way to support river freight operations. The TS further states that establishment of suitable and viable alternative river operations will take time to establish and will unlikely to be fully in place upon the proposed occupation of the markets by 2025.	The comments mainly relate to the outline planning permission. However, where necessary conditions have been recommended to this application also.



	<p>The PLA considers that an appropriately worded condition must be added to ensure the potential for river freight is fully investigated and set out. The PLA must be able to review and comment on the addendum to the TS when this has been completed.</p> <p>It is noted that a detailed Construction Logistics Plan (CLP) will be produced by the applicant once a contractor has been appointed. It is essential that within the CLP there is full consideration of the use of the River Thames a part of the construction phase of the development through the supply chain. Further comments received on 25<sup>th</sup> September 2020 acknowledging the further information provided and the emphasis on the above conditions.</p>	
<p><b>Transport for London</b></p>	<p>Transport for London have been involved throughout the course of the pre-application and also during the application. The final comments received were on 19<sup>th</sup> February 2021.</p> <p>The response can be summarised as:</p> <ul style="list-style-type: none"> <li>-A13 is already an heavily congested network</li> <li>- in this context the impact is inevitably disproportionately higher, the scheme adds 14% to the baseline traffic on the westbound on-slip at the Goresbrook Interchange in the period beginning 0600 (9% at 0700 and 3% at 0800).</li> <li>-The works proposed by the applicant at Goresbrook Interchange are necessary for reasonable levels of access to the market, providing capacity at that junction to accommodate its own traffic. They do not appear to provide any elements of mitigation as is required by Policy T4(E).</li> <li>- While the replacement flyover is funded by the A13 management contract, there is as yet limited funding for the other schemes and therefore no certainty over their delivery. In any case, these proposed schemes would not fully mitigate the impact of this scheme.</li> <li>-We are concerned about this impact, particularly in light of the need to address the significant cumulative transport impacts of this and other projected development within the emerging Local Plan and as envisaged at a strategic level in the new London Plan. We believe that these issues should be considered strategically with TfL and neighbouring boroughs on a sub-regional basis.</li> </ul>	<p>The comments mainly relate to the outline planning permission. However, where necessary conditions have been recommended to this application also.</p>

	<p>-First, a contribution should be secured toward schemes on the A13 to better manage traffic, particularly to safeguard road safety at times of increased congestion, and to safeguard bus journey time on the approaches to Goresbrook Interchange and on the section of A13 on which they run.</p> <p>-Second, limits on traffic entering and departing the site during key time periods.</p> <ul style="list-style-type: none"> <li>- TfL have recommended a number of conditions.</li> <li>- A financial contribution towards buses (£2.95m)</li> <li>- A financial contribution towards Hydrogen fuelling stations.</li> <li>- It is essential that any on-carriageway cycle lanes are segregated appropriately from other vehicle traffic. The most appropriate form of segregation is likely to be the use of “orca and wand” units, which carry a retro-reflective “wand” which will show up in the same way as a traffic cone, and the “orca” will provide tactile and audible feedback to any driver who goes over them.</li> <li>-To reduce the consequential impacts of vehicle movement on emissions and air quality, it is expected that the requirements of the London Plan in terms of electric vehicle charging will be met. Policy T6(G) requires that all operational parking includes electric vehicle charging provision including rapid charging. Since customer parking is in part justified on the basis that it is operational, we will expect charging facilities to be installed.</li> <li>- Highway works appear reasonable</li> <li>-We remain concerned that their arrival at the site and connections within it may be compromised by the heavy emphasis on vehicle movement. This matter should be addressed specifically at Reserved Matters stage.</li> <li>-TfL have also requested attendance on the Steering group and provided a list of items they wish to be covered within the group.</li> </ul>	
<b>Network Rail</b>	Response received on 06 <sup>th</sup> October 2020 advising of informatives should planning permission be granted.	The informatives have been passed to the applicant.
<b>LBBD Drainage</b>	Response received on 3rd July 2020 confirming the officer is satisfied with the proposals and that the precise details will come forward at reserve matters stage.	The necessary conditions have been imposed.

<p><b>Thames Water</b></p>	<p>Response received on 16th June 2020 advising Waste Thanes Water do not have any objection to the above planning application, based on the information provided.</p>	<p>Noted.</p>
<p><b>Transport Development Management</b></p>	<p>Ongoing discussions and comments provided on several occasions. Final comments received on 10/02/2021.</p> <p>The comments can be summarised as:</p> <ul style="list-style-type: none"> <li>- In support of an Outline Planning Application (OPA) 20/01097/OUTALL for the relocation of the City Markets an extensive, Transport Assessment (TA) with multiple traffic surveys completed during the busy periods before the Coronavirus outbreak was submitted in May 2020 and the subsequent TA Addendum (TAA) submitted in August 2020. At the request of the LPA a Consolidated Transport Assessment (CTA) has been prepared in addition to these documents. This CTA incorporates additional elements and comprises microsimulation traffic modelling VISSIM, more data analysis, interview surveys, the feedback from the consultation undertaken and results of the London Riverside Opportunity Area (LROA) Study outcomes, into a single document. The conclusions of the previous documents have been incorporated into this document and therefore CTA only needs to be considered at this stage for the purposes of the OPA.</li> </ul> <p>To reduce traffic impacts short term and long-term mitigation measures are proposed. Short term measures consist of both on-site and off-site measures to be implemented from opening of the wholesale markets in 2025/2026. The long-term measures will be implemented off-site with a wider strategic outlook to increase the use of alternative modes and capacity for the delivery of goods by rail and river freight.</p> <p>It is shown in the CTA table 6.12 with on-site mitigation measures its predicted the total number of vehicle trips reduces by 1,817 vehicles to 8,950 vehicles per day.</p> <ul style="list-style-type: none"> <li>-Microsimulation modelling (VISSIM) has also been undertaken to analyse current capacity that includes the local highway network and the Goresbrook Interchange as a complete network. The VISSIM model covers the AM peak periods 06:00-07:00, 07:00-08:00 and 08:00-09:00. The 2020 baseline results show a significantly greater journey time for the A13 in the westbound direction compared to the eastbound direction, which is free flowing, in all time periods</li> </ul>	<p>The comments mainly relate to the outline planning permission. However, where necessary conditions have been recommended to this application also.</p>

assessed. Congestion on the A13 westbound carriageway is such that drivers try to bypass it by leaving and re-joining the A13 via the westbound off and on-slips.

- The CTA in relation to the wider strategic A13 highway network, incorporate the Package 1 measures recommended in the LROA study which identifies improvements to the Goresbrook Interchange in the detailed modelling assessment and reflects the forecasted impact related to the development specifically. The Applicant proposes to bring forward the LROA Goresbrook Interchange Package 1 measures to be implemented by 2025 to accommodate background traffic growth and the predicted traffic to and from the Proposed Development site.
- The baseline 2020 highway modelling results and subsequent 2025 and 2031 base scenarios, indicate that, conditions on the A13 must be improved to relieve the congestion on the strategic network.
- It is intended that there will be multiple points for vehicles to access via Chequers Lane, with separate access for HGVs, LGVs / vans, car, cyclists, and pedestrians. The ground floor illustrative plans show the north access is proposed for HGV access only while the remaining three accesses can be used for car, van, bicycle, and pedestrians.
- The applicant has reflected our earlier comments about the reduction from the proposal in the previous TA of 3060 parking spaces based on the three existing markets to this final proposed total of 2,112 vehicle parking spaces. - The commitment by the applicant to implement significant measures both in the short- and long-term and their objective approach to continue to reduce vehicle trips, and associated parking overtime the parking level is considered appropriate.
- 20% should be ECVP and remaining passive, and 10% blue badge
- This cycle parking provision will be in line with The Published London Plan (2020) cycle parking standards for B8 and D1 land providing a total of 126 long-stay and 82 short-stay cycle parking spaces across the uses.
- the comment outlines the mitigation measures agreed with the applicant

The proposal achieves the principal transport policy objectives and consequently it is our view policy compliant. The assumptions made in the assessment are considered robust and the

	<p>findings regarding the additional trips associated with the proposed consolidated markets have been subject to testing and modelling to show these can be accommodated on the network. It is believed the proposed measures address the traffic related impacts arising from the proposed development and that the transport networks supporting the development will continue to operate satisfactorily following the developments full occupation. Therefore, subject to the proposed mitigation measures being secured and based on the information that has been provided it seems that there are no apparent adverse highway implications to suggest the development will give rise to significant numbers of new trips or any substantial safety reasons that this should not be approved because of issues relating to the transport and highway network.</p>	
<p><b>Urban Design Officer</b> <b>29/07/2020</b></p>	<p>The Design and Access Statement is comprehensive, the scale, nature and parameters are acceptable and the basic design principles are sound. The future reserve matters are where the proposed detailed design principles/moves will require Urban Design input.</p>	<p>The comments mainly relate to the outline planning permission.</p>
<p><b>Highways England</b></p>	<p>On 6th August 2020 a holding response was issued, followed by detailed on comment on 2nd September. Further responses were received on 30th September and 29th October raising a number of concerns on the A13 Junction with the M25.</p> <p>Following the CTA a final response was received on 21st February 2021 advising Highways England offer no objection On the basis that, with robust travel plan measures implemented, we are satisfied that the proposal will not materially affect the safety, reliability and/or operation of the Strategic Road Network (the tests set out in DfT Circular 02/2013, particularly paragraphs 9 &amp; 10, and MHCLG NPPF2019, particularly paragraphs 108 and 109) on the Strategic Road Network, particularly M25 Junction 30</p>	<p>The comments mainly relate to the outline planning permission.</p>

## Public Consultation

For the purposes of this section any comments received on 20/01097/OUTALL have also been considered in relation to this application due to both applications facilitating the relocation of the wholesale markets, which results in an overlap in some of the comments received.

Neighbour Notification:	
Site Notices Erected:	11 <sup>th</sup> June 2020
Date of Press Advertisements:	11 <sup>th</sup> June 2020, 9 <sup>th</sup> September 2020, 20 <sup>th</sup> January 2021
Number of neighbouring properties consulted:	267 letters sent on three separate dates
Number of responses:	7 Representations and one clarification. <ul style="list-style-type: none"><li>• Hovis Limited in <b>objection</b> to the application</li><li>• Hansons Aggregates in <b>objection</b> to the application</li><li>• Dr Loannis Anagnostopoulos in <b>objection</b> to the application.</li><li>• Ford Motor Company Ltd in <b>support</b> of the application</li><li>• Lagmar in <b>support</b> of the application</li><li>• Barking Riverside Ltd <b>neutral</b> to the application</li><li>• DHL Ltd in <b>objection</b> to the application</li><li>• Along with clarification from a local business.</li></ul>

2.1. The representations are discussed in more detail below.

### Hovis

2.2. On 15/06/2020 a holding response was received raising the following initial concerns:

- Impact on local traffic highway
- Impact on Chequers Lane
- Impacts on Dust levels during construction.

2.3. This was followed by detailed comments received on 30/07/2020. The detailed comments can be summarised as follows.

- Hovis have a head count of around 350 staff at the site, the majority of which drive to the site.
- They undertake circa 150 HGV deliveries with the peak time of midnight to 4am which coincides with a busy period of the existing markets.
- All of Hovis products are transported by road
- The site has the sole access point from the Goresbrook Interchange
- The site supplies all of London and the South East with products
- The nature of these products, and need to supply in the morning means there delivery times cannot be altered.
- There is a concern Chequers Lane is in an inadequate condition to deal with the proposed development.

- The way Hovis products are packaged dust can contaminate them and render them unusable.
- 2.4. The representation is accompanied by detailed third party reviews of the application undertaken by Stantec:
1. Dust and Air Quality Impact Review, Stantec
  2. Chequers Lane and Proposed Site Access Review
  3. Construction and Operational Vehicle Impact Review
- 2.5. The letter summarises the position as Hovis requesting:
1. The following are secured by planning conditions/s106:
    - Detailed Construction Environmental Management Plan
    - Ultra-Site Considerate Constructors standards
    - Hours of construction work
    - Dust Management Plan and monitoring
    - Commitment to improve and adopt Chequers Lane.
  2. The following alterations are made:
    - Access Parameter Plan
    - Construction waste storage locations
    - CEMP construction access zones.
  3. The following further information is provided:
    - Air Quality ES Chapter Addendum
    - Transport Assessment Addendum, including proposed mitigation through infrastructure investment.
- 2.6. On 30<sup>th</sup> September 2020 a further response was received raising the following matters. It also advised that Hovis was in discussion with the applicant.
- Hovis are concerned that the planning application significantly under-estimates the number of traffic movements generated by the proposed development
  - Hovis are concerned that the planning application does not put forward at least one appropriate design solution for Chequers Lane.
  - Hovis are concerned that the current condition of Chequers Lane is not adequate to support the proposals and that the unadopted status of the road could frustrate the delivery of the scheme.
- 2.7. On 22<sup>nd</sup> February 2021, Be First officers met with Hovis on site, where the concerns especially relating to the Chequers Lane junction with Choats Road was discussed. The main concern from Hovis is the proximity of the site's access to the junction and therefore the consequential impact if the junction works do not fully account for Hovis deliveries.
- 2.8. DHL are also based at the Hovis site, they provided a response on 10<sup>th</sup> August 2020 raising the following three issues:
- Impact on local traffic highway
  - Impact on Chequers Lane



- Impacts on Dust levels during construction

### **Dr Loannis Anagnostopoulos**

2.9. I object as this will generate tons of rubbish, more pollution from vehicles coming and going and will attract more rodents to an area that already has huge problems.

### **Lagmar (Barking) Ltd**

2.10. Lagmar (Barking) Ltd responded in support of the application on 10th February 2021 advising they own the Vicarage Fields shopping centre within Barking Town Centre.

2.11. Lagmar advised they fully support the principle of the proposal and the investment and new jobs that it will generate and that it could act as a positive catalyst in the Borough for the growth of food-related business in the area, which forms a key strand of the BTC Regeneration Strategy.

2.12. They have requested a number of conditions to ensure ancillary uses remain ancillary to the markets in order to ensure they do not become of a scale that affects the town centre.

### **Ford Motor Company Ltd**

2.13. Ford Motor Company Ltd submitted a response on 25<sup>th</sup> September 2020 confirming their support for the planning application, as it continues the ongoing redevelopment of Dagenham supporting the needs of the local community.

2.14. Further to this Ford advise it re-enforces Dagenham as a major multi-modal (Road/Rail/River) logistics hub, forming a significant gateway into London for industry and businesses along the Thames Estuary.

### **Hanson**

2.15. On 07<sup>th</sup> July 2020, SLR Consulting Ltd objected to both planning applications. The main issues from the letter can be summarised as:

- Hanson have been operating from the site for almost 40 years, with night-time deliveries between 11pm and 7am.
- Hanson use the site for the sale and transport of aggregates with deliveries taking place from the River Thames and sales and deliveries made using the surrounding highway.
- Hanson object on the basis of the highway improvements not being known and therefore question whether the application has been submitted prematurely and therefore should be held in abeyance or withdrawn.
- Food markets are potentially sensitive receptors to dust and therefore there could be an 'agents of change' issue arising with concerns over dust modelling.
- Further information should be provided on Air Quality Neutral
- Noise chapter within the ES should also be updated.
- In relation to 20/01094/FULL decommissioning of the inlet shaft will require works to take place to Jetty 4 and no formal agreement is in place for this with Hanson
- BearingPoint Study into Freight should be submitted.
- Hanson request to be involved in post-planning to ensure works do not impact on Jetty.

2.16. On 2<sup>nd</sup> October, a further response from SLR Consulting Ltd on behalf of Hanson's was received. The main points from the letter can be summarised as:

- Pleased to see further information.
- Concerns remain.

- The Air Quality Assessment is not considered sufficiently robust to inform determination of the planning application.
- The application is considered premature.
- All mitigation should be brought forward in advance of the development.

2.17. A third response from SLR Consulting on behalf of Hanson's was received on 10<sup>th</sup> February 2021.

- The comments raised in the previous letters remain and are not superseded by this letter.
- The Consolidated Transport Assessment fails to consider seasonal fluctuations.
- If the traffic generation does not accord with the CTA/ Travel Plan then robust and appropriate alternative measures should be identified and secured through the s106 agreement

### **Barking Riverside Limited (BRL) 22/09/2020**

2.18. BRL submitted a consultation response to the application summarised as:

- The application has come ahead of the conclusion of that work and indeed, the Local Plan, any adoption of the London Plan and any review of the OAPF.
- We would suggest that a key issue in the consideration of the application is how the development will impact upon the A13 and the local network, the identification, delivery and funding of any interventions that are necessary
- The study area of the Transport Assessment and Addendum for the London Markets application is small and clearly there would be wider impacts which have not been picked up in the submission documents, but which we would hope are included in the Jacobs study. There is therefore a need to identify the impacts of the Markets application on the wider area so that proportionate contributions towards improvements can be identified and secured.
- The Transport Assessment and Addendum identify that background traffic and the Market in combination will result in congestion on the highway network. This highlights the importance of developing a joint solution to resolving traffic issues now, and to avoid BRL having to provide further mitigation to meet any additional capacity when bringing forward subsequent land parcels, after the Market application has been approved.
- In addition to the above, the City Markets proposal gives rise to wider opportunities to support and contribute to the ongoing regeneration of London Riverside.
- BRL look forward to working with the Council, TfL and other stakeholders in continuing to deliver the beneficial regeneration of London Riverside.

### **Monolith UK Ltd**

2.19. Monolith UK Ltd based opposite the application site emailed on 8th February requested further details of the application. A link to the website was provided and no further comments on the application have been received.

<b>Officer Summary:</b>
The material planning considerations are addressed within the planning assessment, with the majority of comments relating to the outline planning application.



## **Appendix 5. List of Planning Conditions**

### **General**

#### **1. Statutory Time Limit**

The development hereby permitted shall be commenced before the expiration of THREE YEARS from the date of this permission.

*Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).*

#### **2. Approved Plans**

The development hereby permitted shall be completed in accordance with the following Plans and Documents, unless otherwise agreed in writing with the Local Planning Authority:

Site Location Plan AECOM

Documents:

Environmental Statement: Volume I Main Document, Volume II Technical Appendices, Non-Technical Summary AECOM

Outline Construction Environmental Management Plan AECOM

Framework Traffic Management Plan Momentum

Ground Contamination Preliminary Risk Assessment and Site Investigation Scheme Arup 19 May 2020

Dagenham Dock (BRPS and New Market) - Environmental Statement Addendum (AECOM)

Geo-environmental Baseline Report for assets outside of the main site Arup

Phase 1 Geotechnical Desk Study Report AECOM

Planning Statement Deloitte LLP

Outline Construction Resource Management Plan AECOM

Arboricultural Impact Assessment AECOM

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

### **Information required prior to demolition works**

#### **3. Dust Management Plan**

The development permitted shall not commence until the submission of an updated dust risk assessment based upon the risk assessment presented in the ES Addendum Chapter 9, dated August 2020, and prepared by AECOM, which shall be undertaken in compliance with the Greater London Authority and London Councils' "the Control of Dust and Emissions from Construction and Demolition SPG" July 2014. The risk assessment and the monitoring and mitigation plan shall be submitted to the Local Planning Authority for approval.

No demolition shall commence until an Air Quality Dust Management Plan (AQDMP) is submitted to and approved in writing by the Local Planning Authority. The AQDMP must include an Air Quality Dust Risk Assessment (AQDRA) that considers residential receptors on-site and off-site of the development and is undertaken in compliance with the methodology contained within Chapter 4 of the Mayor of London's "The Control of Dust and Emissions during Construction and Demolition", SPG, July 2014 and the identified measures recommended in the AQDRA.

*Reason: in order to reduce the environmental impact of the construction phase and the impact on the amenities of neighbouring businesses*

## **Prior to commencement of development**

### **4. Construction Environmental Management Plan (CEMP)**

The development permitted shall not until a Construction Environmental Management Plan (CEMP) for the relevant Development Zone has been submitted to and approved in writing by the Local Planning Authority.

These plans shall incorporate details of:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials;
- d) the erection and maintenance of security hoarding(s) including decorative displays and facilities for public viewing, where appropriate;
- e) wheel washing facilities;

measures to control the emission of dust, dirt and emissions to air; such measures to accord with the guidance provided in the document "The Control of Dust and Emissions during construction and demolition" SPG, July 2014,; including but not confined to, non-road mobile machinery (NRMM) requirements;

- g) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- h) the use of efficient materials;
- i) methods to minimise waste, to encourage re-use, recovery and recycling, and sourcing of materials; and
- j) 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.
- k) Demonstrating compliance where possible with Ultra – Site Considerate Constructor Standards

Demolition and associated activities are to be carried out in accordance with the recommendations contained within British Standard 5228:2009+A1:2014, "Code of practice for noise and vibration control on construction and open sites", Parts 1 and 2.

The approved CEMP shall be implemented for the entire period of the construction works at the site, to the satisfaction of the Local Planning Authority.

*Reason: The CEMP is required prior to commencement of development in order to reduce the environmental impact of the construction phase and the impact on the amenities of neighbouring businesses*

### **5. Construction Resource Management Plan**

The development permitted shall not commence until a Construction Resource Management Plan (CRMP) has been submitted to and approved in writing by the Local Planning Authority. The Plan shall set out the principles for waste management, identify measures to minimise waste by design, estimate waste quantities, set targets for waste minimisation and a framework for waste monitoring that the contractor will be required to implement on-site.

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

*Reason: To ensure effective waste management.*

### **6. Construction Logistics Plan**

The development hereby permitted shall not commence until a Construction Logistics Plan (CLP) has been submitted to and approved in writing by the Local Planning Authority. The Plan shall be designed to minimise deliveries of materials and export of any waste materials within the times of peak traffic congestion on the local road network. The Plan shall be implemented

in accordance with the approved details and thereafter maintained throughout the duration of works.

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

## **7. Invasive Non-Native Species Management Plan (INNS)**

The development permitted shall not commence until an Invasive Non-Native Species Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall detail measures to be implemented in order to minimise the risk of aiding the spread of the invasive plant species that are known to be located at the Site.

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

*Reason: in order to protect local ecology and ensure compliance with the ES.*

## **8. Archaeology**

The development permitted shall not commence until a Stage 1 Written Scheme of Investigation (WSI) has been submitted to and approved by the Local Planning Authority in writing. For land that is 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. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- B. Where appropriate, details of a programme for delivering related positive public benefits.
- C. The 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.

*Reason: Heritage assets of archaeological interest survive on the site. The planning authority wishes to secure the provision of archaeological investigation followed by the subsequent recording of significant remains prior to development (including preservation of important remains), in accordance with recommendations given by the borough and in the NPPF.*

## **9. Contamination**

The development permitted shall not commence until:

- (a) an investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
  - (i) a survey of the extent, scale and nature of contamination;

- (ii) an assessment of the potential risks to human health; property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments; and
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with the Environment Agency's 'Land Contamination Risk Management (LCRM) framework' (October 2020) and;

- b) a detailed remediation scheme, to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment, has been prepared and submitted to the Local Planning Authority for approval in writing. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- c) The approved remediation scheme must be carried out in accordance with its terms prior to commencement of the development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.
- d) Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority. The report shall include results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met.
- e) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of (a), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of (b), which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

*Reason: Contamination must be identified prior to commencement of development to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors.*

#### **10. Water Quality Monitoring Plan**

If deemed to be required based on the assessment undertaken in accordance with 9(a) The development hereby permitted shall not commence until a monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the Local Planning Authority, has been submitted to, and approved in writing by, the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the Local Planning Authority.

*Reason: To ensure that the site does not pose any further risk to human health or the water environment by managing any ongoing contamination issues and completing all necessary*



*long-term remediation measures. This is in line with paragraph 170 of the National Planning Policy Framework.*

#### **11. Method Statement for protection of Jetty 4.**

Prior to the commencement of any works to the Cooling Water Intake Shaft, a method statement outlining the scope of works proposed and the measures adopted to protect the Grade II listed Jetty 4 shall be submitted to and approved in writing by the local planning authority.

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

*Reason: In order to ensure the development does not have an adverse effect on the structural stability of the Jetty which is grade II listed.*

#### **12. Water Tunnel Decommissioning Methodology.**

Prior to the commencement of the decommissioning of the water tunnels, a method statement outlining how the tunnels will be decommissioned shall be submitted and approved in writing by the local planning authority.

*Reason: In order to ensure the decommissioning of the water tunnels is carried out safely.*

### **Compliance conditions**

#### **13. Construction Working Hours**

Demolition and associated activities, other than internal works not audible outside the site boundary, are only to be carried out between the hours of 07:00 and 19:00 Monday to Friday and 07:00 and 13:00 Saturday, with no work on Sundays or public holidays without the prior written permission of the Local Planning Authority. Driven piling or ground improvement work which will generate perceptible off-site ground borne vibration is only to be carried out between the hours of 07:00 and 19:00 Monday to Friday.

*Reason: To ensure that the proposed demolition and construction work does not cause nuisance and disturbance to neighbouring occupiers and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.*

#### **14. Site specific non-road mobile vehicles (NRMM)**

During onsite construction works, all non-road transportable industrial equipment or vehicles which are fitted with an internal diesel powered compression ignition engine between 37 and 560KW and not intended for transporting goods or passengers on roads are required to be NRMM registered and comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance 'Control of Dust and Emissions from Construction and Demolition SPG' July 2014. Such vehicles must be run on ultra low sulphur diesel (also known as ULSD 'cleaner diesel' or 'green diesel'). "Ultra low sulphur diesel" means fuel meeting the specification within BS EN 590. Where these standards are succeeded, they should be applied no later than 1 year after succession. Exemptions to these standards may be granted for specialist equipment or for equipment with alternative emission reduction equipment or run on alternative fuels. Such exemptions shall be applied for in writing to the LPA in advance of the use of such vehicles, detailing the reasons for the exemption being sought and clearly identifying the subject vehicles. Exemptions that are granted will be in writing and such vehicles must not be used until written exemption has been received by the applicant. No vehicles or plant to which the above emission standards apply shall be on site, at any time, whether in use or not, unless it complies with the above standards, without the prior written consent of the local planning authority.

*Reasons: To ensure that air quality is not adversely affected by the development and to protect the amenity of future occupants and/or neighbours.*

#### **15. Explosive Ordnance Threat Assessment**

The development permitted by this planning permission shall only be carried out in accordance with the UXO risk and mitigation measures set out in paragraph 10.5.53 of the – ES Volume I Chapter 10: Ground Conditions and Hydrogeology AECOM May 2020

Reason: to reduce risk to human health and to ensure compliance with the ES mitigation measures

#### **16. Asbestos and Contamination Removal**

The development permitted by this planning permission shall only be carried out in accordance with the mitigation measures set in table 10-11: Remediation and Decommissioning Additional Mitigation Measures of the ES Volume I Chapter 10: Ground Conditions and Hydrogeology AECOM May 2020

*Reason: to reduce risk to human health and to ensure compliance with the ES mitigation measures*

#### **17. Transport's for London Code of Practice for quieter deliveries**

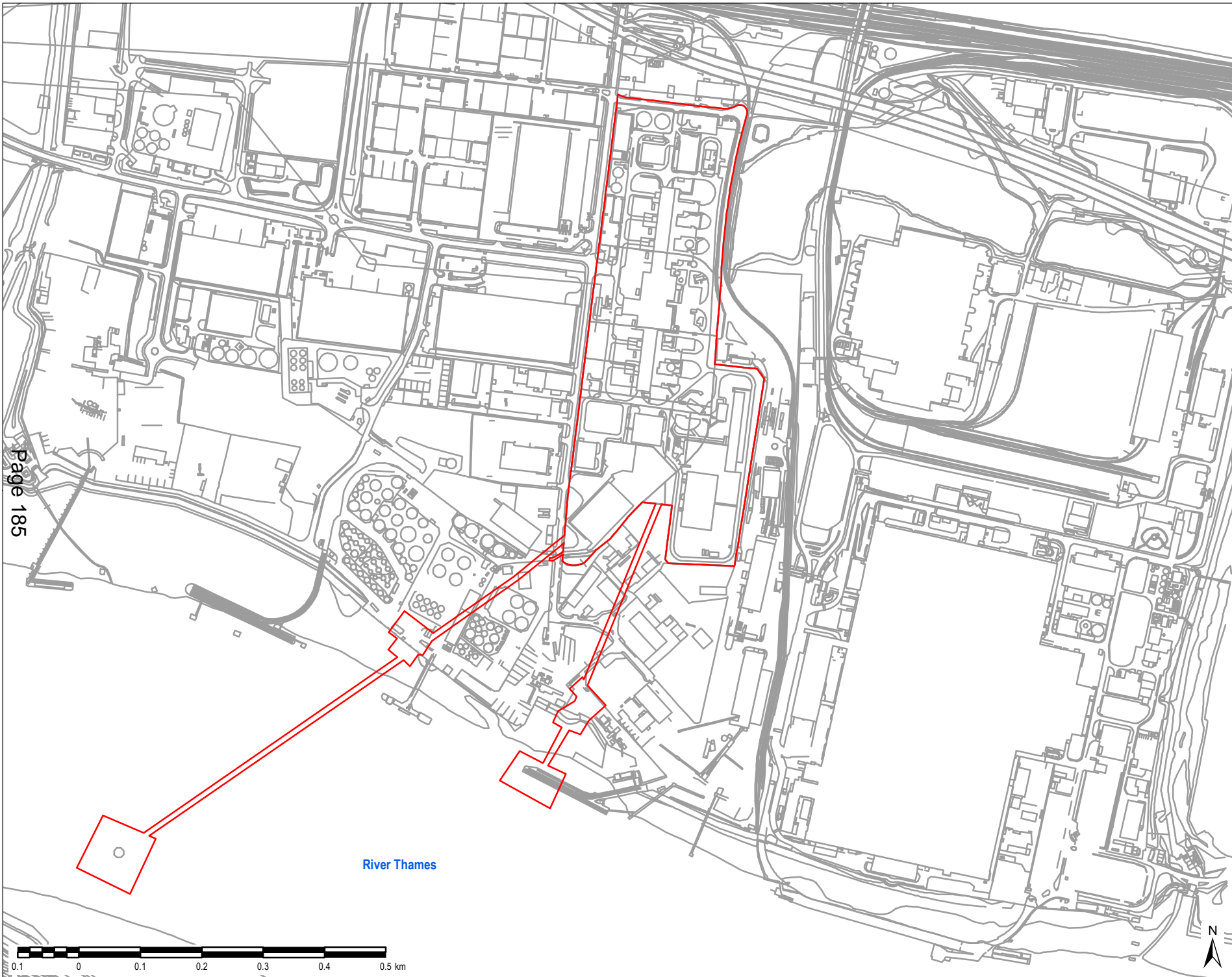
The development permitted shall be carried out in accordance with the Transport's for London Code of Practice for quieter deliveries dated May 2018.

*Reason: to ensure compliance with the ES mitigation measures*

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**LEGEND**

 FPA Site Boundary



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Purpose of Issue  
**FINAL**

Client  
**CITY OF LONDON CORPORATION**

Project Title  
**DAGENHAM DOCK**

Drawing Title  
**FPA PLANNING APPLICATION BOUNDARY**

Drawn LL	Checked JD	Approved CL	Date 20/04/2020
AECOM Internal Project No. 60596965		Scale @ A4 1:8,000	

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Algate Tower  
25 Abchurch Lane  
London, E1 8FA  
United Kingdom  
T +44 (0)20 7466 2000  
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Working in partnership


**Barking &  
Dagenham**
**LONDON BOROUGH OF BARKING & DAGENHAM**
**PLANNING COMMITTEE**
22<sup>nd</sup> March 2021
**Application for the Approval of Reserve Matters**

<b>Case Officer:</b>	Nasser Farooq	<b>Valid Date:</b>	<b>23/12/2020</b>
<b>Applicant:</b>	London Borough of Barking and Dagenham	<b>Expiry Date:</b>	<b>24/03/2021</b>
<b>Application Number:</b>	20/02552/REM	<b>Ward:</b>	Thames Ward
<b>Address:</b>	Barking Riverside Area, Renwick Road, Barking		

The purpose of this report is to set out the Officer recommendations to Planning Committee regarding an application for approval of reserved matters relating to the proposal below at Barking Riverside Area Renwick Road, Barking.

**Proposal**

Application for the approval of reserved matters pursuant to Conditions 38 and 39 (Plot Details) following outline approval 18/00940/FUL for Plot 209B within Stage 2 North. The proposed development comprises the erection of 229 residential dwellings (Use Class C3) and retail and restaurant floorspace (Use Class E), with associated parking, landscaping and tertiary roads. This application also seeks to partially discharge conditions 5 (Partial Discharge), 41 (Acoustics), 42 (Nature Conservation and Landscape), 43 (Parking and Servicing), 47 (Drainage), 48 (Access), 49 (Air Quality), 50 and 51 (Code of Construction Practice for Plots) of the Outline Planning Permission.

**Officer Recommendations**

1. Agree the reasons for approval as set out in this report; and
2. Delegate authority to the London Borough of Barking and Dagenham's Director of Inclusive Growth (or authorised Officer), in consultation with the Director of Law and Governance, to approve the Reserved Matters subject to the Conditions listed in Appendix 6 of this report;

**Conditions Summary**
Summary of Conditions

1. In accordance with approved drawings
2. External materials - submission of details for approval
3. Implementation of landscaping
4. Implementation of Child Playspace prior to occupation
5. Details of external lighting
6. Implementation of Envac

7. Cycle storage areas - in accordance with approved drawings
8. Ten percent Building Regulation M4 (3) 'Wheelchair user dwellings'
9. Ninety percent 'Accessible and adaptable dwellings' standards
10. Compliance with housing mix and tenures
11. In accordance with Energy Strategy
12. Details of secure by design measures
13. Accessible parking
14. Compliance with Water efficiency requirements

## OFFICER REPORT

### Planning Constraints

- London Riverside Opportunity Area
- Key Regeneration Area

### Site, Situation and Proposal

Barking Riverside comprises some 179.3 hectares located on the north bank of the Thames. It lies at the centre of the London Riverside Opportunity Area.

Barking Riverside falls in the south of the Borough, approximately 2 miles to the south east of Barking Town Centre and 800 metres to the south of the A13. The wider site is irregular in shape and has maximum dimensions east to west of 2.2 km and north to south of 1.1 km. The site occupies a large area of brownfield land which was previously used for power generation, with associated ash lagoons representing the spoil from the now demolished coal fired power stations.

The surrounding area is mixed in character. To the north west of the site is an established residential area comprising predominantly 2- storey semi-detached dwellings built circa 1990, known as Great Fleete. The north of the site is bounded by the A13 and the southern boundary comprises a 2 km frontage to the River Thames. Industrial estates adjoin the east and western boundaries of the site.

The application relates to Plot 209B, which is located within the south east corner of Stage 2 North. The plot bounds the Secondary District Centre that will serve the eastern quarter of the Barking Riverside development and is located immediately north west of 'The Circus', a circular area of open space that will form part of the Barking Riverside Metropolitan Park.

### Relevant Background Information

The application site has an extensive planning history and the most relevant planning applications are listed below.

04/01230/OUT - this is the outline planning permission for the entire site for development comprising or to provide a mixed-use development of up to 10,800 residential dwellings and in addition up to 65,600 sqm of built floorspace for retail uses (Classes A1 to A3), business premises (Class B1), hotel (Class C1), communal care home and other residential institutions (Class C2), sui generis live work units, community and social facilities (Classes D1 and D2) (for uses such as libraries, primary health care facilities, places of worship and assembly, community facilities, creche and pre-school facilities, care facilities for the young, old and/or infirm, sport and leisure development). Approved on 7<sup>th</sup> August 2006.

This permission has been amended by 08/00887/FUL, 16/00131/OUT and 18/00940/FUL.



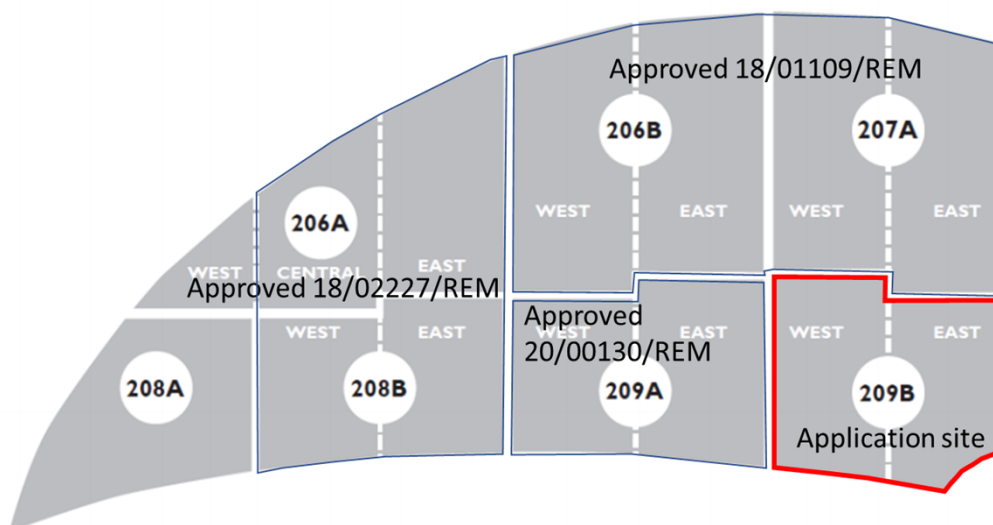
18/00940/FUL - Application for variation of conditions 2 (drawing numbers), 14 (transport strategy), 15 (road adoption), 16 (strategic infrastructure scheme), 12 and 33 (nature conservation and landscape) following grant of planning permission 16/00131/OUT for the redevelopment of the site known as Barking Riverside. Approved on 26<sup>th</sup> October 2018.

Given the substantial size of Barking Riverside, the planning permission is approved in a 'three tier format'. The first tier is the outline permission, the second tier is the requirement for 'Sub-framework Plan (SFP) and Site Wide Infrastructure Scheme (SIS) to be approved for a phase prior to the granting of a reserve matter for that phase. The reserve matters being the third tier.

In relation to the application site. A Sub Framework Plan (SFP) for Stage 2 North was approved on 2nd November 2018 (LPA ref. 18/01015/CDN) pursuant to Condition 32 of the Outline Planning Permission. This sets out the parameters and design code for each development plot within Stage 2 North to follow.

The Barking Riverside Site Wide Infrastructure Scheme (SIS) was submitted pursuant to Condition 16 of the Outline Planning Permission and approved in October 2018 (LPA ref. 18/00768/REM). This application comprises details of the roads, urban realm, flood defence infrastructure, drainage and landscaping to be provided across Barking Riverside. The SIS incorporates The Boulevard, Circus North and The Circus, which are located immediately to the south, east and south east of Plot 209B.

Reserved Matters applications for plots 206B/207A (LPA ref. 18/01109/REM), 206A/208B (LPA ref. 18/02227/REM) and 209A (LPA ref. 20/00130/REM) have previously been approved by the LBBD. Cumulatively, these plots will deliver 1,025 residential units (Use Class C3) and 405 sqm of retail and commercial (Use Class A3) floorspace within Stage 2 North.



Plan showing location of application site in relation to consented reserve matters for Stage 2 North.

### Key Issues

1. Principle of Development
2. Dwelling Mix and Quality of Accommodation
3. Design and Quality of Materials
4. Heritage
5. Impacts to Neighbouring Amenity
6. Sustainable Transport
7. Waste Management and Refuse Collection
8. Delivering Sustainable Development (Energy / CO<sub>2</sub> Reduction / Air Quality)
9. Biodiversity and Sustainable Drainage

When submitting reserved matters Conditions 38 and 39 set the information required to accompany the matters. These conditions are re-produced below.

### Plot Details

#### Condition 38)

Prior to the commencement of development of each Plot or part thereof pursuant to this permission, full details of the development of that Plot or part shall be submitted to and approved in writing by the Local Planning Authority ("the Reserved Matters") together with a statement indicating how the application for that Plot or part thereof complies with all of the strategies approved pursuant to the Section 106 Agreement. Development shall not be carried out otherwise than in accordance with the particulars and drawings so approved, such particulars and drawings to show:

- a. The layout of the development on the Plot or part thereof;
- b. The siting, scale, design, landscaping and external appearance of the buildings including materials to be used on external surfaces;
- c. The means of access to the Plot or part thereof;
- d. The use of any part of the Plot not proposed to be covered by buildings and the treatment of these uses (including roadways, paving, gates, walls and fences and waterfront safety measures);
- e. The extent, location and position of the floorspace to be devoted to each use hereby permitted;

Reason: To ensure that the details of the development are acceptable to the Local Planning Authority in accordance with Policy CM1 of the Core Strategy (July 2010).

#### Condition 39

Prior to the commencement of development of each Plot or part thereof pursuant to this permission, full details of the following shall be submitted to and approved in writing by the Local Planning Authority:

- a. The accommodation for car, coach, motorcycle and cycle parking, where relevant including the number of spaces, their location, layout, allocation, management, along with signage taking account of disabled persons needs, electric vehicle charging points (including both 'active' and 'passive' provision in accordance with the London Plan (as amended 2016));
- b. The accommodation for the loading and unloading of vehicles including tracking plans indicating that vehicles may enter and leave the servicing area in a forward gear;
- c. The layout of Tertiary Roads for the circulation of vehicles within the Plot or part thereof including the location of services media, junction works, traffic signs, directional signs, pedestrian crossings, traffic control measures and turnarounds and the details of the construction standards and timetable;
- d. The layout of public footways, cycleways and other means of public access within the Plot or part thereof;

- e. The scheme for lighting roads, footpaths, cycleways, the river frontage and all other areas accessible to the public (where appropriate), including the height of lighting columns and the types, colour and brightness of proposed lights;
- f. Measures taken to protect and enhance areas of importance for their nature conservation value, particularly the Ripple Nature Reserve, the inter-tidal mud flats and relict areas of riverside marshland;
- g. Details of play, formal and informal open space per Plot or part thereof and how Reserved Matters have been designed in accordance with the principles of the Play, Sport and Recreation Strategy;
- h. Where the Plot or part thereof includes land that would comprise or form part of the proposed Thames-side path, full details of the provision of access for servicing and maintaining the river defences and associated structures, access for emergency vehicles and access for recreation of that part where appropriate;
- i. Details of the measures (including design solutions) to address the effects of operations outside the site upon the future occupation and employment of residents, occupiers and visitors;
- j. A further access statement illustrating how the Access Strategy submitted under Condition 35 will be delivered;
- k. Demonstrate how buildings can be constructed so as to mitigate noise disturbance arising from existing and proposed noise sources both outside (including the operation of adjoining safeguarded wharves) and within a building and how consideration has been given to the siting of noise sensitive buildings;
- l. Details of pollution control measures for all car parking, servicing and loading areas;
- m. Details of the appearance of any extract system and associated equipment (which shall include measures to alleviate fumes and odour and incorporating activated carbon filters where necessary) and any other plant or equipment on the roof;
- n. Demonstrate compliance with the Mayor of London Housing SPG March 2016 (or equivalent document superseding the 2016 SPG);
- o. Demonstrate that Plots are capable of being able to deliver a minimum of 10% of the residential units constructed to Building Regulations Optional Requirement Approved Document M4 (3) Category 3: (Wheelchair user dwellings) (2015 edition); and
- p. Demonstrate how the Plot is addressing private amenity space, including garden sizes across the Plot.
- q. Details of any gas protection measures necessary to mitigate the impacts of ground gas.

Reason:

To ensure that the details of the development are acceptable to the Local Planning Authority in accordance with Policy CM1 of the Core Strategy (July 2010).

## **1. Principle of Development**

- 1.1 The National Planning Policy Framework (NPPF) speaks of the need for delivering a wide choice of quality homes which meet identified local needs, in accordance with the evidence base, and to create sustainable, inclusive, and mixed communities. Paragraph 17 specifically states that it is a core planning principle to efficiently reuse land which has previously been developed.
- 1.2 The London Plan outlines the need for more and good quality homes through Policies GG4, D2, D4, H1, H10 and H12.

- 1.3 The principle of the development is established by the extant outline planning permission. This reserved matter application proposes a scheme which would fit within those revised parameter plans. As such, the principle of development is considered acceptable.
- 1.4 An EIA Statement of Conformity has been submitted with this application. The report concludes that the proposed development of Plot 209B as part of this RMA will not give rise to any new, additional or materially different 'significant environmental effects' to those presented in the ES (as amended). As such, no further environmental information or impact assessment is considered necessary.

<b>2. Dwelling Mix and Quality of Accommodation</b>			
<i>Proposed density</i>	Density is controlled by the outline planning permission.	<i>Overall % of Affordable Housing</i>	47%
<i>London Plan density range</i>	The proposal complies with the relevant density parameter plan for the site.	<i>Comply with London Housing SPG?</i>	Yes
<i>Acceptable density?</i>		<i>Appropriate dwelling mix?</i>	Yes

## **2. Density**

- 2.1. The NPPF emphasises the importance of delivering a wide choice of high-quality homes and, as part of significantly boosting the supply of housing, advises that Local Planning Authorities should set their own approach to housing density to reflect local circumstances.
- 2.2. Policy D6 of the London Plan seeks to ensure that development proposals make the most efficient use of land and states that sites must be developed at the optimum density, with a design-led approach to optimising density.
- 2.3. Core Strategy and Borough Wide Policies CM2 and BP10 seek to ensure that housing densities are considerate to local context and accessibility, design, sustainability and infrastructure requirements, whilst ensuring optimum use of all suitable sites in the Borough in light of the high levels of identified housing need. Additionally, and similar to London Plan policy, Policy SP4 of the emerging local plan (at Reg19 stage) advocates a design-led approach to optimise density and site potential.
- 2.4. The proposal is for 229 residential units. With the average density 239 units per hectare being in accordance with the 120 - 239 dwelling per hectare range as set within the average density plan approved within the outline parameter plans. As such, the proposed density is considered acceptable.

### **Housing Size Mix and Tenure**

- 2.5. The following table shows the housing mix and tenure shown below:

	Affordable Rent	Shared Ownership	Private	Total
1-bedroom flat	0	28	78	106
2-bedroom flat	17	44	30	91
3-bedroom flat	13	6	0	19
4-bedroom flat	0	0	13	13
Total	30	78	121	229

- 2.6. Policy H12 of the London Plan which seeks residential development to deliver an appropriate mix of housing.
- 2.7. Similarly, Policy CC1 of the Core Strategy seeks to secure the delivery of a mix and balance of housing types, including a significant increase in family housing. Policy DMH2 of the emerging local plan seeks to ensure a mix of units.
- 2.8. The proposed provision of 13.7% family accommodation (3 and 4 bedroom units). The housing mix within Barking Riverside is governed by the S106 agreement which seeks around 25% family sized accommodation across the wider development. However, this is linked to viability and governed by the sub-framework plans.
- 2.9. In this context, officers consider the proportion of family housing to be acceptable and there is sufficient amount of housing to come within the development to achieve the overall policy aim of 25%.
- 2.10. Policy H5 of the London Plan requires 50% of the number of homes built over the plan period to be affordable, with a specific requirement for 50% affordable housing on public sector land as previously established in the Affordable Housing Supplementary Planning Guidance (SPG).
- 2.11. Policy H7 of the London Plan, also reflecting the targets previously set out in the SPG, further details the Mayor's preferred affordable tenure split, which consists of a minimum of 30% low-cost rented homes (including Social Rent and London Affordable Rent), a minimum of 30% intermediate products (including London Living Rent and London Shared Ownership) and the remaining 40% to be determined by the Local Authority based on identified need, provided they are consistent with the definition of affordable housing.
- 2.12. Similar affordable housing requirements, as well as the preferred tenure split set out in London Plan policy, are echoed by emerging Local Plan (Reg 19 stage) Policy DM1.
- 2.13. The proposed development delivers 47% affordable housing which will make a significant contribution to the Borough's much needed provision of affordable housing. The proposed tenure mix comprising is considered acceptable and consistent with the approved s106 agreement.
- 2.14. The delivery of affordable housing in accordance with the proposed mix has been secured by the main S106 Agreement.

### **Quality of Accommodation**

- 2.15. At national level, the 'Technical Housing Standards – Nationally Described Space Standard' deals with internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the gross internal area of new dwellings at a defined level of occupancy, as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage, and floor-to-ceiling heights. London Plan Policy D4 seek for new housing to achieve the space standards in line with those set at national level. The Core Strategy and Borough Wide Policy Document and emerging local plan (Reg 19 stage) also reiterate the need for housing developments to conform to these requirements.
- 2.16. Policy D4 of the London Plan also sets out the importance for homes across London to be designed to a high quality – 'New homes should have adequately-sized rooms and convenient and efficient room layouts which are functional, fit for purpose and meet the

changing needs of Londoners over their lifetimes. Particular account should be taken of the needs of children, disabled and older people’.

- 2.17. Policy D5 of the London Plan also outline that 90% of new build homes should meet requirement M4(2) (accessible and adaptable dwellings) of Building Regulations Approved Document M and that 10% should meet requirement M4(3) (wheelchair user dwellings). This target is reflected at local level by Policy BC2 of the Borough Wide Policies and Policy SP4 of the emerging Local Plan (Reg 19 stage).
- 2.18. 10% of units have been designed to be fully wheelchair accessible, adhering to Building Regulations M4(3). All the remaining units have been designed to be fully wheelchair adaptable, adhering to Building Regulations M4(2).
- 2.19. The quality of accommodation is considered acceptable and efficient. Therefore, overall, the proposal accords with London Plan Policy D7, and local policy BC2.
- 2.20. The proposed dwellings are also provided with the private amenity space required by the London Plan and Housing SPG in the form of balconies and gardens. Lastly, the dwellings will be well lit and amenity spaces will have good access to daylight/sunlight.

**Playspace**

- 2.21. With respect to on-site provision of playspace, the proposed development provides 120sqm of playspace at the southern end of the north-south street. This meets the stage 2 design code and contributes to the overall playspace within the Sub-Framework Plan design code. Officers considered there is adequate space and provision of play space.
- 2.22. The landscaping consists primarily of street lined streets with pockets of soft landscaping. This approach is consistent with what is expected for the site of the plot and level of development coming forward within this area.
- 2.23. Overall, the quality of the proposed accommodation is considered satisfactory and would provide future occupiers with acceptable living conditions.

<b>3. Design and Quality of Materials</b>	
<i>Does the proposed development respect the character and appearance of the existing dwelling?</i>	Yes
<i>Does the proposed development respect and accord to the established local character?</i>	Yes
<i>Is the proposed development acceptable within the street scene or when viewed from public vantage points?</i>	Yes
<i>Is the proposed development acceptable and policy compliant?</i>	Yes

- 3.1. The NPPF, London Plan policies D1, D2, D3, D4 and D7 expect all development to be of high-quality design. This is echoed at local level through Policy BP11 of the Borough Wide policies and Policy SP4 of the emerging local plan (Reg 19 stage).
- 3.2. The principle of the height schedule messing and citing of the proposed residential blocks has been established by the granting off the outline planning permission. This reserve matters application therefore considers the access, appearance, landscaping, layout and scale of the development. These matters are discussion further in relation to the two blocks proposed.

- 3.3. Plot 209B is located within Stage 2 North of the Barking Riverside development. The Plot is situated to the north-west of The Circus. Stage 2 North is characterised by a regular urban grain and sub-divided into a series of development plots.
- 3.4. The proposal seeks the erection of six buildings around the perimeter of Plot 209B as well as thirteen townhouses towards the centre of the Plot. The buildings range in height from three storeys to nine storeys, with the inclusion of setback levels to the Circus and Mansion Buildings.
- 3.5. Two private courtyards are proposed towards the centre of the Plot and will provide semi-private communal amenity space for residents. The Yards provide a varied public realm with soft and hard landscaping, play space, private gardens, shared surfaces, cycle storage facilities and residential car parking whilst responding to the site levels.
- 3.6. Entrances to ground floor residential and commercial units have been located on the main building frontages to activate the local streetscape. Residential accommodation is provided at ground floor level of all buildings with the exception of the Circus Building and Apartment Building East. There are two restaurant units located in the Circus Building, and two retail units in Apartment Building East.
- 3.7. In terms of appearance, the design development responds to the design codes set out for Stage 2 North. In terms of materiality, like earlier approvals within Stage 2 North, the approach is to construct all the buildings in brick, with different contrasting bricks used within the blocks to create a group of buildings that relate to one another.
- 3.8. Other materials include metal balustrade materials, metal soffit panels, metal framed windows and recessed entrances. These are considered acceptable.
- 3.9. As raised at members briefing, as more and more plots come forward within the area, there will be a strong need to have a unified wayfinding strategy. This will need to be part of a wayfinding strategy that is not plot specific but covering a much wider area and informing existing and future residents of the various routes and connections that will be available to them.
- 3.10. The wayfinding will also be especially important to inform and identify the various mansion blocks and other buildings to create a cohesive and legible space. Officers will continue to press and work with the wider developer of the estate to ensure a strategy is in place to deal with the above matters.

### **Landscaping**

- 3.11. The landscaping within the development has been designed according to six-character areas, reflecting on use of the area. The areas are listed below:
  1. North-South Street
  2. Neighbourhood Street
  3. Yards
  4. Linear Park West
  5. East Square
  6. Strategic Infrastructure Junction
- 3.12. The palette of hard materials proposed provides a simple and robust materiality and a consistency throughout the plot and the other Stage 2 developments. As with the hard materials, planting has been developed to maintain continuity between surrounding plots,



with a coordinated tree planting strategy to allow them to be used as a method of wayfinding. This approach is supported by officers.

### **Summary**

- 3.13. With the parameter of the development set by the outline planning permission, sufficient information has been provided within the submitted plans and design and access statement to demonstrate the proposed detailed design, landscaping and overall appearance will result in a high-quality well-designed space that will contribute significantly to this part of the Barking Riverside Development, the design of the proposed development is considered acceptable.

## **4. Impacts to Neighbouring Amenity**

- 4.1. Paragraph 17 of the NPPF details within its core planning principles that new development should seek to enhance and improve the health and wellbeing of the places in which people live their lives. Paragraph 180 outlines that development proposals should mitigate and further reduce potential adverse impacts resulting from noise from new development and to avoid noise giving rise to significant adverse impacts on health and quality of life.
- 4.2. Policy BP8 of the Borough Wide Policies and Policy DM11 of the emerging Local Plan (Reg 19 stage) specifically relate to ensuring neighbourly development, specifying various potential impacts that development proposals shall consider and avoid or minimise. The policy also emphasises adequate access to daylight and sunlight.

### **Privacy, Outlook, Noise and Disturbance**

- 4.3. The application site is situated within an urban environment with an existing degree of mutual overlooking between residential properties. Given the relative siting of neighbouring properties, it is considered that the development would maintain adequate separation to safeguard the outlook and privacy of their occupiers. The separation distances within the courtyards are just under 19m which the other distances from the blocks vary between 5m and 13.7m. These are to dual aspect flats with rooms that usually have windows on different elevations. This ensures a degree of choice in relation to privacy.
- 4.4. With a high proportion of dual aspect units or units overlooking the circus and or courtyards, officers are satisfied the proposed development will have adequate outlook for future residents as well as protecting the outlook of existing (future) residents.
- 4.5. In relation to noise from the commercial units, Environmental Health have raised some comments on the submitted noise report, this has been appropriately responded to by the applicant.
- 4.6. In other aspects of the proposal, officers are satisfied that the overall appearance of the new buildings will improve the visual amenity for surrounding residents and the public.

### **Daylight, Sunlight and Overshadowing**

- 4.7. The Mayor's 'Housing' SPG states that an appropriate degree of flexibility needs to be applied when using Building Research Establishment (BRE) guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in accessible locations, and should consider local

circumstances, the need to optimise housing capacity, and the scope for the character and form of an area to change over time.

- 4.8. The Daylight and Sunlight Assessment submitted advises, Internally, 580 out of 626 (93%) of habitable rooms meet their target daylight value in ADF terms (excluding non-habitable kitchens). In sunlight terms, 68 out of 151 (45%) south-facing living rooms meeting the target annual sunlight value and 100 out of 151 (66%) south-facing living rooms meeting the target winter sunlight value.
- 4.9. In relation to neighbouring buildings, these are currently under construction, therefore no resident will experience a 'loss' of daylight. Therefore, the question is whether the properties within the development retain adequate daylight and sunlight. The submitted daylight and sunlight assessment compares the consented maximum parameters SFP massing to proposed development and demonstrates the proposed neighbouring blocks will retain adequate levels of daylight/sunlight in accordance with the consented masterplan.
- 4.10. To conclude, it is considered that the proposed development would have an overall acceptable impact on daylight and sunlight received by neighbouring occupiers and generally achieves a satisfactory level of compliance.

<b>5. Sustainable Transport</b>			
<i>car parking spaces</i>	65 standard spaces 7 blue badge spaces	<i>PTAL Rating</i>	0 (worst)
<i>Proposed number of cycle parking spaces:</i>	353	<i>Closest Rail Station / Walking Distance</i>	630m (Barking Riverside Overground Station due to open in 2022)
<i>Restricted Parking Zone:</i>	n/a	<i>Parking stress survey submitted?</i>	No

- 5.1. The NPPF recognises that sustainable transport has an important role to play in facilitating sustainable development but also contributing to wider health objectives. It is expected that new development will not give rise to conflicts between vehicular traffic and pedestrians.
- 5.2. Policies T1 to T6 of the London Plan seek to ensure that impacts on transport capacity and the transport network, at both a corridor and local level, are fully assessed. Furthermore, development should not adversely affect safety on the transport network.
- 5.3. This is also echoed by Policies BR9, BR10 and BR11 of the Borough Wide policies and Policies DM31 and DM32 of the emerging local plan (Reg 18 stage), which require proposals to have consideration to the local environment and accessibility of the site, on-street parking availability, access and amenity impacts and road network capacity constraints while supporting the Council's commitment to reduce the need to travel and encourage modal shift away from the private car towards healthy and sustainable transport initiatives and choices, notably walking and cycling.

### **Car Parking and Cycle Parking**

- 5.4. Sixty-five standard parking spaces and seven blue badge spaces are proposed for the residential units. The sub framework plan requires an overall ratio of 0.45 parking spaces per dwelling across the stage 2 north masterplan. The proposed level of residential parking

results in an overall provision of 0.31 spaces per unit, and thus in accordance with the approved SFP and Parking Strategy.

- 5.5. Cycle storage provision is in accordance with the Stage 2 North Sub Framework Plan Design Code, providing 1 space per unit for 1-bedroom properties and two spaces per unit for all other residential properties.
- 5.6. Three hundred and fifty-three long stay parking spaces are proposed for residents. This exceeds the minimum requirements set out in the Design Code.

Code of Construction Practice for Plots/Construction Environmental Management Plan and Site Waste Management Plan.

- 5.7. Construction Environmental Management Plan and a Code of Construction Practice (CoCP) Part B, both documents prepared by Temple. The details within the documents have been reviewed by Environmental Health and considered acceptable. The proposed development is within an estate and to date construction has been carefully managed along with the development of other plots under construction. Taking this into account, officers are satisfied the proposed construction impacts are suitably mitigated against.
- 5.8. Officers are overall satisfied that the proposed development adopts a sustainable approach to transport, to promote walking and cycling, whilst minimising its impact on local road infrastructure and parking amenity, in accordance with relevant policy.

**6. Waste Management and Refuse Collection**

- 6.1. Policies CR3 and BR15 of the Core Strategy and Borough Wide policy document outline the need for development in the Borough to minimise waste and work towards a more sustainable approach for waste management. These objectives are further emphasised in the emerging Local plan (Reg 19 stage) through Strategic Policy SP6 and Policy DM29.
- 6.2. The proposal like earlier and consented parts of Phase 2 are to utilise Envac. The proposed refuse and recycling stores shown shall be provided before the first occupation of the development and thereafter permanently retained and is secured by condition.

**7. Delivering Sustainable Development (Energy / CO2 Reduction / Air Quality)**

<i>Proposed CO<sub>2</sub> Reduction</i>	35.9% from Be Lean and Be Clean measures
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**Energy and CO2 Reduction**

- 7.1. Chapter 9 (Sustainable infrastructure) of the London Plan require development to contribute to mitigation and adaptation to climate change. Specifically, Policy SI2 of the London Plan set out the energy hierarchy development should follow – ‘1. Be Lean; 2. Be Clean; 3. Be Green’. The policies require major residential development to be zero-carbon, with a specific requirement for at least 35% on-site reduction beyond Building Regulations. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on site, any shortfall should be provided through a cash in-lieu contribution to the borough’s carbon offset fund and / or off-site, provided that an alternative proposal is identified and delivery is certain. These objectives and targets are also outlined in Policy DM24 of the emerging local plan (Reg 19 stage).
- 7.2. The Energy Statement confirms how the proposed development implements the sequential energy hierarchy set out in the London Plan: sustainable design principles and optimum

design of the building fabric and form ('Be Lean'). A condition is recommended to ensure the renewable energy infrastructure, is implemented prior to first occupation of the dwellings.

- 7.3. Collectively, these measures meet the 35% on-site requirement set out within the outline planning permission and are therefore considered acceptable.

### **Air Quality**

- 7.4. Policy SI1 of the London Plan also states that all development should be air quality neutral as a minimum.
- 7.5. The air quality-neutral assessment submitted with the application has identified the Building emissions from Plot 209B are well within the benchmarked emissions for both NO<sub>x</sub> and PM<sub>10</sub> (PM<sub>10</sub> emissions from the proposed combustion plant are negligible). Therefore, the building emissions associated with Plot 209B fully meets the Mayor of London's air quality neutral requirements.
- 7.6. This has been reviewed by Environmental Health and considered acceptable.

## **8. Biodiversity, Landscaping and Sustainable Drainage**

- 8.1. Policy G6 of the London Plan require new developments to make a positive contribution to the protection, enhancement, creation and management of biodiversity wherever possible. Policies CR2 and BR3 of the Core Strategy and Borough Wide policies echo the London Plan in its strategic approach to protect and enhance biodiversity and to provide a net gain in the quality and quantity of the Borough's natural environment. This approach is also set out in Policy SP5 of the emerging local plan (Reg 18 stage).
- 8.2. A Preliminary Ecological Assessment (PEA) was submitted and assessed the ecological value of this site and its potential to support notable and/or legally protected species.
- 8.3. In line with LB Barking & Dagenham's Local Development document on biodiversity the planting proposals aim to include 50 per cent of plants should be native and of local provenance. The use of nectar-rich and berry producing plants are included to attract a wide range of insects, birds and mammals and continue to accommodate those already utilising the site. Larger feature larger shrubs are underplanted to create greater structure and cover for wildlife. A variety of plant species are proposed.
- 8.4. In addition, biodiverse green roofs are included in order to enhance the site for wildlife and comply with LBBD planning policy.
- 8.5. Overall, it is considered that the proposed development will positively contribute to the biodiversity, arboricultural and environmental value of the site and complies with relevant policy.

### **Sustainable Drainage**

- 8.6. Policy 5.13 of the London Plan states that development should utilise sustainable urban drainage systems (SUDS) unless there are practical reasons for not doing so and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible in line with the drainage hierarchy set out within this policy. The policy aspirations are also reiterated by Policy SI13 of the London Plan and at local level by Policies CR4 and BR4 of the Core Strategy and Borough Wide Policies and Policy DM28 of the emerging Local plan (Reg 19 stage).

- 8.7. A drainage strategy/flood risk assessment was submitted as part of the application. The main design principals and proposals as set out in this document have been accepted by officers.
- 8.8. The outline Stage 2 North surface water drainage proposals have been developed by Elliot Wood in conjunction with WSP. A series of surface water networks have been designed within the Stage 2 North boundary that look to distribute and balance flows appropriately, maximising the use of the as built outfall spurs on to the principle site-wide drainage network as provided by WSP.
- 8.9. The Elliot Wood Stage 2 North RMA for Plots 206B & 207A surface water drainage details indicate that the surface water drainage for 209B connects to sewers within the east/west linear Neighbourhood Park to the north of Plot 209B, which in turn discharges to SW Outfall 3 (part of the principle drainage network), located between plots 206B East and 207A West.
- 8.10. In relation to foul water the Sustainable Drainage report has advised that 206B and 207A RMA proposals allowed for two gravity foul connections from the 209B site into the 207A drainage system. Due to the proposed ground levels within the site, (which fall to the north east) it is proposed to connect all the units on the eastern half of Plot 209B and approximately 50% of the units on the western side of the Plot into the foul drainage system located between 207A West and 207A East (eastern outlet). The remainder of the 209B units will discharge to the foul sewer provided between Plots 206B East and 207A West (western outlet).
- 8.11. A condition to secure that the surface water drainage works shall be carried out and the sustainable urban drainage system shall thereafter be managed and maintained in accordance with the agreed management and maintenance plan is recommended.

## **9. Other Matters discharge of conditions**

- 9.1. The reserved matters is accompanied with sufficient information to discharge the following conditions (full wording of conditions to be discharged / partially dscharged can be found at appendix 5:
  - Condition 5 Partial Discharge
  - Condition 41 Acoustics
  - Condition 42 Nature and Conservation
  - Condition 43 Parking and Servicing
  - Condition 47 Drainage
  - Condition 50 Code of Construction Practice for Plots
  - Condition 51 Construction Environmental Management Plan and Site Waste Management Plan

## **Conclusions**

The redevelopment of the site for residential use is acceptable in principle and would contribute to the Borough's housing stock through the provision of 229 good quality units compliant with relevant standards. The proposal would comprise 47% affordable units which is considered to meet an identified need in the Borough.

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

The development adopts a sustainable approach to transport whilst ensuring an acceptable impact on local highways and infrastructure. The proposal is also considered acceptable in terms of sustainability and air quality.

It is therefore recommended that the reserve matters be approved subject to the conditions as listed within this report.

## Appendix 1

<b>Development Plan Context</b>	
<p>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.</p>	
<p><i>National Planning Policy Framework (NPPF) (MHCLG, Feb 2019)</i></p>	
<p><i>London Plan (2021)</i></p>	<p>Policy GG1 - Building strong and inclusive communities            Policy GG2 - Making the best use of land            Policy GG3 - Creating a healthy city            Policy GG4 - Delivering the homes Londoners need            Policy D1 - London’s form, character and capacity for growth            Policy D2 – Infrastructure requirements for sustainable densities            Policy D3 – Optimising site capacity through the design-led approach            Policy D4 – Delivering good design            Policy D5 – Inclusive design            Policy D6 – Housing Quality Standards            Policy D7 – Accessible Housing            Policy D8 – Public Realm            Policy D11 – Safety, security and resilience to emergency            Policy D12 – Fire Safety            Policy D14 - Noise            Policy H1 - Increasing housing supply            Policy H4 – Delivering affordable housing            Policy H6 – Affordable housing tenure            Policy H7 – Monitoring of affordable housing            Policy H12 - Housing size mix            Policy G1 - Green infrastructure            Policy G5 - Urban greening            Policy G6 - Biodiversity and access to nature            Policy SI8 - Waste capacity and net waste self-sufficiency            Policy T1 - Strategic approach to transport            Policy T2 - Healthy Streets            Policy T3 - Transport capacity, connectivity and safeguarding            Policy T4 - Assessing and mitigating transport impacts            Policy T5 - Cycling            Policy T6 - Car parking</p>
<p><i>Local Development Framework (LDF) Core Strategy (July 2010)</i></p>	<p>Policy CM1 - General Principles for Development            Policy CR2 - Preserving and Enhancing the Natural Environment            Policy CR3 - Sustainable Waste Management            Policy CP2 - Protecting and Promoting our Historic Environment            Policy CP3 - High Quality Built Environment            Policy CC2: Social Infrastructure to Meet Community Needs</p>
<p><i>Local Development Framework (LDF) Borough Wide Development Plan Document (DPD) (March 2011)</i></p>	<p>Policy BR1 - Environmental Building Standards            Policy BR3 - Greening the Urban Environment            Policy BR4 - Water Resource Management            Policy BR9 - Parking            Policy BR10 - Sustainable Transport            Policy BR11 - Walking and Cycling            Policy BR15 - Sustainable Waste Management            Policy BP2 - Conservation Areas and Listed Buildings</p>



	<p>Policy BP8 - Protecting Residential Amenity  Policy BP11 - Urban Design  Policy BC6- Loss of Community Facilities</p>
<p><i>The London Borough of Barking and Dagenham's Draft Local Plan: (Regulation 19 Consultation Version, December 2020) is at an "advanced" stage of preparation. Having regard to NPPF paragraph 216 the emerging document is now a material consideration and considerable weight will be given to the emerging document in decision-making unless other material considerations indicate that it would not be reasonable to do so.</i></p>	
<p><i>The London Borough of Barking and Dagenham's Draft Local Plan: (Regulation 19 Consultation Version, December 2020)</i></p>	<p>Policy SP1 - Delivering Growth  Policy SP2 - Delivering Homes that Meet People's Needs  Policy SP4 - Delivering High Quality Design in the Borough  Policy SP5 - Enhancing our Natural Environment  Policy SP6 - Securing a Sustainable and Clean Borough  Policy SP8- Delivering social infrastructure in the right locations  Policy DM1 - Affordable Housing  Policy DM2 - Housing Size and Mix  Policy DM11 - Responding to Place  Policy DM14 - Conserving and Enhancing Heritage Assets and Archaeology  Policy DM18 - Protecting and Improving Parks and Open Spaces  Policy DM19 - Urban Greening  Policy DM20 - Nature Conservation and Biodiversity  Policy DM22 - Trees  Policy DM24 - Energy, Heat and Carbon Emissions  Policy DM26 - Improving Air Quality  Policy DM28 - Managing Flood Risk, including Surface Water Management  Policy DM29 - Managing our Waste  Policy DM31 - Making Better Connected Neighbourhoods  Policy DM32 - Cycle and Car Parking  Policy DM34: Planning for social infrastructure</p>
<p><i>Supplementary Planning Documents</i></p>	<p>DCLG Technical Housing Standards (nationally described space standard) (DCLG, March 2015) (as amended)  Housing Supplementary Planning Guidance (2017)  Accessible London: Achieving an Inclusive Environment (2014)  Affordable Housing and Viability (2017)  Character and Context (2014)  Housing (2016)  Play and Informal Recreation (2012)  Sustainable Design and Construction (2014)</p>

**Additional Reference**

*Human Rights Act*

The provisions of the Human Rights Act 1998 have been considered 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 equalities obligations including its obligations under section 149 of the

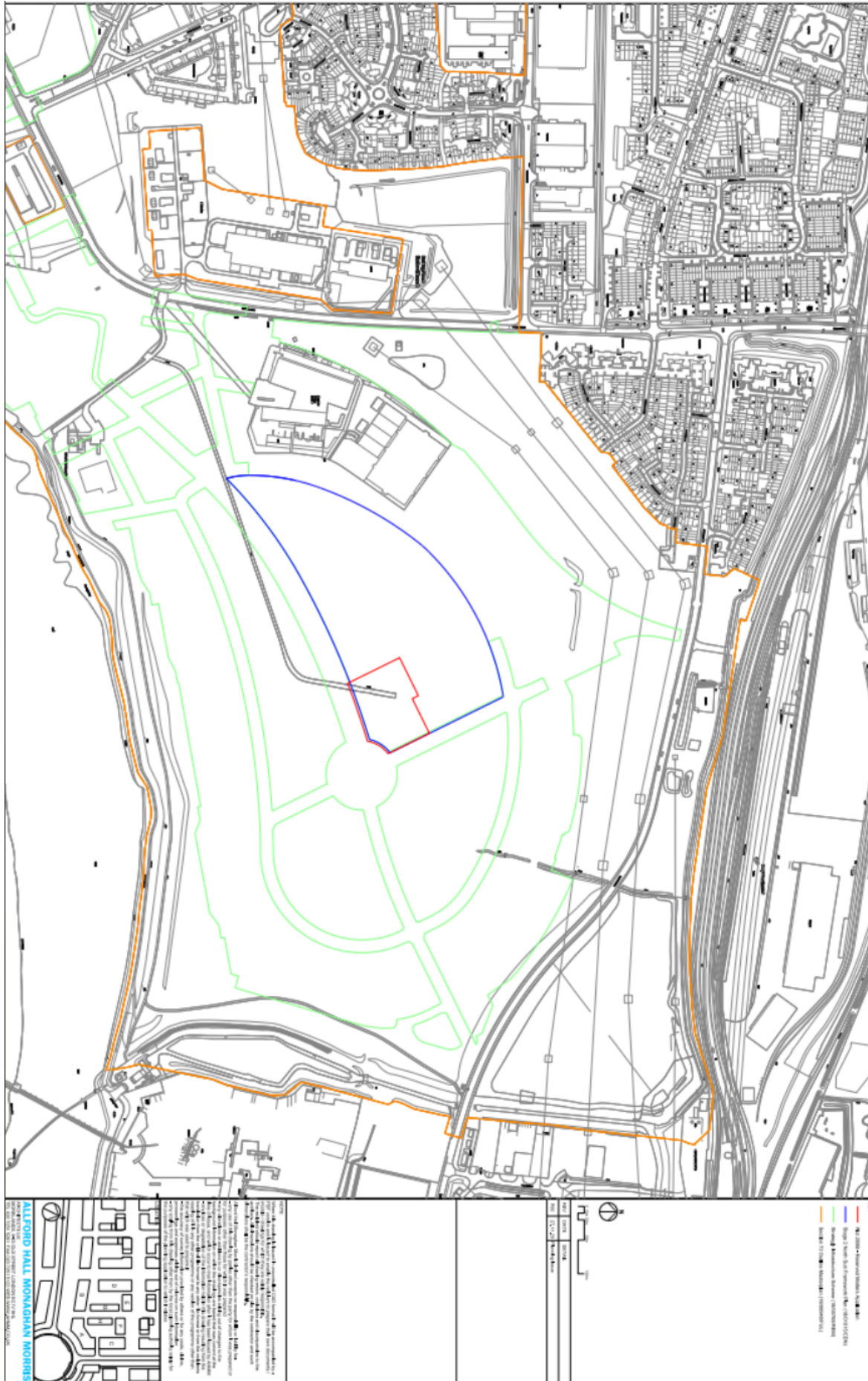
Equality Act 2010 (as amended). For the purposes of this application there are not considered to be any adverse equalities issues.

*Local Government (Access to Information) Act 1985*

Background papers used in preparing this report:

- Planning Application
- Statutory Register of Planning Decisions
- Correspondence with Adjoining Occupiers
- Correspondence with Statutory Bodies
- Correspondence with other Council Departments
- National Planning Policy Framework
- London Plan
- Core Strategy and Borough Wide Policies

# Appendix 2 Site Plan



### Appendix 3:

The following consultations have been undertaken:

- LBBB Community Solutions
- LBBB Policy and Participation
- LBBB Employment and Skills
- LBBB District Heating / Energy
- LBBB CCTV, Community Safety and Public Protection
- LBBB Environmental Health
- LBBB Emergency Planning
- LBBB Refuse Services
- LBBB Car Club / Travel plan / CPZ / Parking
- LBBB Access Officer
- LBBB Lead Local Flood Authority
- Designing Out Crime
- Essex and Suffolk Water Company
- National Grid
- UK Power Networks
- London Fire Brigade
- Thames Water
- Historic England Archaeology
- Historic England Buildings
- Transport For London
- London City Airport
- Natural England
- Environment Agency
- Be First Regeneration
- Be First Transport Development Management

<b>Summary of Consultation responses:</b>		
<b>Consultee and date received</b>	<b>Summary of Comments</b>	<b>Officer Comments</b>
<b>Environmental Health</b>	<p>-In relation to condition 41 concerns regarding the assumption in sections 5.7 &amp; 5.8 suggesting that the tank room noise is not fully understood, and also suggesting that if it becomes a problem remedial work can reactively take place. I do not understand the mechanism by which this would be managed once the condition is discharged.</p> <p>There are also issues with points 5.11 &amp; 5.12 of the report which state that the units would only be suitable for “quiet restaurants”. I am not sure what the parameters of a “quiet restaurant” are, but amplified and live music is now deregulated between 7am and 11pm, so a more robust measure will be necessary. It is not sufficient to say that future commercial tenants will need to deal with this.</p>	<p>The applicant has responded in relation to condition 41 to advise the requested plant room information is selected at the latter design stage and the report considers the worst-case scenario. Furthermore, based on this likely minimum/worst case base build scenario it has been calculated that the habitable rooms located immediately above the tank rooms will be compliant with the nominated design criteria (assuming that the sound pressure level within the tank rooms does not exceed 70 dBA).</p>

	<p>Condition 49: Air Quality. The Air Quality Neutral report is accepted, however it is a shame that in such an ambitious development that there was no aim to be Air Quality Positive.</p> <p>Condition 50 &amp; 51 CoCP: The submitted report is accepted with regard to this condition (Temple November 2020 "Final 2.0").</p>	
<b>Transport for London</b>	<p>TfL have raised concerns over the non-compliance with the LCDS in relation to cycle spaces and the framework Travel Plan provides very broad and in some cases poorly defined targets and it would be more appropriate for the sub-framework plan Travel Plan to be submitted in support of the application.</p>	<p>The applicant has responded on cycle parking outlining how the proposal conforms to the LCDS and has advised that there is not an approved Travel Plan relating to Stage 2 North and that the outline planning permission does not require a plot specific travel plan to be submitted with reserved matters applications for individual plots.</p> <p>The inclusion of the site-wide Travel Plan (January 2016) within this application follows the approach of the approved reserved matters application for Plot 209A (LPA ref. 20/00130/REM).</p> <p>This is considered acceptable.</p>
<b>London Underground/DLR</b>	<p>London Underground/DLR Infrastructure Protection has no comment to make on this planning application as submitted.</p>	<p>Noted.</p>
<b>Transport Development Management</b>	<p>-20 percent of spaces will have EVCP and 20% passive. The passive should be increased.</p> <ul style="list-style-type: none"> <li>- Swept path indicate fire tenders may have difficulties</li> <li>-Clarification sought on landscaping</li> <li>-The street should be at adoptable standard</li> <li>-The London Plan promotes sustainable modes of travel and healthy streets but this street layout doesn't fully reflect these objectives. The predominant feature is on street parking which would cause a disadvantage to those walking and cycling.</li> </ul>	<p>The proposals are required to comply with the approved Stage 2 North Sub-Framework Plan and the wider Barking Riverside Outline Planning Permission, including the approved Parking Strategy. It is therefore not appropriate for new or emerging policy that has been adopted following the grant of the outline planning permission to be applied in this instance.</p> <p>The approved Stage 2 North SFP and Parking Strategy state that 20% active electric car charging points and 20% passive car charging points should be provided. The proposals comply with this requirement.</p> <ul style="list-style-type: none"> <li>-updated swept path drawings have been supplied to clarified access</li> </ul>

		<ul style="list-style-type: none"> <li>- details of landscaping have been provided</li> <li>-The proposed neighbourhood street dimensions comply with the requirements of the approved Barking Riverside Stage 2 North design code (please note that the carriageway width is 3.7m not 3.2m as stated).</li> </ul>
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**Appendix 4:**

<b>Neighbour Notification:</b>	
<b>Site Notices Erected:</b>	N/A
<b>Date of Press Advertisement:</b>	13 <sup>th</sup> January 2021
<b>Number of neighbouring properties consulted:</b>	1182
<b>Number of responses:</b>	One requesting details on how to view the application online. The information was provided via email.

<b>Officer Summary:</b>
The material planning considerations are addressed within the planning assessment.

**Partial Discharge 5)** Where any application is made to discharge a condition on a partial basis (i.e. in relation to a Stage, Plot or part of), the submission shall be accompanied by a statement setting out the relationship of such details to previous Stages or Plots, or part of, the details of which have already been determined, and subsequent Stages or Plots as appropriate. The statement shall demonstrate compliance and compatibility with the various details, strategies, drawings and other documents approved pursuant to this planning permission. The statement shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the relevant Stage, Plot or part thereof. Reason: To ensure that the scheme is implemented on a comprehensive and sustainable basis in accordance with Policy CM1 of the Core Strategy (July 2010).

**Acoustics 41)** The Plot developer shall ensure that the acoustic performance of the residential units meets the requirements of 'desirable' as set out in Table 4 of BS8233 2014 or such similar standard that may be revised from time to time.

Reason: To protect the amenity of future adjoining occupiers, in accordance with Policies BR13 and BP8 of the Borough Wide Development Policies DPD (March 2011).

**Nature Conservation & Landscape 42)** Prior to the commencement of development of a Plot or part thereof pursuant to this permission, a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned domestic gardens relating to that Plot or part thereof, shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan should include a planting scheme for the site. The approved scheme shall be carried out in accordance with a programme for planting and maintenance related to Stages of completion of the development and be in accordance with the nature conservation and landscape strategy within the relevant SFP.

Reason: In order to preserve and enhance the Borough's natural environment and to comply with Policy CR2 of the Core Strategy (July 2010) and Policy BR3 of the Borough Wide Development Policies DPD (March 2011).

**Parking and Servicing 43)** Where the detailed design of buildings approved pursuant to conditions 38 and 39 includes provision of accommodation for car parking and for loading and unloading of vehicles to the development such provision for car parking and loading and unloading of vehicles shall be provided before the commencement of the use of the buildings to which it relates and shall be retained permanently for the accommodation of the vehicles of the occupiers or persons calling at the premises only and shall not be used for any other purpose.

Reason: To ensure that the approved development does not prejudice the free flow of the traffic or conditions of general safety along the neighbouring highway, or the safety of future occupiers, and in accordance with Policy BR10 of the Borough Wide Development Policies DPD (March 2011).



**Drainage** 47) No development of a Plot or part thereof pursuant to this permission shall commence until details of onsite drainage works relating to that Plot or part thereof have been submitted to and approved in writing by the Local Planning Authority in consultation with the sewerage undertaker. No works or uses which result in the discharge of foul or surface water from the site shall be commenced until the on-site drainage works referred to above to service those works or uses have been completed. Such scheme shall be in accordance with the strategic infrastructure scheme. Reason: To improve and protect water quality in accordance with Policy BR4 of the Borough Wide Development Policies DPD (March 2011). Access 48) The Plot developer shall not commence any Plot pursuant to this permission, until the Plot Level Access Statement relevant to that Stage has been approved by the Local Planning Authority. Reason: To ensure an inclusive environment in accordance with Policy CP3 of the Core Strategy (July 2010) and Policy BP11 of the Borough Wide Development Policies DPD (March 2011). Air Quality 49) Each Plot shall be designed to satisfy the relevant air quality neutral benchmarks set out in the Greater London Authority Document "Sustainable Design and Construction - Supplementary Planning Guidance -London Plan 2011- Implementation Framework", April 2014; Appendix 5 - emission benchmarks for buildings and Appendix 6 - emission benchmarks for transport.

Reason: To protect the amenity of future adjoining occupiers, in accordance with Policies BR14 and BP8 of the Borough Wide Development Policies DPD (March 2011).

#### **Code of Construction Practice for Plots**

50) Prior to the commencement of a Plot pursuant to this permission, a Code of Construction Practice shall be submitted for approval in writing by the Local Planning Authority. No development shall commence on that Plot until the relevant Code has been approved. The Stage must be developed out in accordance with the approved Code of Construction Practice. Reason: In the interest of pollution and residential amenity, in accordance with Policy BP8 of the Borough Development Policies DPD (March 2011).

51) No development of a Plot pursuant to this permission shall commence, including any works of demolition, until a Construction Environmental Management Plan (CEMP) and a Site Waste Management Plan (SWMP) have been submitted to and approved in writing by the Local Planning Authority. These plans shall incorporate details of:

- a. Construction traffic management and Construction Logistics Plan;
- 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. A scheme for recycling/disposing of waste resulting from demolition and construction works;
- i. The use of efficient construction materials;

j. Methods to minimise waste, to encourage re-use, recovery and recycling, and sourcing of materials; and a nominated Developer/Resident Liaison Representative with an address and contact telephone number to be circulated to those residents consulted on the application by the developer's representatives. This person will act as first point of contact for residents who have any problems or questions related to the ongoing development.

Demolition and construction work and associated activities 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. The Construction Management Plan shall be implemented for the entire period of the works at the site, to the satisfaction of the Local Planning Authority.

Reason: The CEMP is required prior to commencement of development in order to minimise the impact of the construction phase on the environment and on the amenities of neighbouring residents, in accordance with Policy BP8 of the Borough Development Policies DPD (March 2011).

Approved drawings

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

Plans:

Proposed Site Location Plan 19167\_X\_(00)\_P003 P00  
General Arrangement Plan – Proposed Ground Floor Plan 19167\_X\_(00)\_P100 P00  
General Arrangement Plan – Proposed First Floor Plan 19167\_X\_(00)\_P101 P00  
General Arrangement Plan – Proposed Second Floor Plan 19167\_X\_(00)\_P102 P00  
General Arrangement Plan – Proposed Third Floor Plan 19167\_X\_(00)\_P103 P00  
General Arrangement Plan – Proposed Fourth Floor Plan 19167\_X\_(00)\_P104 P00  
General Arrangement Plan – Proposed Fifth Floor Plan 19167\_X\_(00)\_P105 P00  
General Arrangement Plan – Proposed Sixth Floor Plan 19167\_X\_(00)\_P106 P00  
General Arrangement Plan – Proposed Seventh Floor Plan 19167\_X\_(00)\_P107 P00  
General Arrangement Plan – Proposed Eighth Floor Plan 19167\_X\_(00)\_P108 P00  
General Arrangement Plan – Proposed Ninth Floor Plan 19167\_X\_(00)\_P109 P00  
Circus Building Unit Layouts – Proposed 1B2P WCH -Types 10 & 11 19167\_A\_(00)\_P125 P00  
Apartment Building East Unit Layouts – 2B3P WCH – Type 03 19167\_C\_(00)\_P121P 00  
Apartment Building West Unit Layouts –3B5P WCH – Type 07 19167\_D\_(00)\_P124 P00  
Site Elevations – Proposed Elevations AA + BB 19167\_X\_(00)\_P200 P00  
Site Elevations – Proposed Elevations CC + DD 19167\_X\_(00)\_P201 P00  
Site Elevations – Proposed Elevations EE + FF 19167\_X\_(00)\_P202 P00  
Site Elevations – Proposed Elevations GG + HH 19167\_X\_(00)\_P203 P00  
Site Elevations – Proposed Elevations II + JJ 19167\_X\_(00)\_P204 P00  
Site Elevations – Proposed Elevations KK + LL 19167\_X\_(00)\_P205 P00  
Site Elevations – Proposed Elevations NN + PP 19167\_X\_(00)\_P206 P00  
Site Elevations – Proposed Elevations QQ + RR 19167\_X\_(00)\_P207 P00  
Site Elevations – Proposed Elevations SS + TT 19167\_X\_(00)\_P208 P00  
Site Elevations – Proposed Elevations UU 19167\_X\_(00)\_P209 P00  
Site Sections – Proposed Section AA 19167\_X\_(00)\_P300 P00  
Site Sections – Proposed Section BB 19167\_X\_(00)\_P301 P00  
Circus Building Facade – Proposed Bay Elevation / Section 1 19167\_A\_(00)\_P400 P00  
Circus Building Facade – Proposed Bay Elevation / Section 2 19167\_A\_(00)\_P401 P00  
Mansion Building Facade – Proposed Bay Elevation / Section 1 19167\_B\_(00)\_P400 P00  
Mansion Building Facade – Proposed Bay Elevation / Section 2 19167\_B\_(00)\_P401 P00  
Apartment East Façade – Proposed Bay Elevation / Section 1 19167\_C\_(00)\_P400 P00  
Apartment East Façade – Proposed Bay Elevation / Section 2 19167\_C\_(00)\_P401 P00  
Apartment West Façade – Proposed Bay Elevation / Section 1 19167\_D\_(00)\_P400 P00  
Apartment West Façade – Proposed Bay Elevation / Section 2 19167\_D\_(00)\_P401 P00  
Corner Building Facade – Proposed Bay Elevation / Section 1 & 2 19167\_X\_(00)\_P400 P00  
Corner Building Facade – Proposed Bay Elevation / Section 3 19167\_X\_(00)\_P401 P00  
Townhouse – Proposed Bay Elevation / Section 1 19167\_X\_(00)\_P402 P00  
Townhouse – Proposed Bay Elevation / Section 2 19167\_X\_(00)\_P402 P00  
Swept Path analysis drawing - Fire tender access 3380-1100-T008 1

Swept Path analysis – 8m Servicing Vehicle West of Development 3380-1100-T010 0  
Swept Path analysis – Car Parking 3380-1100-T-011 0  
Swept Path analysis – 8m Servicing Vehicle Centre of Development 3380-1100-T-012 1  
Colour Masterplan 209B-00-DR-L-1000 PL00  
Colour Roof Plan 209B-ZZ-DR-L-1000 PL00  
Hard Landscape General Arrangement Plan 209B-00-DR-L-2000 PL00  
Soft Landscape General Arrangement Plan 209B-00-DR-L-3000 PL00  
Landscape Sections Sheet 1 of 9 209B-00-DR-L-4501 PL00  
Landscape Sections Sheet 2 of 9 209B-00-DR-L-4502 PL00  
Landscape Sections Sheet 3 of 9 209B-00-DR-L-4503 PL00  
Landscape Sections Sheet 4 of 9 209B-00-DR-L-4504 PL00  
Landscape Sections Sheet 5 of 9 209B-00-DR-L-4505 PL00  
Landscape Sections Sheet 6 of 9 209B-00-DR-L-4506 PL00  
Landscape Sections Sheet 7 of 9 209B-00-DR-L-4507 PL00  
Landscape Sections Sheet 8 of 9 209B-00-DR-L-4508 PL00  
Hard Landscape General Arrangement Roof Plan 209B-ZZ-DR-L-2000 PL00

Documents:

Planning Statement and Affordable Housing Statement prepared by Quod  
Statement of EIA Conformity prepared by Temple  
Design and Access Statement prepared by AHMM  
Landscape Strategy prepared by Fabrik  
Outline Pictorial Specification – External Materials prepared by AHMM  
Transport Compliance Report prepared by Velocity Transport Planning  
Travel Plan prepared Arup  
Sustainability Energy Strategy prepared by Hoare Lea  
Waste Implementation Plan prepared by Velocity Transport Planning  
Noise Impact Assessment prepared by Cass Allen  
Sustainable Drainage Report prepared by Tully De'ath  
Daylight and Sunlight Report prepared by Waldrams  
Air Quality Neutral Report prepared by Temple  
Code of Construction Practice (CoCP) Part B prepared by Temple  
Construction Environmental Management Plan prepared by Temple  
Site Waste Management Plan prepared by Temple  
Exterior Lighting Statement prepared by Studio Dekka  
Ground Investigation and settlement analysis report prepared by CGL

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

2. The development shall be carried out in general accordance with the external materials, internal materials for communal lobbies, hard surface materials and hard landscape details specified within the following documents and drawings: Outline Pictorial Specification – External Materials prepared by AHMM and the approved plans unless otherwise agreed in writing by the Local Planning Authority.

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

3. The landscaping scheme, for any phase of the development, shown on the approved plans shall be carried out in the first planting and seeding seasons following the occupation or the completion of that phase of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the entire development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

*Reason: To secure the provision and retention of the landscaping in the interests of the visual amenity of the area.*

4. Prior to the occupation of a phase of the development the children's play spaces and associated equipment serving that phase shall be installed and thereafter maintained in accordance with the approved plans and design and access statement.

*Reason: To ensure suitable provision for children's play and in accordance with the London Plan Play and Informal Recreation SPG (September 2012).*

5. Prior to the occupation of any phase of the development the external lighting serving that phase shall be installed in accordance with the approved plans and The Lighting Strategy, prepared by Studio Dekka.

*Reason: In the interests of security and safety, to avoid light pollution and safeguard neighbouring amenity.*

6. Prior to the occupation of any phase of the development the Envac waste system serving that phase shall be installed in accordance with the approved plans and shall thereafter be maintained.

*Reason: To provide a satisfactory waste disposal facility in the interests of the appearance of the site.*

7. Prior to the occupation of any building within the development the cycle parking serving that building shall be completed and thereafter maintained in accordance with the approved plans.

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

8. Ten percent (10%) of the residential units hereby permitted shall be constructed to achieve Building Regulation M4 (3) 'Wheelchair user dwellings' standards.

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

9. Ninety percent (90%) of the residential units hereby permitted shall be constructed to achieve Building Regulation M4 (2) 'Accessible and adaptable dwellings' standards.

*Reason: To ensure that accessible housing.*

10. The development shall be carried out in accordance with the housing mix and tenures specified in paragraphs 4.2 to 4.5 and Table 4.1 of the submitted Planning Statement prepared by Quod.

*Reason: In order to secure the proposed affordable housing specific to this phase of the development and to ensure an even distribution of tenures across the site.*

11. The development shall be carried out in general accordance with the submitted Energy Assessment.

*Reason: To ensure compliance with the proposed energy strategy and to secure the proposed reduction in carbon emissions.*

12. No development above ground level of any part of the development shall take place until a scheme showing the provisions to be made for external lighting, CCTV coverage, access control, and any other measures to reduce the risk of crime for that part, have been submitted to and approved in writing by the Local Planning Authority. The scheme shall set out a strategy for compliance with the principles of Secure by Design for Homes, Schools and Commercial (2016 Guide), or equivalent document superseding the 2016 Guide. The development shall seek to achieve a minimum Silver award aspiring to a Gold award. The relevant part of the development shall not be occupied until the approved scheme for that part 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 security to future occupants and visitors to the site and to reduce the risk of crime.*

13. The accessible parking bays indicated on the approved plans shall be constructed in accordance with the approved details, and the development shall not be occupied until the submission to and approval by the Local Planning Authority of a car parking management and allocation strategy for the development that shall secure the provision of allocated wheelchair accessible parking bays for the use of any initial or future registered disabled occupiers of the development. As a minimum the development must ensure that at least one designated disabled persons parking bay per dwelling for three per cent of the dwellings is available from the outset. The strategy shall thereafter be maintained.

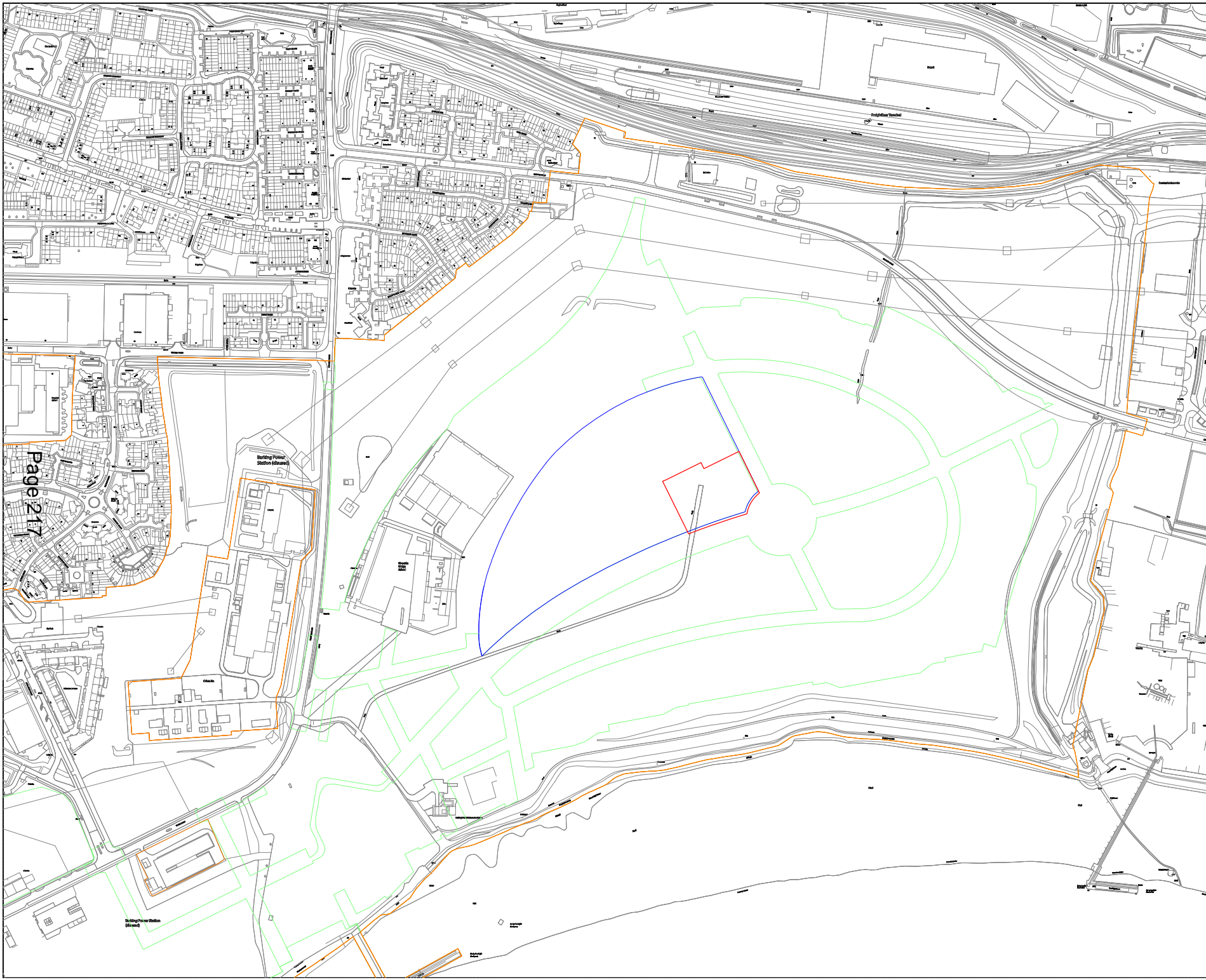
*Reason: To ensure and promote easier access for disabled persons to the development.*

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

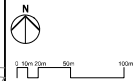
*Reason: In order to conserve water and to reduce the demand on the mains drainage system.*

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- REV Plot 209B - Reserved Matters Application
- Stage 2 North Sub Framework Plan (18/01019/CDN)
- Strategic Infrastructure Scheme (18/00768/REM)
- Section 73 Outline Masterplan (18/00948/FUL)



REV	DATE	DETAIL
P00	27.11.20	Planning Issue

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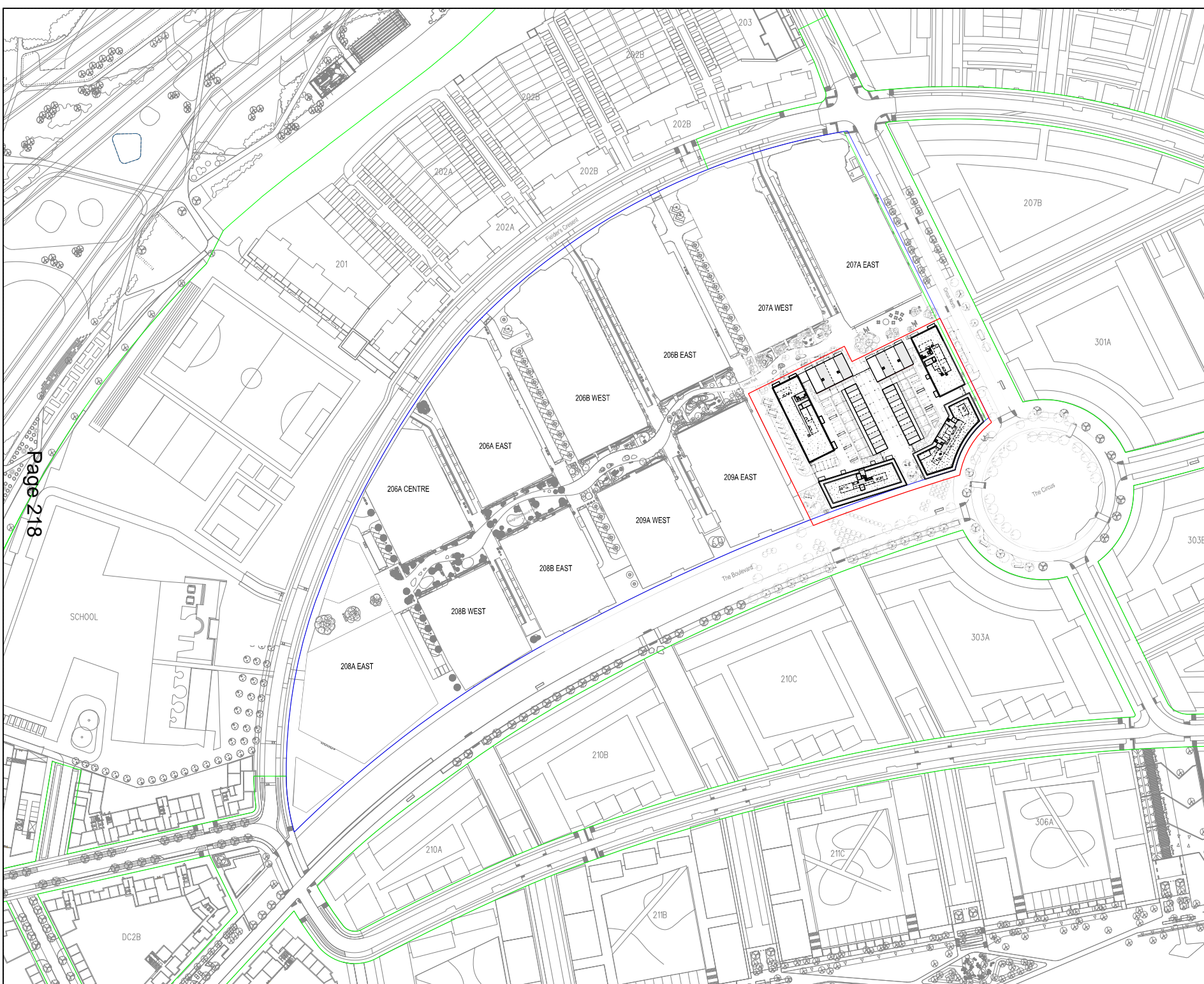


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Job title: **BARKING RIVERSIDE PLOT 209B**

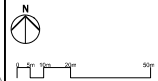
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project	zone	classification	drawing no.
19167	X_(00)_P001		P00



Page 218

- REV
- Plot 209B - Reserved Matters Application
  - Stage 2 North Sub Framework Plan (18/01019/CDN)
  - Strategic Infrastructure Scheme (18/00768/REM)



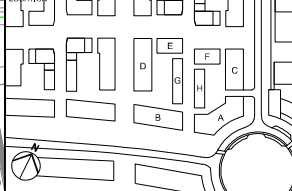
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FX0	27.11.20	Planning Issue

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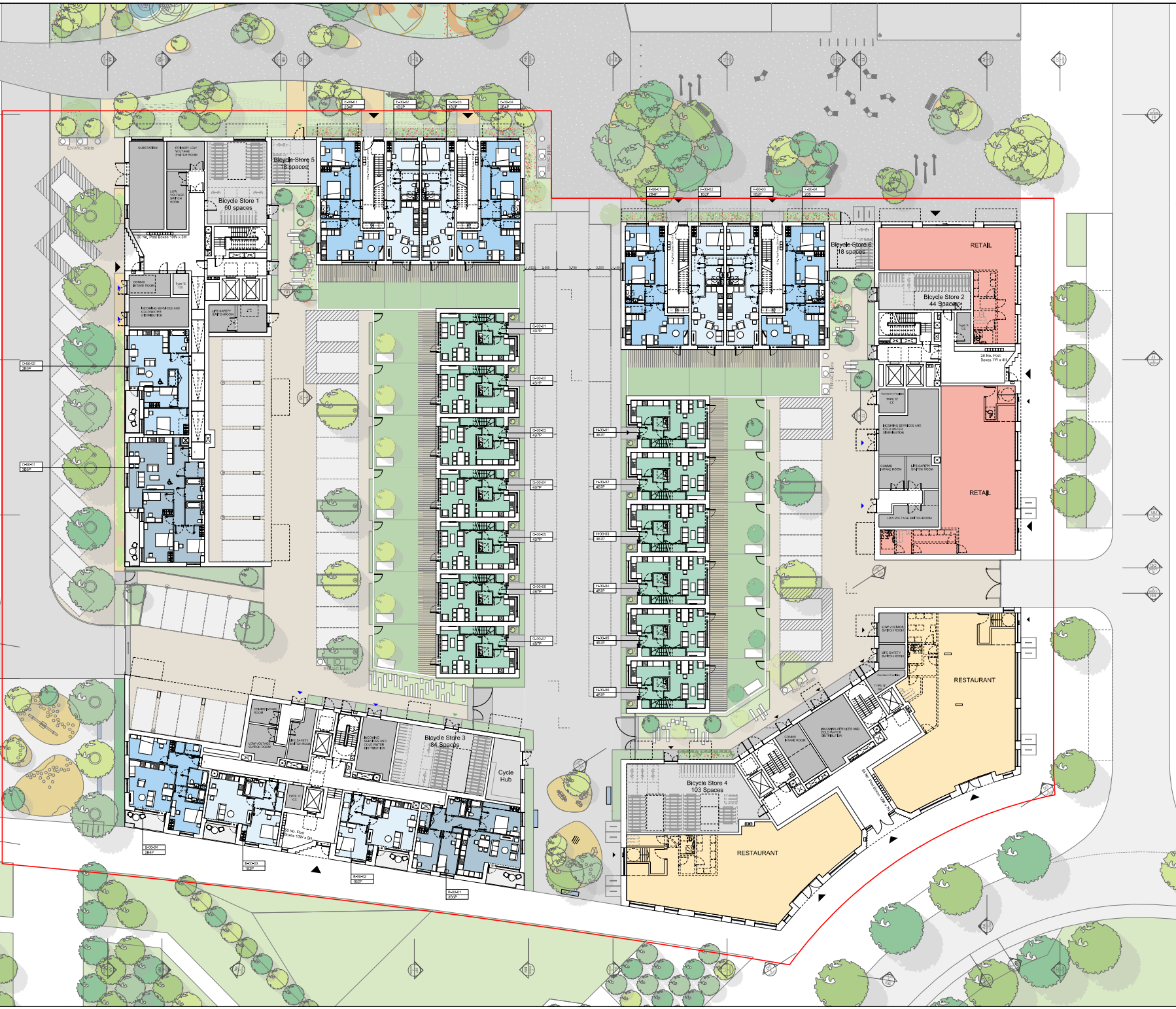
Job title: **BARKING RIVERSIDE PLOT 209B**

drawing title / location: **PROPOSED SITE LOCATION PLAN**

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project	zone	classification	drawing no.	revision
19167	X_(00)_P003			P00

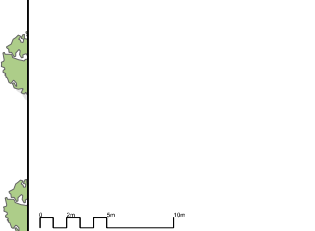
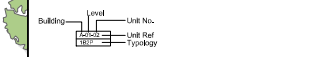
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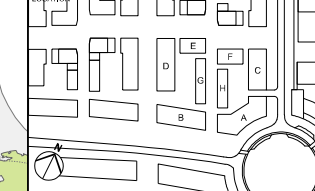
- RETAIL
- RESTAURANT
- PLANT/BOH
- 163P APARTMENT
- 263P APARTMENT
- 284P APARTMENT
- 385P APARTMENT
- 481P TOWNHOUSE
- PLANNING BOUNDARY
- 65 STANDARD CAR PARKING SPACES AND 7 WCA CAR PARKING SPACES.



REV	DATE	DETAIL
P00	27.11.20	Planning Issue

**NOTE**  
 Commercial units tenancy requirements to be confirmed. Commercial bank of house areas indicative only - subject to tenant fit-out and specialist input.  
 Internal furniture layouts shown in GA Plans indicative only.

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**BARKING RIVERSIDE PLOT 209B**

drawing title: location  
**GENERAL ARRANGEMENT PLAN  
 PROPOSED GROUND FLOOR PLAN**

drawn by	checked	scale	status
FN	NP	1:200@A1; 1:400@A3	PLANNING

project	zone	classification	drawing no.	revision
19167	X	(00)	P100	P00

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KK NEIGHBOURHOOD STREET EAST ELEVATION



LL TOWN HOUSES EAST - COURTYARD ELEVATION

- REV
- 1 Main entrance door with signage
  - 2 Main door to Townhouses
  - 3 Glazed window with PPC metal framing
  - 4 Glazed window with PPC metal framing and base panel (ground floor)
  - 5 Glazed door with PPC metal framing
  - 6 Shopfront glazing with PPC metal framing, louvred over-panel and solid base panel (ground floor)
  - 7 Glazed AOV to escape stair with PPC metal framing
  - 8 Louvred doors with glazed over panel (plantrooms/ substation/ cycle storage)
  - 9 Stretcher Bond Brickwork Type 01 Rusticated (Freshfield Ln Anthracite) or similar
  - 10 Stretcher Bond Brickwork Type 01 (Freshfield Ln Anthracite) or similar
  - 11 Stretcher Bond Brickwork Type 02 (Freshfield Ln Selected Dark) or similar
  - 12 Stretcher Bond Brickwork Type 03 (Ibstock 'Birtley Old English Buff' or similar)
  - 13 Stretcher Bond Brickwork Type 04 (Freshfield Ln 'First Quality Multi' or similar)
  - 14 Garden fence
  - 15 Metal PPC Balustrade
  - 16 Metal PPC gate
  - 17 Metal PPC Profiled Rainscreen cladding
  - 18 Roof plant / enclosure
  - 19 Townhouse / Corner roof finish (tiles or similar)
- 

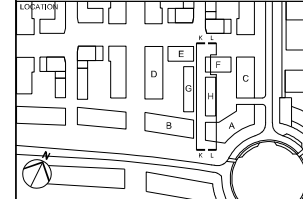
REV	DATE	DETAIL
P00	27.11.20	Planning Issue

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Job title: **BARKING RIVERSIDE PLOT 209B**

drawing title: location: **SITE ELEVATIONS**  
 PROPOSED ELEVATION KK-LL

drawn by	checked	scale	status
FN	NP	1:200@A1; 1:400@A3	PLANNING
project	zone	classification	drawing no.
19167	_X_(00)_P205		P00

revision





**fbik** landscape architects  
 1st Floor, 44-46 Essex Road, London, E1 3DF  
 T: 0203 601 1432 E: [info@fbik.com](mailto:info@fbik.com) W: [www.fbik.com](http://www.fbik.com)

Client: **Bellway Homes**

Project: **Plot 2098 Barking Riverside**

Location: **COLOUR MASTERPLAN**

ISSUED FOR PLANNING APPROVAL

Project Number: **D2048** | Date: **FAB** | Year: **2008** | Issue: **00**

File Type: **DR** | Risk: **L** | Number: **1000** | Revision: **PL00**

REV	DATE	DESCRIPTION	BY	CHK

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Working in partnership


**Barking &  
Dagenham**
**LONDON BOROUGH OF BARKING & DAGENHAM**
**PLANNING COMMITTEE**
22<sup>nd</sup> March 2021
**Application for Full Planning Permission**

<b>Case Officer:</b>	Nasser Farooq	<b>Valid Date:</b>	05/01/2021
<b>Applicant:</b>	London Borough of Barking and Dagenham	<b>Expiry Date:</b>	06/04/2021
<b>Application Number:</b>	20/02517/FULL	<b>Ward:</b>	Thames Ward
<b>Address:</b>	Barking Riverside Area, Renwick Road, Barking, Essex Properties at: 54-110 & 63 - 113 Galleons Drive;      1-21 Mallards Road; 1-18 Drake Close;                              2-10 Harlequin Close; 1-75 & 2-38 Lawes Way;                      1-11 Middleton Grove; 1-9 Gatward Place;                            15-31 Crossness Road; 1-11 Davey Gardens;                          1-16 Chilworth Place; 1-19 De Pass Gardens;                        1-12 McAllister Grove; 1-7 Sedge Gardens, Barking, IG11		

The purpose of this report is to set out the Officer recommendations to Planning Committee regarding an application for Replacement of the existing external timber cladding with fibre cement boards to 231 existing properties within stage 1 of Barking Riverside at Barking Riverside Area, Renwick Road, Barking, Essex

**Proposal:**

Replacement of the existing external timber cladding with fibre cement boards to 231 existing properties within stage 1 of Barking Riverside.

## Officer Recommendations:

Planning Committee is asked to resolve to:

1. agree the reasons for approval as set out in this report; and
2. delegate authority to the London Borough of Barking & Dagenham's Director of Inclusive Growth to approve the planning application subject to the Conditions listed below of this report.

## Conditions Summary:

1. Three-year time limit
2. Development in accordance with the approved plans and documents
3. Materials and Balcony Details

## OFFICER REPORT

### Site, Situation and Relevant Planning History:

Barking Riverside comprises some 179.3 hectares located on the north bank of the Thames. It lies at the centre of the London Riverside Opportunity Area.

Barking Riverside falls in the south of the Borough, approximately 2 miles to the south east of Barking Town Centre and 800 metres to the south of the A13. The wider site is irregular in shape and has maximum dimensions east to west of 2.2 km and north to south of 1.1 km. The site occupies a large area of brownfield land which was previously used for power generation, with associated ash lagoons representing the spoil from the now demolished coal fired power stations.

It has received planning permission for a residential led development comprising up to 10,800 new homes, of which a number of dwellings have been built out and occupied within stage 1. It is the properties within stage 1 to which this application relates.

The surrounding area is mixed in character. To the north west of the site is an established residential area comprising predominantly 2- storey semi-detached dwellings built circa 1990, known as Great Fleete. The north of the site is bounded by the A13 and the southern boundary comprises a 2 km frontage to the River Thames. Industrial estates adjoin the east and western boundaries of the site.

The application site has an extensive planning history, of which the most relevant are listed below. These are the outline planning permissions and the specific reserve matters for stage 1.

#### Relevant Planning History

The outline planning permissions are listed chronologically below:



04/01230/OUT granted planning permission on 07/08/2007 for the development comprising or to provide a mixed use development of up to 10,800 residential dwellings and in addition up to 65,600 sq.m. of built floorspace for retail uses (Classes A1 to A3), business premises (Class B1), hotel (Class C1), communal care home and other residential institutions (Class C2), sui generis live work units, community and social facilities (Classes D1 and D2) (for uses such as libraries, primary health care facilities, places of worship and assembly, community facilities, creche and pre-school facilities, care facilities for the young, old and/or infirm, sport and leisure development).

08/00887/FUL granted planning permission under s73 on 10.06.2009 for the variation of condition no. 4 (general layout and framework) no. 5 (average density) no. 8 (ground levels) no. 11 (building scale), no. 17 (Riverside and wetland buffer zones) and no. 38 (footpaths/cycleways) on planning application 04/01230/OUT.

16/00131/OUT granted planning permission under s73 on 06.12.2017 for the variation of all conditions following grant of planning permission 08/00887/FUL for the redevelopment of the site known as Barking Riverside.

18/00940/FUL This application granted planning permission on 24/10/2018, for the variation of conditions 2 (drawing numbers), 14 (transport strategy), 15 (road adoption), 16 (strategic infrastructure scheme), 12 and 33 (nature conservation and landscape), following grant of planning permission 16/00131/OUT for the redevelopment of the site known as Barking Riverside.

Applications relevant to phase 1 are listed below.

08/00895/CDN - Application for approval of details reserved by condition no. 7 (partial discharge) no. 33 (sub-framework plan) and 34 (sub-framework plan) for planning application 04/01230/OUT approved 20/06/2009

08/00896/REM - Application for approval of reserved matters pursuant to Condition 45 (zone details) of planning permission DC/08/00887/FUL for the neighbourhood centre within Stage 1. The proposed development comprises a local community campus which includes adult services and health provision, a cafe and foyer, a place of worship, offices, primary school with sport, recreational and play areas, nursery, a landscaped public square, CHP building, retail units (Use Class A1-A3), of up to 820 sq.m, a home delivery store, a Metropolitan Police Safer Neighbourhoods team base, 93 residential units and associated landscaping, car parking and ancillary engineering and other operations.. Approved 11/02/2010.

09/00963/REM Application for approval of reserved matters pursuant to Condition 45 (zone details) of planning permission DC/08/00887/FUL for the neighbourhood centre within Stage 1. The proposed development comprises a local community campus which includes adult services and health provision, a cafe and foyer, a place of worship, offices, primary school with sport, recreational and play areas, nursery, a landscaped public square, CHP building, retail units (Use Class A1-A3), of up to 820 sq.m, a home delivery store, a Metropolitan Police Safer Neighbourhoods team base, 93 residential units and Stage 1 Plot 2.22.2 Approved 15 Feb 2010

11/00530/CDN- Application for approval of details reserved by conditions 7 (partial discharge statement), 13 (remediation), 34(b) (tenure), 45(b) (material samples), 49 (landscaping), 51 (archaeology), 52 (london city airport), 55 and 56 (plot level access statements) in respect of planning permission 08/00887/FUL and condition 2 (acoustic report) in respect of planning permission 10/01050/FUL (08/00896/REM). Approved 21/10/2011.

13/00171/REM Application for approval of reserved matters following grant of planning permission 08/00887/FUL (Outline permission: 04/01230/OUT) - Erection of 83 dwellings and commercial space. Stage 1 Plot 2.22.2 Approved 13 Jun 2013

In addition to the above, a similar application was received at Samuel Garside House and Ernest Websdale House, both also located within Stage 1 of Barking Riverside.

19/01571/FUL at Samuel Garside House and Ernest Websdale House. For the removal of all the timber balustrading, screening, decking, soffits and fascias from the balconies and their replacement with a metal alternatives. Approved 17/12/2019.

### **Background information:**

On 9 June 2019, a fire took hold at Samuel Garside House, a residential building within stage 1 of the Barking Riverside Development.

Following the fire, a decision was made to replace the timber cladding on Samuel Garside House and Ernest Websdale House (planning reference 19/01571/FUL. Approved on 17th December 2019)

A number of homes across Stage 1 of the Barking Riverside Site also have timber on their exterior, which was originally designed to provide continuity across this part of the site for the various house types and tenures.

BRL in partnership with the GLA, Southern Housing Group and Bellway Homes have undertaken a joint review of the fire safety of homes across the Estate, supported by independent advice on fire safety, the organisations have agreed to further improve the fire safety of homes with exterior timber. Leaseholders in detached, semi-detached or terraced properties with exterior timber have therefore been offered the opportunity to replace the existing timber with a non-combustible material called HardiePlank. It is also proposed to replace the decking on balconies with an extruded Ali-deck Aluminium decking system.

### **Key issues:**

1. Design
2. Amenity
3. Fire Safety

### **Planning Assessment:**

#### **1. Design**

- 1.1. The NPPF, policies D1, D4 and D6 of the London Plan expect all development to be of high-quality design. This is echoed at local level through policy BP11 of the Local Plan and policy SP4 of the Draft Local Plan. Policy DMD1 of the emerging Local Plan seeks to ensure high-quality design and policy DMS11 seeks to ensure sustainable design and construction.
- 1.2. The design of the development has been previously approved at reserved matters stage, been implemented, and occupied. The original design for the development consists of a limited material palette applied to all homes on the estate, to produce a homogeneous aesthetic across the various house types, with subtle variety. The timber cladding is a feature on all the homes which are designed to be tenure blind.

1.3. The resulting design has been shortlisted several times including:

- Housebuilder Awards - Shortlisted
- New London Architecture Awards - Shortlisted
- RICS - Shortlisted
- Sustainable Housing Awards - Shortlisted
- Sunday Times British Homes – Winner

1.4. The submitted design and access statement, notes that the timber cladding is an important feature around the Barking Riverside estate, as it is one of a limited palette of materials used on all the homes to provide a coherent appearance on all street elevations. The statement also notes the timber cladding is used as a highlight, to express repetitive elements such as the projecting upper floors, recesses formed to provide balconies and terraces and the differentiation between the base and upper floors on several of the house types.

1.5. In relation to the replacement materials the proposed replacement cladding to all homes has been selected to replicate the horizontal and vertical rhythm, which is an important feature of the existing 'hit and miss' timber batten cladding. It is proposed to replace all houses with the same cladding and a singular colour choice is selected. The proposed cladding colour selected complements the colour palette on all house types and imitates the existing weathered timber.

1.6. In terms of appearance, the proposed material is similar in colour and will closely resemble the existing building. However, it would also be markedly different to the hit and miss panels, which are an important and unique feature within the area. The existing hit and miss design adds character to the property, especially the areas exposed to direct sunlight.

1.7. For the proposed design to be acceptable, the proposed change needs to be applied to as many if not all the properties. This would retain the cohesive design and character of the estate. There is a strong concern that given the properties are in different ownership it may be highly unlikely all 231 properties good place to timber with the material proposed. This could result in a situation hey wait a cohesive design and integrity of the proposed buildings is broken.

1.8. The planning statement notes *“Whilst the tenanted properties can be altered by the relevant landlord, subject to the terms of the tenancy agreements, BRL and the parties responsible cannot compel all private occupiers to accept the proposed alterations.”*. Officers note the applicant has carried out consultation with the community and the take-up appears to be significant. However, these are not binding and as such, limited weight can be given to this.

1.9. In relation to the proposed material, this is considered acceptable and if the entire development would have come forward with the proposed material today it would likely be supported. However, the context on an existing site is very different.

1.10. Furthermore, it is noted the existing timber cladding has a lifespan of approximately 30 years and as such, could be required to be changed in the distant future. This may mean the cohesive character is lost; however, this is largely pre-empting future events. In terms of planning, there is no guarantee that the proposed cladding will be changed on all properties and on that basis, the proposal could have a detrimental visual appearance on the character and appearance of the award-winning estate.

- 1.11. Therefore, on that basis officers are not satisfied the proposal complies with the above-mentioned design policies.
- 1.12. Should planning permission be granted a condition is recommended requiring samples of the materials to be used to be submitted. However, it is noted the applicant intends to implement the works to two properties as examples prior to the presentation of the application to planning committee. Should this occur before planning committee and officers are satisfied with the materials, this condition will be revised as a compliance condition.

## **2. Amenity**

- 2.1. The proposed development will have some impact on the amenity of existing occupiers during the implementation of the development. The application is accompanied with a detailed method statement of the works.
- 2.2. Overall, officers consider any impact to be temporary and therefore acceptable in accordance with policies DMD1 of the draft Local Plan Reg 19 submission version and policies SD7 and D3 of the London Plan (2021).

## **3. Fire Safety**

- 3.1. Policy D12 of the London Plan seeks to ensure the safety of all building users, requiring all development proposals must achieve the highest standards of fire safety.
- 3.2. It is proposed to remove the existing Thermowood battens and replace with HardiePlank®, a smooth factory finished fibre cement tongue and grooved plank. The manufacture advises This product has the highest non-combustible rating in the UK for a coloured cladding product, has been extensively fire tested under the 13501-1 suite of fire tests for CE compliance, and is proven to not contribute to the spread of fire.
- 3.3. The application has been accompanied with individual summary building façade reports for each property type. The reports are authored by a chartered engineer and a partner at Malcolm Hollis and Partners LLP.
- 3.4. The reports assess each building type and note “It must be recognised that the Building Regulations are intended only to provide a reasonable level of health and safety to people in and around the building. It is not possible to provide an absolute level of safety and therefore it must be accepted that some level of risk to people in the building will remain, in the event of a fire.”. The reports are in agreement with the change in material and that it would overall reduce the risk of fire.
- 3.5. Overall, the proposed development is considered to ensure the fire safety and performance of the proposed building and therefore according with the aims and objectives of policy D12 of the London plan.

## **4. Other matters**

- 4.1. The application is accompanied with details on Access (not proposed to change), sustainability (change will have a negligible impact) and the intention of the timber to be reused and recycled. These matters are noted and welcomed.

**Conclusions:**

The proposed change in material is considered acceptable in principle and officers are satisfied there is sufficient justification in removing the timber. However, in terms of design given there is not any guarantee all the properties will be changed there remains strong concerns over the resulting design impact on the award-winning estate.

This is however, balanced against the reduced fire risk as a result of the change in material and therefore, officers consider the balance in considering the reduced fire risk with the impact on design to fall in favour of the application.

In deciding to recommend planning permission be granted, officers found the proposal to be acceptable following careful consideration of the relevant provisions of the National Planning Policy Framework, the Development Plan and all other relevant material considerations.

**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) (MHCLG, Feb 2019)*

*The Mayor of London's Draft London Plan - Intend to Publish version December 2019 is under Examination. Having regard to NPPF paragraph 48 the emerging document is a material consideration and appropriate weight will be given to its policies and suggested changes in decision-making, unless other material considerations indicate that it would not be reasonable to do so.*

<i>London Plan</i>	<ul style="list-style-type: none"> <li>Policy GG1 - Building strong and inclusive communities</li> <li>Policy GG2 - Making the best use of land</li> <li>Policy GG3 - Creating a healthy city</li> <li>Policy GG4 - Delivering the homes Londoners need</li> <li>Policy D1 - London's form, character and capacity for growth</li> <li>Policy D4 – Delivering good design</li> <li>Policy D5 – Inclusive design</li> <li>Policy D12 – Fire Safety</li> </ul>
<i>Local Development Framework (LDF) Core Strategy (July 2010)</i>	<ul style="list-style-type: none"> <li>Policy CM1 - General Principles for Development</li> <li>Policy CR2 - Preserving and Enhancing the Natural Environment</li> <li>Policy CR3 - Sustainable Waste Management</li> <li>Policy CP2 - Protecting and Promoting our Historic Environment</li> <li>Policy CP3 - High Quality Built Environment</li> <li>Policy CC2: Social Infrastructure to Meet Community Needs</li> </ul>
<i>Local Development Framework (LDF) Borough Wide Development Plan Document (DPD) (March 2011)</i>	<ul style="list-style-type: none"> <li>Policy BR1 - Environmental Building Standards</li> <li>Policy BR3 - Greening the Urban Environment</li> <li>Policy BR4 - Water Resource Management</li> <li>Policy BR9 - Parking</li> <li>Policy BR10 - Sustainable Transport</li> <li>Policy BR11 - Walking and Cycling</li> <li>Policy BR15 - Sustainable Waste Management</li> <li>Policy BP2 - Conservation Areas and Listed Buildings</li> <li>Policy BP8 - Protecting Residential Amenity</li> <li>Policy BP11 - Urban Design</li> </ul>

*The London Borough of Barking and Dagenham's Draft Local Plan: (Regulation 19 Consultation Version, October 2020) is at an "advanced" stage of preparation. Having regard to NPPF paragraph 216 the emerging document is now a material consideration and substantial weight will be given to the emerging document in decision-making, unless other material considerations indicate that it would not be reasonable to do so.*

<p><i>The London Borough of Barking and Dagenham's Draft Local Plan: (Regulation 19 Consultation Version, October 2020)</i></p>	<p>Policy SP2 - Delivering High Quality Design in the Borough          Policy SP4- Delivering social infrastructure in the right locations          Policy DMD1 - Responding to Place          Policy DMT1 - Making Better Connected Neighbourhoods</p>
<p><i>Supplementary Planning Documents</i></p>	<p>Character and Context (2014)          Housing (2016)          Sustainable Design and Construction (2014)</p>

**Additional Reference:**

*Human Rights Act*

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

*Equalities*

In determining this planning application, the BeFirst on behalf of the London Borough of Barking & Dagenham has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010 (as amended).

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

**Appendix 2:**

- No consultation responses have been received.

**Appendix 3:**

<b>Neighbour Notification:</b>	
<b>Date of Press Advertisement:</b>	20 <sup>th</sup> January 2021
<b>Number of neighbouring properties consulted:</b>	570
<b>Number of responses:</b>	1 in objection
<b>Address:</b>	<b>Summary of response:</b>
Resident at Barking Riverside	<ul style="list-style-type: none"> <li>-object to the proposed method of applying this material to the scheme</li> <li>-Private leaseholders have not been subject to the 'extensive consultation</li> <li>-The proposed smooth finish of the cladding product will devoid the facades of any texture, depth or interest.</li> <li>-The proposal lacks the visual qualities offered by the current façade design</li> <li>-very concerned how the quality of the street scape will be reduced if this planning application is granted on the basis of the current proposals.</li> <li>-no offering of how the quality of residents' private spaces will change.</li> </ul>

**Officer Summary:**

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



## Appendix 4:

### Conditions & Informatives:

#### Conditions:

##### **1. Statutory Time Limit - Planning Permission**

The development hereby permitted shall be commenced before the expiration of THREE YEARS from the date of this permission.

*Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).*

##### **2. Development in accordance with Approved Plans**

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

###### List of Drawings

###### Drawings:

6411 – Proposed Planning Elevation Drawings Plot A 2.12

All 641 00-101 Site Layout GA Plan

6411 – Proposed Planning Elevation Drawings Plot A 2.12

A 6411 02-291A BL House type Units 17-27 Terrace Elevations

A 6411 02-292A TR House types Units 46-50 Terrace Elevations

A 6411 02-293A BBF House type Units 28-45 (Straight) Terrace Elevations

A 6411 02-294A BBF House type Units 1-16 (Curved) Terrace Elevations

6411 – Proposed Planning Elevation Drawings Plot D 2.11.1 East

B 6411 02-251A TR House type Units 125-135 Terrace Elevations

B 6411 02-252A BB House type Units 98-102 Terrace Elevations

B 6411 02-253A BB House type Units 136-146 Terrace Elevations

B 6411 02-254A CF House type Units 147-164 Terrace Elevations

B 6411 02-255A CR House type Units 118-124 Terrace Elevations

B 6411 02-256A TO House type Units 104-117 Terrace Elevations

6411 – Proposed Planning Elevation Drawings Plot B 2.11.1 West

C 6411 02-260A BBF House type Units 189-204 (Straight) Street Elevations

C 6411 02-261A BBF House type Units 165-177 (Curved) Street Elevations

C 6411 02-262A BL House type Units 178-188 Street Elevations

C 6411 02-263A TR House type Units 205-214 Street Elevations

6411 – Proposed Planning Elevation Drawings Plot C 2.11.2 East

D 6411 02-230A Street Elevations BB Straight

D 6411 02-231A Street Elevations TO

D 6411 02-232A Street Elevations CF East

D 6411 02-233A Street Elevations CF West

D 6411 02-234A Street Elevations BB Curved

D 6411 02-235A Street Elevations TR

D 6411 02-236A Street Elevations CR

###### List of Documents

- Design and Access Statement including: Fire safety and prevention measures prepared by Sheppard Robson dated 04/12/2020 revision A

- Planning Statement prepared by Barton Willmore December 2020

No other drawings or documents apply.

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

### **3. Materials and Balcony Details**

Prior to the commencement of works of the development hereby approved, samples of all materials to be used in the construction of the external surfaces of the development must be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved materials and balcony details. Minor amendments may be agreed in writing from time to time by the Local Planning Authority.

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

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© COPYRIGHT  
The copyright in this drawing is vested in Sheppard Robson and no licence or assignment of any kind has been, or is, granted to any third party whether by provision of copies or originals of the drawings or otherwise unless otherwise agreed in writing.

DO NOT SCALE FROM THIS DRAWING  
The contractor shall check and verify all dimensions on site and report any discrepancies in writing to Sheppard Robson before proceeding with work.

FOR ELECTRONIC DATA ISSUE  
Electronic data / drawings are issued as "read only" and should not be interrogated for measurement. All dimensions and levels should be read, only from those values stated in text, on the drawing.

AREA MEASUREMENT  
The areas are approximate and can only be verified by a detailed dimensional survey of the completed building. Any decisions to be made on the basis of these predictions, whether as to project viability, pre-letting, lease agreements or the like, should include due allowance for the increases and decreases inherent in the design development and building processes. Figures relate to the likely areas of the building at the current state of the design and using the Gross External Area (GEA) / Gross Internal Area (GIA) / Net Internal Area (NIA) method of measurement from the Code of Measuring Practice, 6th Edition (RCS Code of Practice). All areas are subject to Town Planning and Conservation Area Consent, and detailed Rights to Light analysis.

NOTES:



A	27.10.20	ISSUED FOR PLANNING
REV	DATE	AMENDMENT

KEY PLAN



TITLE  
**Barking Riverside  
House Cladding Works**

LOGO

### SHEPPARD ROBSON

ARCHITECTURE URBAN DESIGN PLANNING INTERIORS  
LOCATION: 77 PARKWAY . CAMDEN TOWN . LONDON . NW1 7PU  
PHONE: +44 0 20 7504 1700 FAX: +44 0 20 7504 1701  
WEBSITE: www.sheppardrobson.com EMAIL: sr.mail@sheppardrobson.com

DRAWING  
**Site Plan  
Application Boundaries**

SCALE @ A1	DATE	ORIGINATOR	CHECKED	AUTHORISED
1: 750	27.10.2020	MD	CO	AS

STATUS  
**PLANNING**

DRAWING NO.	REV
6411 - 00 - 101	A



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## 4.0 PROPOSED MATERIALS

### 4.1 Fibre Cement Weatherboard Plank

It is proposed to remove the existing Thermowood battens and replace with HardiePlank - a smooth factory finished fibre cement tongue and grooved plank. The manufacturer claims that HardiePlank<sup>®</sup> has the highest non-combustible rating in the UK for a coloured cladding product (A2, s1-d0), and the product has been extensively fire tested under the 13501-1 suite of fire tests for CE compliance, and is proven to not contribute to the spread of fire.

This material has been selected as a material that will best replicate the look and feel of the original cladding design, whilst providing a non-combustible alternative to timber cladding. The HardiePlank<sup>®</sup> ship lap installation is installed at 150mm spacings, (allowing for overlap of the planks). This replicates the hit and miss horizontal rhythm of the existing 45mm Thermowood timber batten installation. The product provides a ventilated rain screen cladding, which is suitable for installing as a external cladding, window reveals and soffit linings to car ports, porches and overhangs. The panels are to be secret-fixed using mechanical fixings. A vertical fixing method is proposed for the TR house types.

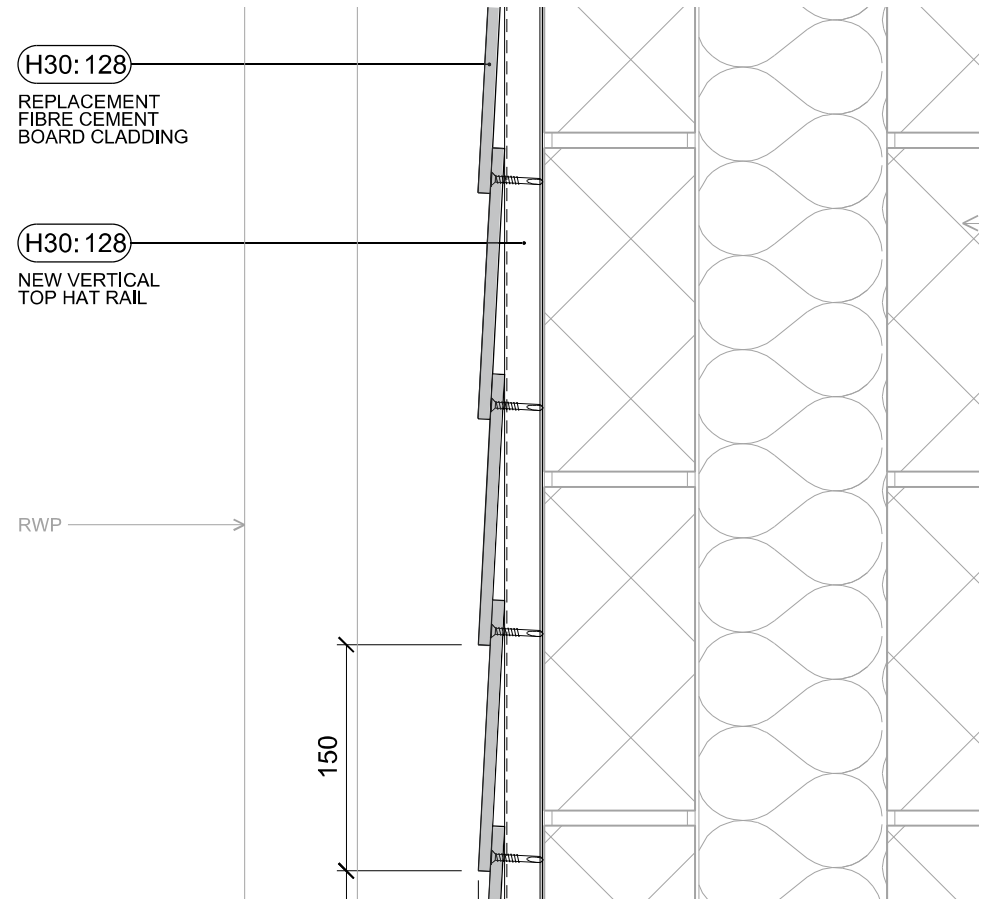
The HardiePlank<sup>®</sup> product is supported by range of aluminium trims and corner beads. The proposed colour for the HardiePlank<sup>®</sup> material is Anthracite Grey for all homes on the estate, in order to complement the existing buff brick and grey brick colour palettes of the homes and best replicate the look and feel of the current exterior weathered timber and maintain the visual consistency across the estate. The panels will have a smooth finish (not textured).



HardiePlank<sup>®</sup> vertical installation (finish not representative of selection)



HardiePlank<sup>®</sup> horizontal installation (finish not representative)



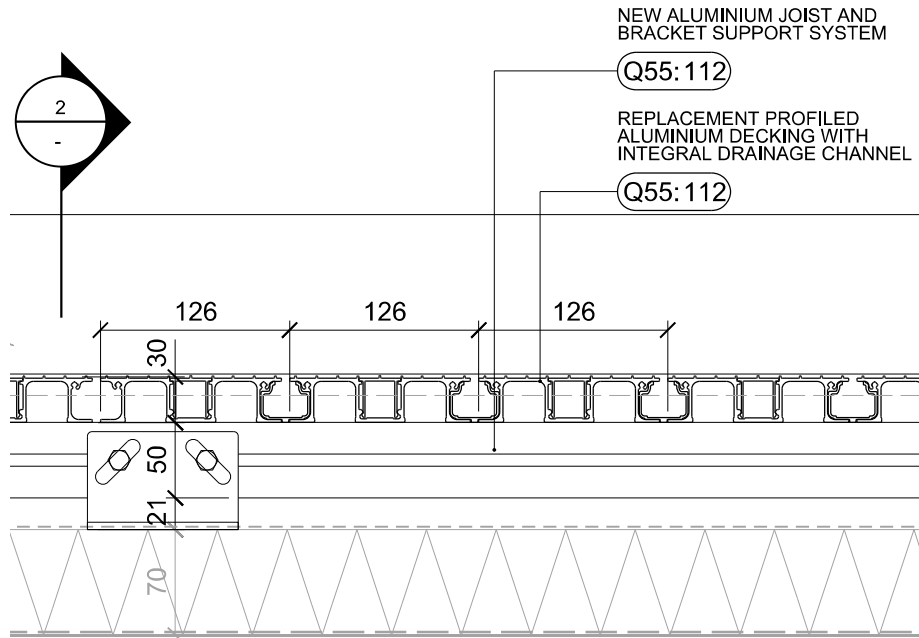
Section Detail illustrating HardiePlank<sup>®</sup> horizontal installation to houses

## 4.2 Extruded Aluminium Balcony Decking

For homes that have a balcony, the balcony decking can be re-clad by removing the current 45mm Thermowood battens and replacing them with an extruded Aluminium decking system. The decking planks are fixed to proprietary aluminium joists and contain integrated drainage channels, to drain the rainwater from the decking surface.

The decking replacement can be achieved without having to remove the balcony or do any modifications to the structure of the balcony, to reduce disruption to the residents during the works.

The surface finish of the decking is powder coated and the ridges or grooves provide a non-slip finish. The colour selected for the decking is Silver Grey, as it complements the existing buff brick and grey brick colour palettes of the homes. The existing glass balustrading and handrail is retained.



Detail illustrating Aluminium decking board system for terraces to houses

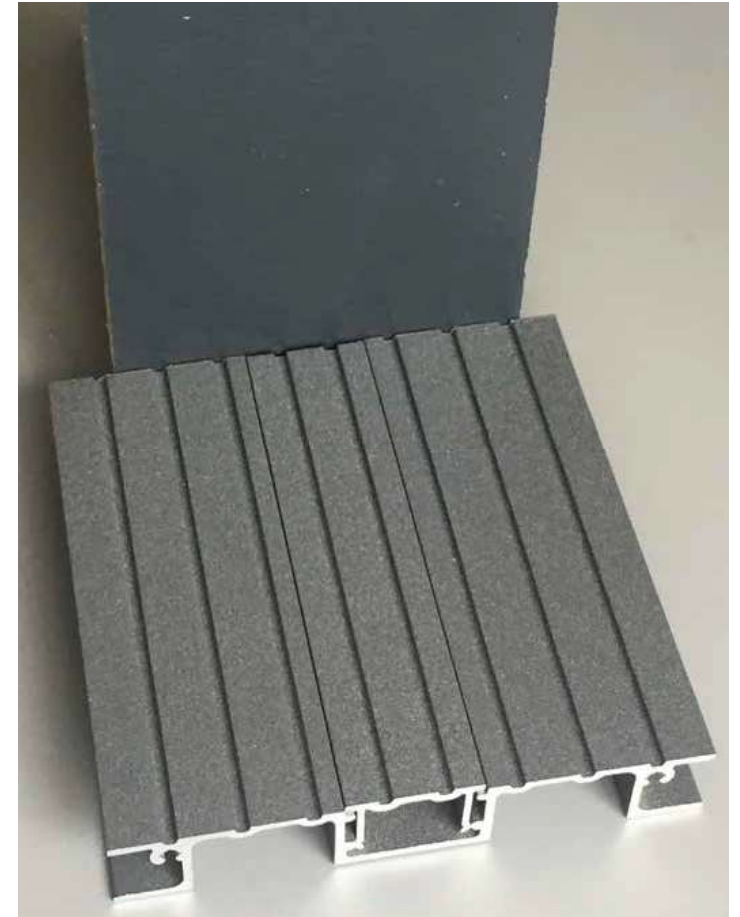
Product Samples:

Hardie Plank external cladding:  
HardiePlank® Smooth, finish fibre cement plank

Colour: Anthracite Grey

Powder coated extruded  
Aluminium balcony decking.

Colour: Silver grey



HardiePlank® cladding & Aluminium balcony decking samples



Aluminium decking board system installed example



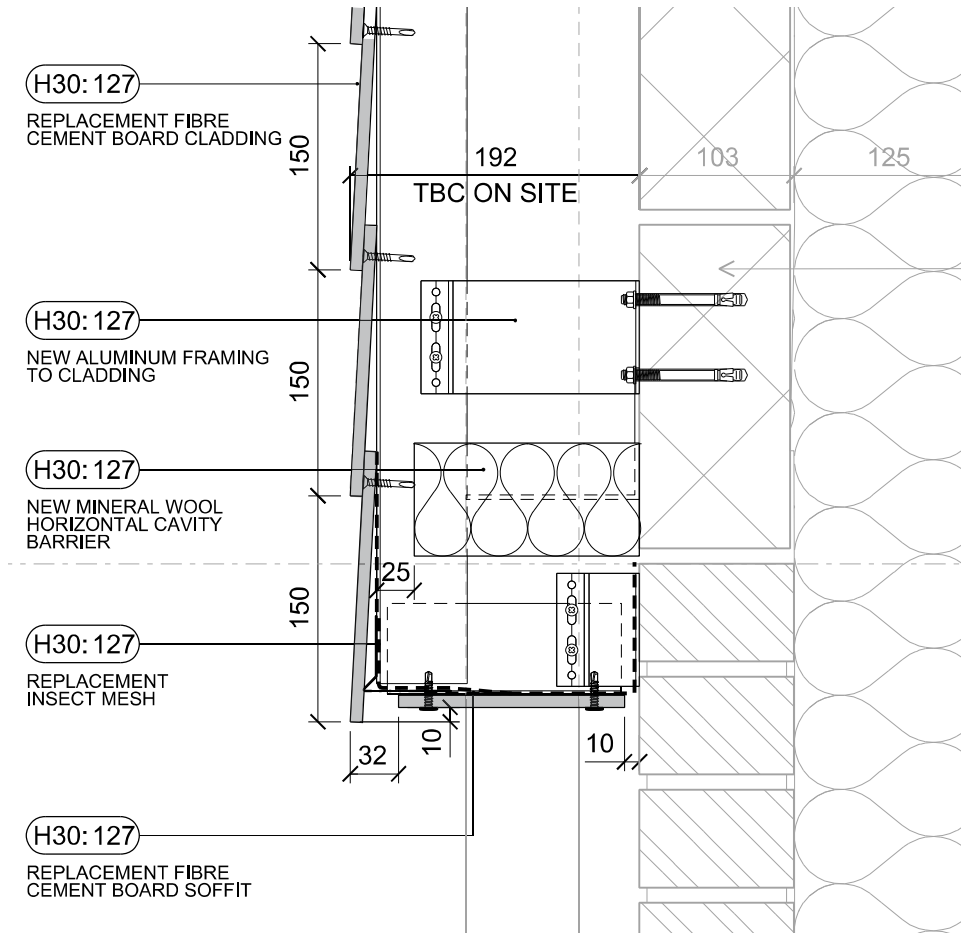
Powder coated aluminium decking board system with drainage channel



### 4.3 Typical Section Details



Photograph illustrating HardiePlank® horizontal installation with soffit cladding



Section Detail illustrating HardiePlank® horizontal installation with soffit cladding at junction with Brick Base

#### 4.5 Sample Of Existing & Proposed Elevations : Type BL



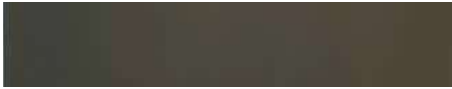
Existing Elevation illustrating 'hit and miss' horizontal Thermowood timber batten cladding.



Proposed Elevation illustrating HardiePlank® horizontal cladding

## 5.0 PROPOSED COLOUR PALETTE 1 (GREY BRICK)

### 5.1 Proposed Colour Palette 1 (Grey Brick)



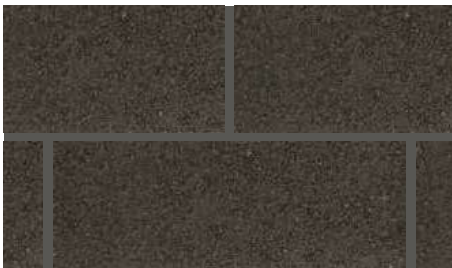
- **Slate Pitched roofs:**  
Marley Eternit
- **Colour:** Black Thrutone



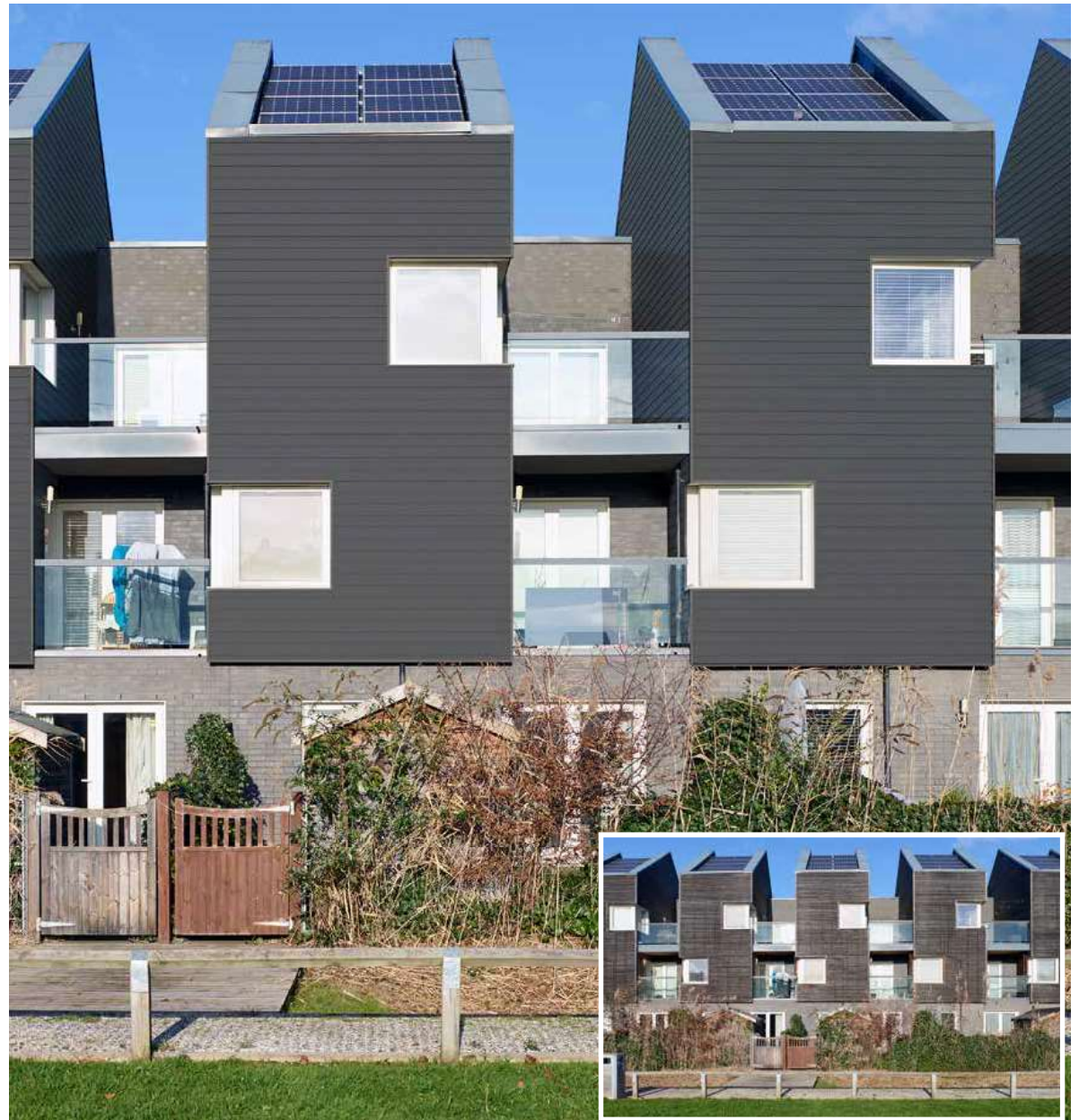
- **Hardie Plank external cladding:** Smooth, factory finished fibre cement plank, secret-fixed.
- **Colour:** Anthracite Grey



- **Painted double glazed timber framed windows:**
- **Colour:** White RAL 9010.



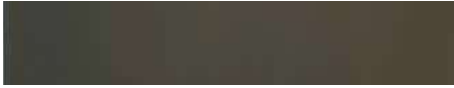
- **Dark Grey Concrete Facing Brick:** Edenhall Buxworth Blue Smooth
- **Painted timber doors:**
- **Colours:**  
Sun Yellow RAL 1037,  
Yellow Orange RAL 2000,  
Ochre Brown RAL 8001



It is proposed to install a single colour of Hardie Plank across all house types and all Phases in order to maintain the coherent streetscape of the original timber battens.



## 5.2 Proposed Colour Palette 2 (Buff Brick)



- **Slate Pitched roofs:** Marley Eternit
- **Colour:** Black Thrutone



- **Hardie Plank external cladding:** Smooth, factory finished fibre cement plank, secret-fixed.
- **Colour:** Anthracite Grey

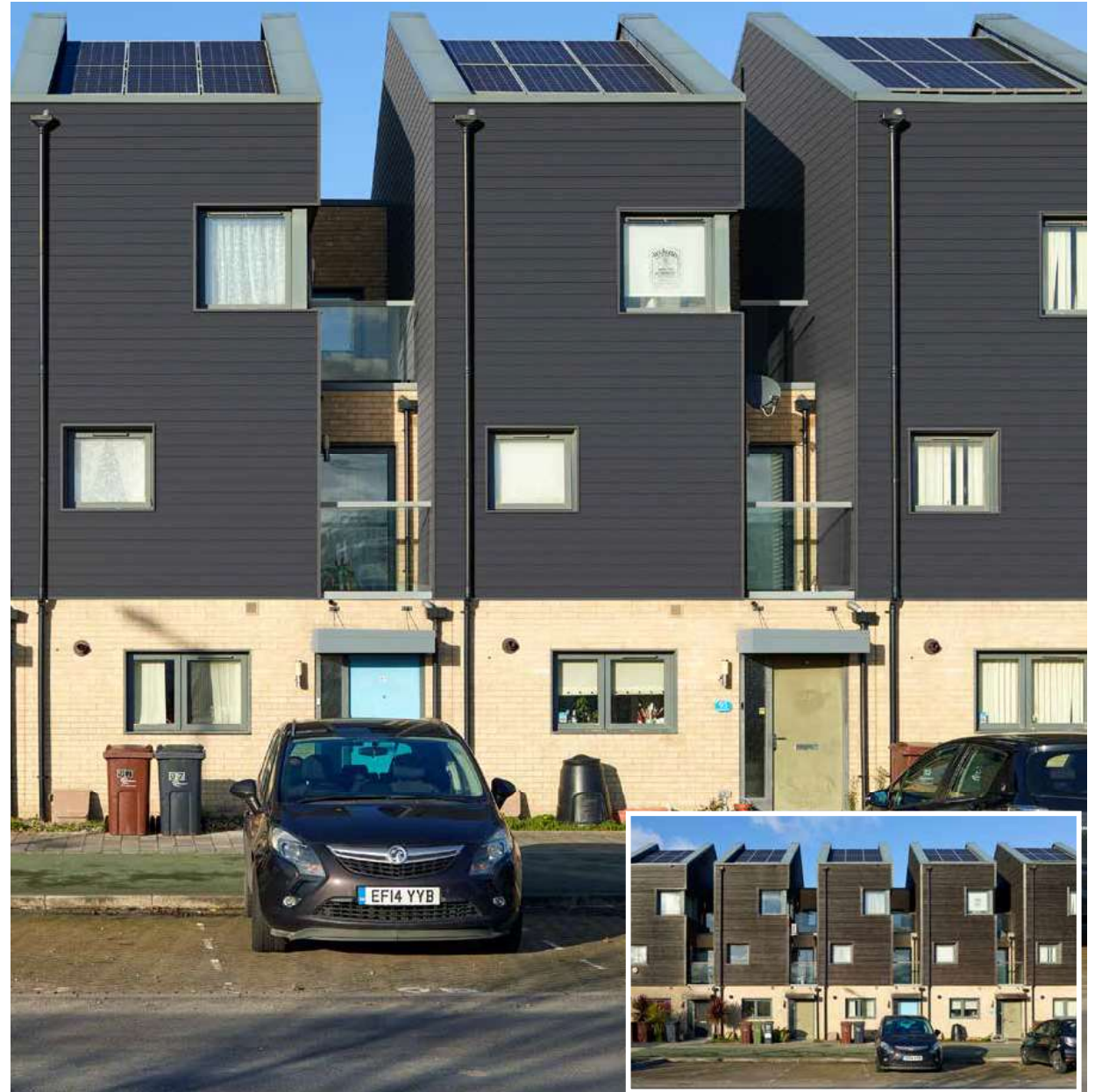


- **Painted double glazed timber framed windows:**
- **Colour:** Basalt grey RAL 7012.

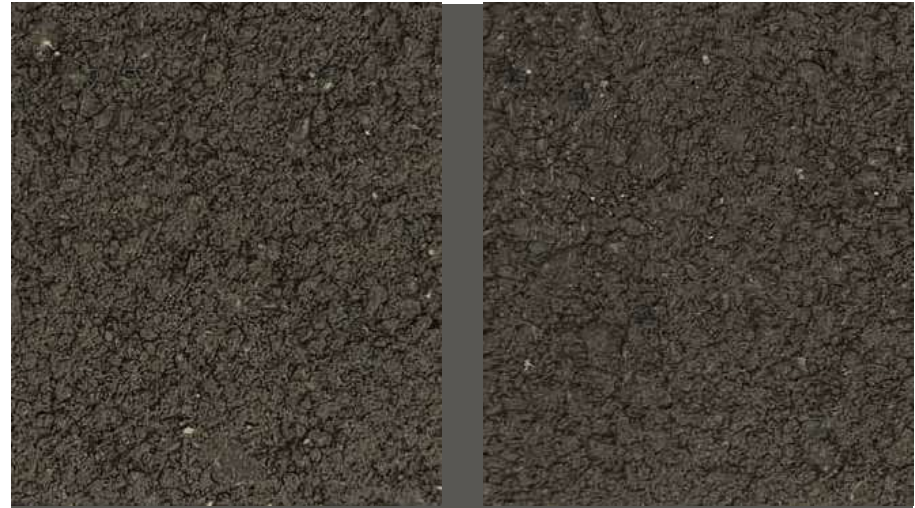


- **Buff Concrete Facing Brick:** Edenhall Lea Valley Sand
- **Painted timber doors:**
- **Colours:** Sun Yellow RAL 1037, Yellow Orange RAL 2000, Ochre Brown RAL 8001

It is proposed to install a single colour of Hardie Plank across all house types and all Phases in order to maintain the coherent streetscape of the original timber battens.



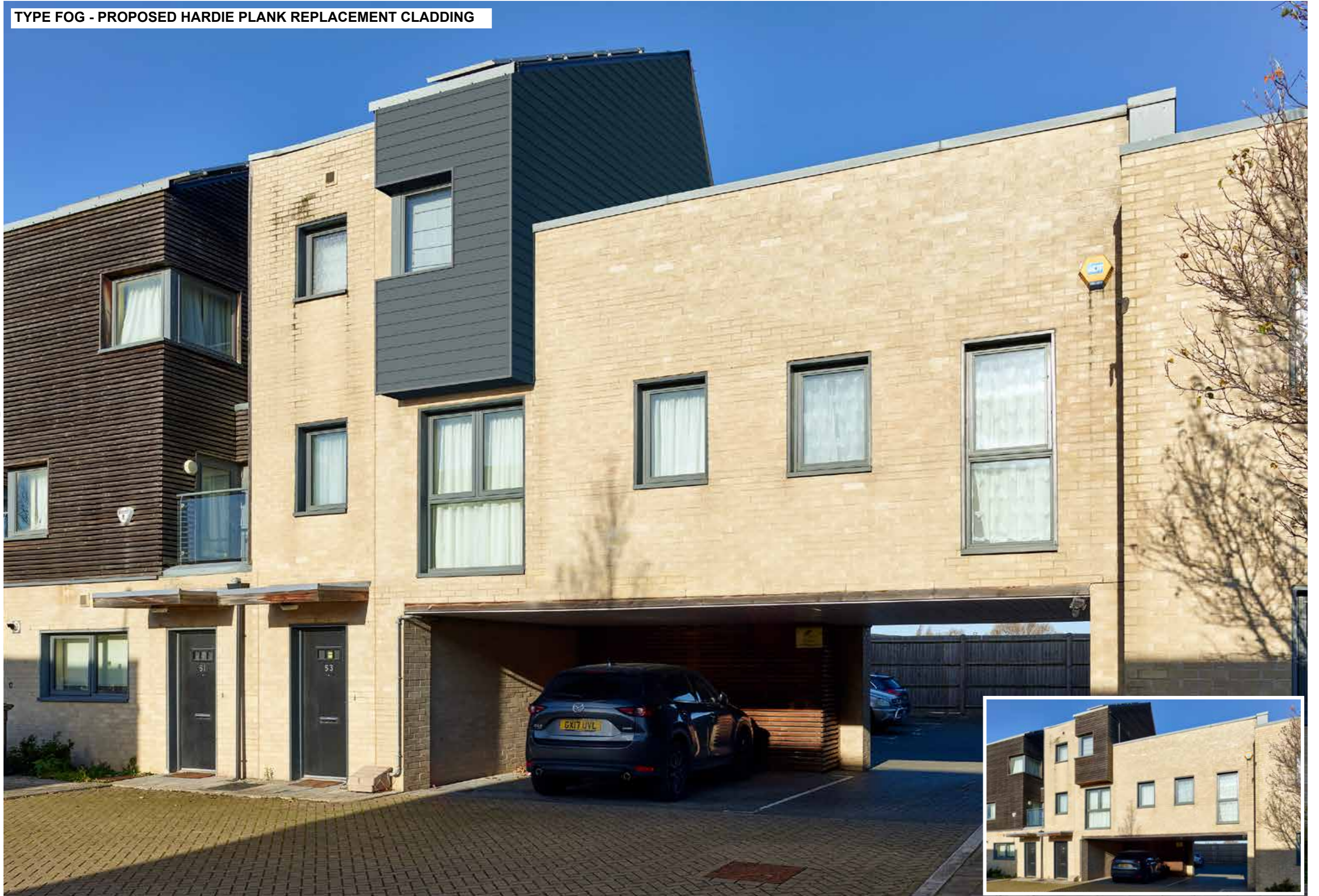
5.3 Proposed Colour Palette 2 (Grey Brick) | House Types BBF, BL & TR



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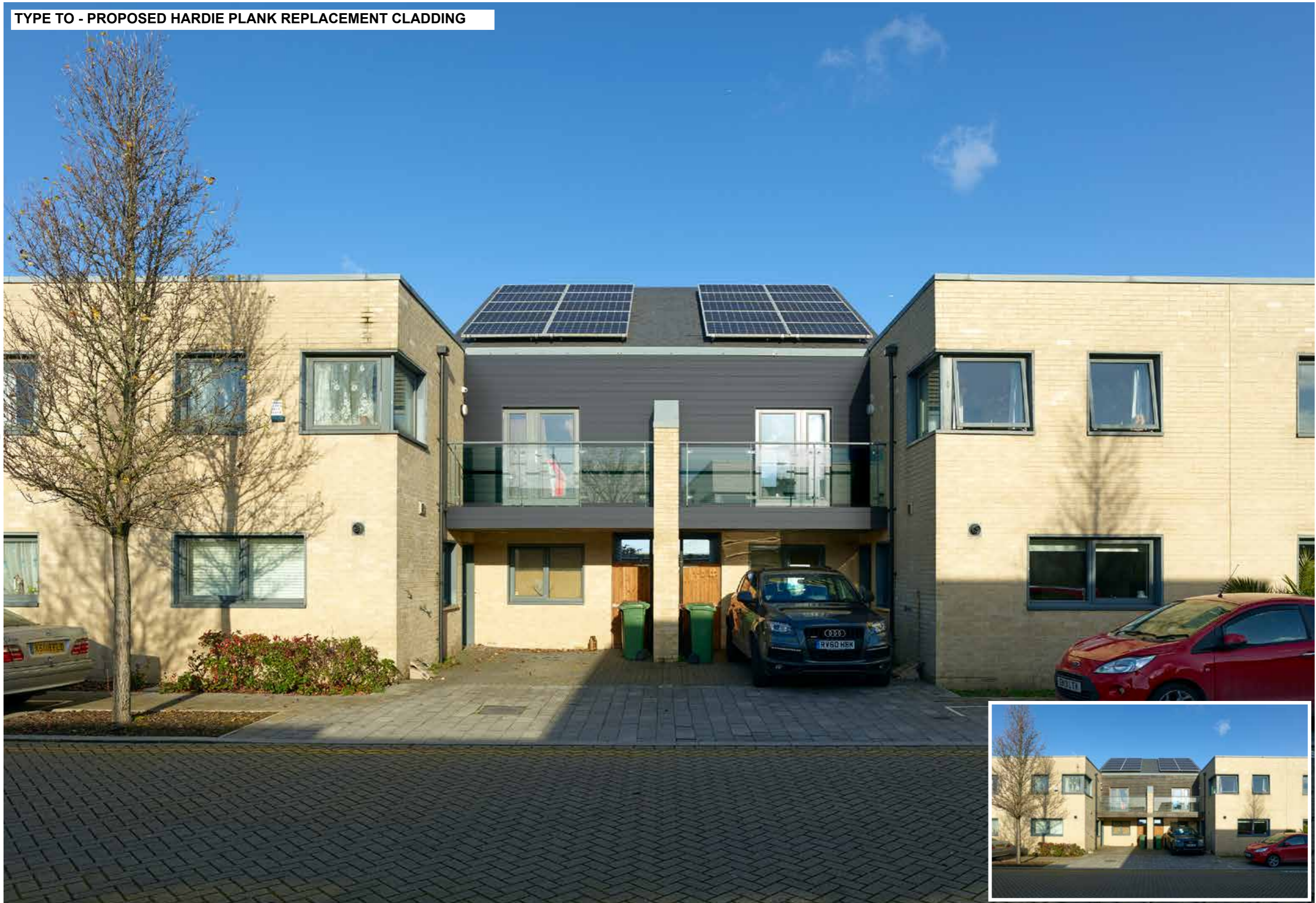
TYPE FOG - PROPOSED HARDIE PLANK REPLACEMENT CLADDING





TYPE TO - PROPOSED HARDIE PLANK REPLACEMENT CLADDING

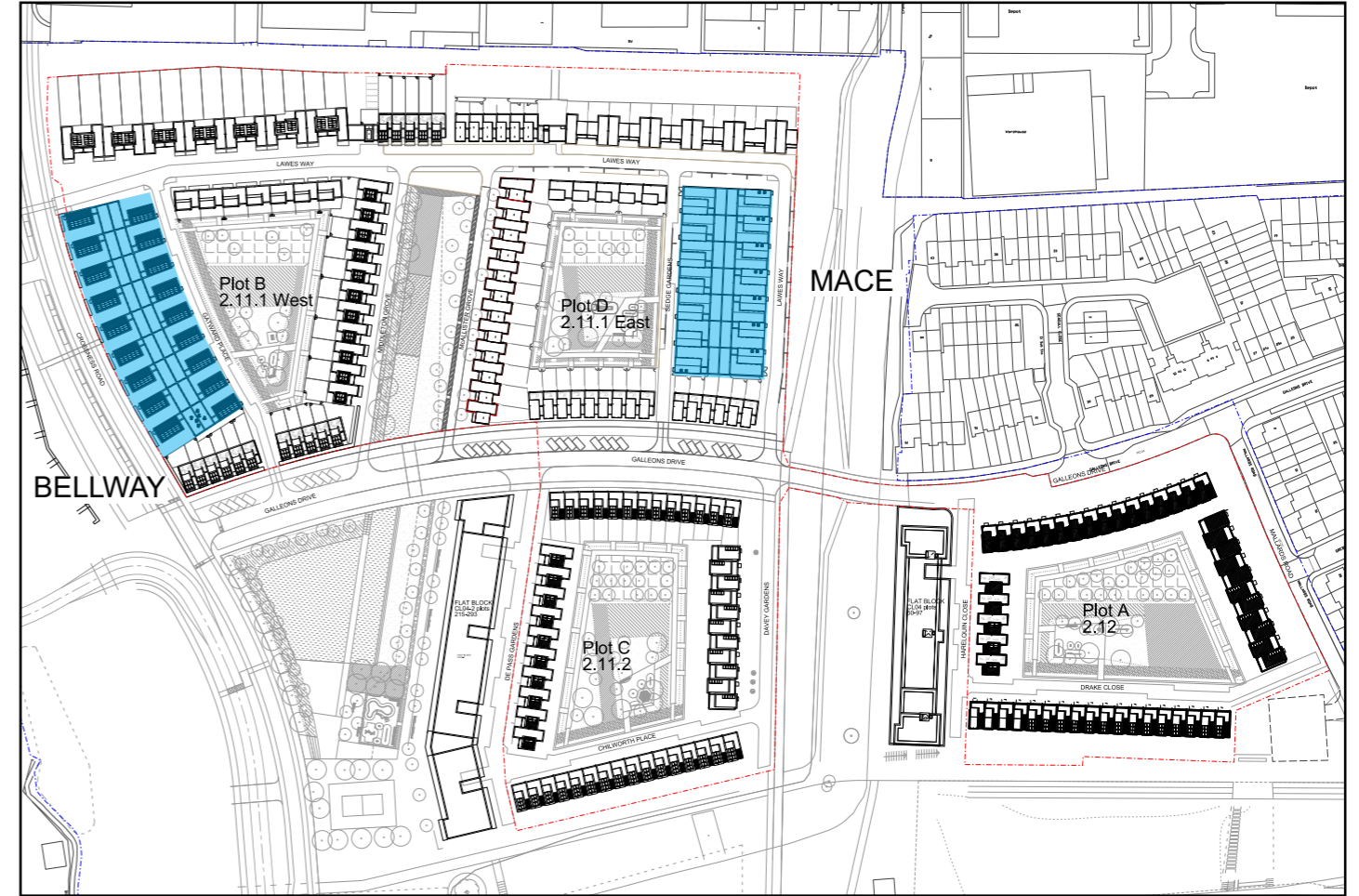
Page 246







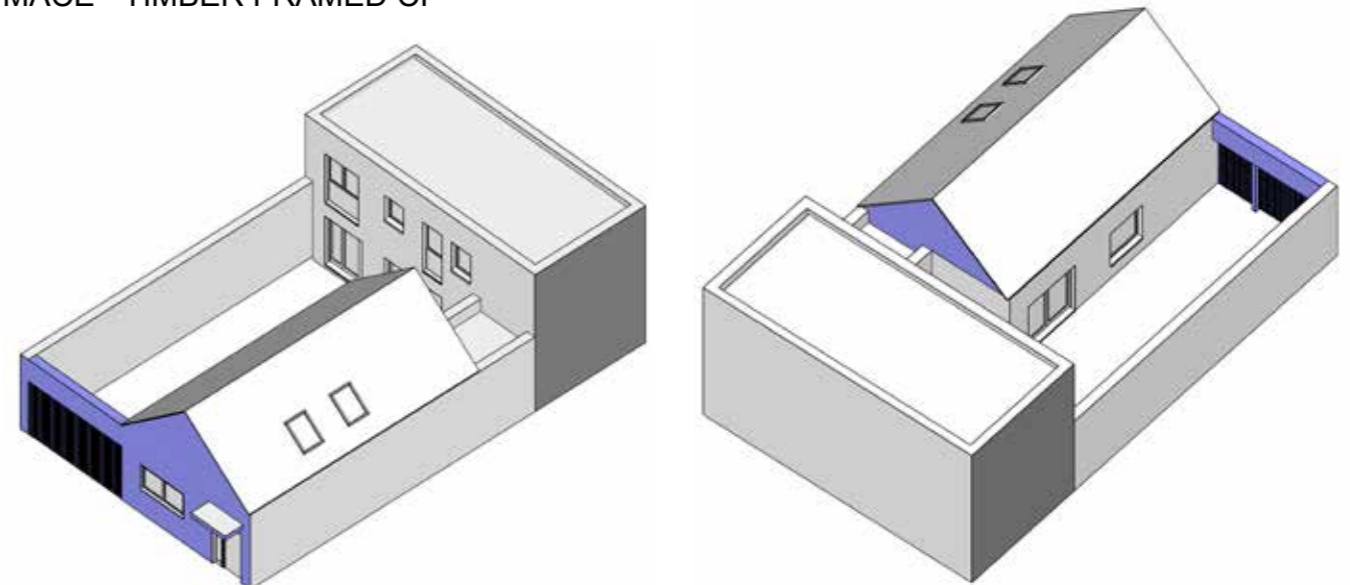
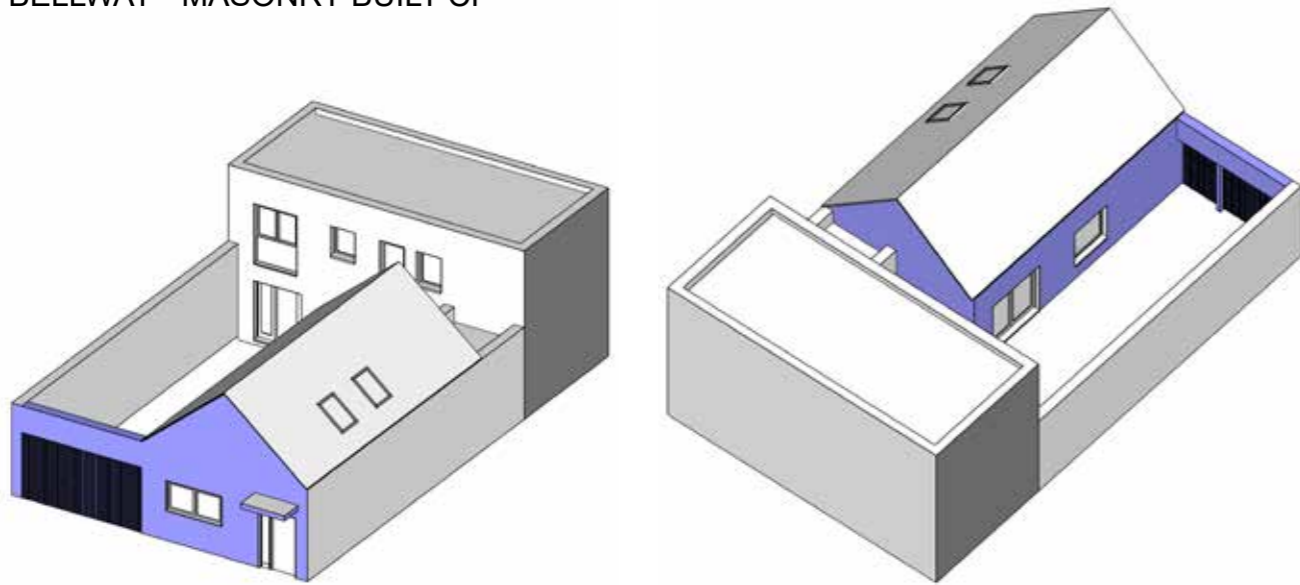
TYPICAL AS-BUILT TIMBER ELEVATION TYPE CF



LOCATION PLAN

BELLWAY - MASONRY BUILT CF

MACE - TIMBER FRAMED CF



KEY



Area of replacement cladding



Area of replacement decking



TYPE CF - PROPOSED HARDIE PLANK REPLACEMENT CLADDING

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TYPE TR - PROPOSED HARDIE PLANK REPLACEMENT CLADDING





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Working in partnership


**LONDON BOROUGH OF BARKING & DAGENHAM**
**PLANNING COMMITTEE**
**22 March 2021**
**Application for Planning Permission**

<b>Case Officer:</b>	Kathryn McAllister	<b>Valid Date:</b>	03.11.2020
<b>Applicant:</b>	D Darby (Cedarmill Development Ltd.)	<b>Expiry Date:</b>	29.12.2020
<b>Application Number:</b>	20/02167/FULL	<b>Ward:</b>	Eastbrook
<b>Address:</b>	Fels Farm, Dagenham Road, Rush Green, Romford RM7 0NT		

The purpose of this report is to set out the Officer recommendations to Planning Committee regarding an application for planning permission relating to the proposal below at Fels Farm.

**Proposal:**

*Demolition of existing buildings and erection of new residential scheme comprising 7 new dwellings (3 x 4-bedroom and 4 x 3-bedroom) and utilisation of existing vehicular access.*

**Officer Recommendations:**

Planning Committee is asked to resolve to:

1. agree the reasons for approval as set out in this report; and
2. delegate authority to the London Borough of Barking & Dagenham's Head of Planning and Assurance to grant planning permission based on the Conditions & Informative listed in Appendix 5 and summarised below.

**Conditions Summary:**
Mandatory conditions

- Time
- Approved Drawings & Documents

Prior to all works/commencement Conditions

- Contaminated Land and Remediation Scheme
- Construction Environmental Management Plan (CEMP) and Site Waste Management Plan (SWMP)
- Arboricultural Assets
- S.278 Agreement
- Surface Water Drainage Scheme
- Marketing Strategy

Prior to above ground works Conditions

- Materials
- Boundary Treatment
- Soft and Hard Landscaping
- Lighting
- Refuse Store
- Scheme of Acoustic Protection

Prior to first occupation and/or use Conditions

- Cycle Parking Facilities

Monitoring & Management Conditions

- Removing PD Rights
- Boundary Fences
- Secure by Design



## OFFICER REPORT

### Planning Constraints:

Green Belt

### Site, Situation, and relevant background information:

The application site is known as Fels Farm and situated off Dagenham Road. A previous application was submitted for the demolition of existing buildings and erection of a mixed-use scheme comprising 9 new dwellings (5x4 bedroom and 4 x 3- bedroom) and a 3- storey office block (Use Class B1(a)) including basement; and utilisation of existing vehicular access (20/00282/FUL) and was withdrawn.

This application seeks permission for the demolition of existing buildings and erection of new residential scheme comprising 7 new dwellings (3 x 4-bedroom and 4 x 3-bedroom) and utilisation of existing vehicular access. It is different to application 20/00282/FUL as they have reduced the number of dwellinghouses proposed on site and removed the office block.

### Key issues:

- Principle of the proposed development
- Dwelling mix and Quality of accommodation
- Design and quality of materials
- Impacts to neighbouring amenity.
- Sustainable Transport

## Planning Assessment:

### 1.0 Principle of the development:

#### 1.1 Development within the Green Belt

1.1.1 Section 133 of the National Planning Policy Framework (NPPF) states that the government attaches great importance to Green Belts whereby the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. This is further supported by policy 7.16 of the London Plan, policy G2 of the Draft London Plan, policy CM3 of the Core Strategy DPD and policy SP6 of the Draft Local Plan reg 19 which denote the Green Belt will be protected and maintained in accordance with national policy.

1.1.2 Barking and Dagenham has 531.25 hectares of designated green belt land which equates to 14% of the boroughs total land area. The boroughs green belt was last reviewed and modified in 1996. Since then, the borough has witnessed significant change. As such the council carried out a Green Belt Review (October 2015) in order to make sure that the green belt is still fit for purpose. The aim of this review is to explore if the green belt still fulfils a planning purpose, and secondly, if boundaries can be changed to create a more effective and defensive green belt. The review uses a set scoring system whereby green belt parcels are assessed against all national green belt priorities, as such, if a parcel works against one of the five national planning policy green belt criteria it is denoted with a score of 1. If a green belt receives at least one mark it is deduced that the parcel is undertaking a green belt function in principle. The 5 green belt priorities are as follows:

1. To check the unrestricted sprawl of large built-up areas.
2. To prevent neighbouring towns (neighbourhoods) merging into one another
3. To assist in safeguarding the countryside from encroachment
4. To preserve the setting and special character of historic towns
5. To assist in urban regeneration by encouraging the recycling of derelict and other urban land

1.1.3 The application site is located within green belt land designated within the councils 2015 review as GB05: Eastbrook Park and the Chase. This parcel has an area of 135.17 hectares and formed of three different areas which are distinctive in their own right: The Chase Nature Reserve, Eastbrook Grove and Easbrookend Country Park. The review states that this parcel should be seen as part of a wider green belt whereby the green belts sites help to resist and check the unrestricted sprawl of the two neighbouring areas of Dagenham to the west and Elm Park to the east. As such the parcel performs the duty of resisting unrestricted sprawl which could lead to the coalescence to the two neighbouring areas. It therefore prevents coalescence of neighbouring areas; thus, it is denoted with a score of 1 for priority 2. As such, it is evident that this parcel provides a green belt purpose. Consequently, the review recommended that this parcel of green belt is retained in full.

1.1.4 It is evident from the above review that the green belt of which the application site forms a part of plays an important role in preventing urban sprawl and keeping the land permanently open. As such, it would be expected that the land at this location is kept open where possible. Therefore, a thorough assessment in line with the NPPF's Green Belt policies must be carried out to determine whether the proposed development is considered appropriate at this location. The GLA was consulted with regard to this scheme, however, they have chosen not to provide any comments.

## 1.2 Exceptions to Inappropriate Development

Section 143 of the (NPPF) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Inappropriate developments include the construction of new buildings within the Green Belt. However, as set out in section 145 there are exceptions which are defined in sections 145(a) through to 145(g). Developments which do not sit within one of these categories are considered inappropriate. Nonetheless, given the sites current existing use officers consider Section 145(g) to be relevant. Section 145(g) states that developments which seek limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development or not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified housing need within the area of the local planning authority are considered appropriate development.

## 1.3 Previously Developed Land

The NPPF defines previously developed land (PDL) as land which is or was occupied by a permanent structure, including the curtilage of the developed land. The application site is occupied by two permanent structures with several smaller storage units and is currently used as a storage and skip hire depot. Therefore, it is evident that a large part of the site is covered by a yard with open storage for skips which forms the curtilage of the developed land. Hence, officers consider the application site to be previously developed land. Nonetheless, it remains to be assessed whether the proposed development would meet the relevant exceptions to inappropriate development, namely, whether or not the proposal would have a greater impact on the openness of the Green Belt.

## 1.4 Impact on the Openness of the Green Belt

1.4.1 Having determined that the application site is previously developed land officers now turn to Part 1 of Section 145(g) which states that development should not have a greater impact on the openness of the Green Belt than the existing development. Prior to assessing this impact officers refer back to section 145(g) highlighting in particular that previously developed land excludes land covered by temporary buildings.

1.4.2 The application site was granted a certificate of lawfulness for the existing use of the site as a storage and skip hire depot whereby a height limitation of 7 skips was imposed (18/01493/CLU\_E & 17/00630/CLU\_E) existing use of the site was deemed lawful following an application for a

certificate of lawfulness whereby a height limitation of 7 skips was imposed. The submitted planning statement outlines the applicants view that given a certificate of lawfulness was granted for the use of the site as skip storage up to the height of 7 bins the height and volume of the stacked skips should, therefore, be considered when establishing the existing floorspace, height and volume of the development. Notwithstanding, officers do not consider stacked skips to be permanent development but temporary structures as their presence on site fluctuates overtime. This is evidenced by the photographs submitted with the certificate of lawfulness: existing use application as proof to verify the lawful use of the site. These photos clearly show fluctuations in the presence of skips whereby some photos show more skips present on site whilst others show fewer. In addition, virtual images of the site found today show no skips present on site. Therefore, officers contend that the presence of stacked skips fluctuate on a day-to-day basis, as such they would be classified as temporary development. Hence, their volume and height will not be included as part of the built form of the site.

- 1.4.3 As shown on the existing plans there are three existing buildings. The following table illustrates the footprint, floorspace and volume of the existing and proposed development as shown within the design and access statement and include the stacked skips.

<b>Feature</b>	<b>Existing</b>	<b>Proposed</b>	<b>Change</b>
Footprint	1,180m <sup>2</sup>	491m <sup>2</sup>	-689 m <sup>2</sup>
Floorspace	356.8 m <sup>2</sup>	854.8m <sup>2</sup>	+498 m <sup>2</sup>
Volume	9,400 m <sup>3</sup>	3,303 m <sup>3</sup>	- 6097 m <sup>3</sup>

It is evident from the above table that the applicant has considered the stacked skips to be permanent development, and as such the proposed development would result in a significant reduction in the footprint and volume of the site. Notwithstanding, as noted previously given the presence of stacked skips fluctuating on a day-to-day basis officers do not consider these to be permanent structures and hence, they should not be included as part of the built form of the existing site. Hence, the footprint, floorspace and volume of the existing and proposed development should be denoted as follows:

<b>Feature</b>	<b>Existing</b>	<b>Proposed</b>	<b>Change</b>
Footprint	356.8 m <sup>2</sup>	491m <sup>2</sup>	+134.2 m <sup>2</sup>
Floorspace	356.8 m <sup>2</sup>	854.8m <sup>2</sup>	+498 m <sup>2</sup>
Volume	Approx. 1,773 m <sup>3</sup>	3,303 m <sup>3</sup>	+1530 m <sup>3</sup>

It is evident that the proposed development will result in an increase in the footprint, floorspace and volume of the built form on site, hence, officers consider the massing and volume of the proposed development to have a greater impact on the openness of the green belt. Therefore, the proposal is considered inappropriate development as defined in section 145 of the NPPF.

## 1.5 Harm to the Openness and Affordable Housing

- 1.5.1 Part 2 of section 145.g seeks to ensure that the proposed development does not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting and identified affordable housing need within the area of the local planning authority. Policies 3.10, 3.11, 3.12 and 3.13 of the London Plan and policies H1 and H5 of the draft London plan states that the strategic target is for 50% of all new homes delivered across London to be genuinely affordable. Policy BC1 of the Borough Wide DPD and policy DMH1 of the Draft Local Plan Regulation 19 supports this noting that all development with the capacity to provide 10 or more self-contained units or have a gross internal residential floorspace of more than 1,000sqm will be required to provide affordable housing.

- 1.5.2 The proposal seeks permission for 7 new dwellinghouses. As such, in accordance with the development policies, the proposal is not required to provide affordable housing. Notwithstanding, discussion with the applicant has confirmed that “the proposed dwellings will be initially marketed

locally for a minimum of 6 months before releasing them to the national market; should that be necessary after this period prior to being accessed by a wider market". Given the size of the development does not have a planning requirement to provide affordable housing officers consider this to be acceptable and as such the proposal is considered to comply with part 2 of section 145(g). Nevertheless, a condition will be placed on this application securing this matter.

1.5.3 Nonetheless, whilst the proposal is considered to satisfy part 2 of section 145(g) officers do not consider the proposal to satisfy part 1 of this section, as such, the proposed development fails to comply with section 145(g) of the NPPF in full hence it is considered to be inappropriate development. Therefore, in line with section 143 an assessment as to whether the proposal is considered to provide very special circumstances will be assessed.

## 1.6 Very Special Circumstances

1.6.1 The applicant has put forward 4 very special circumstances for this application which officers will assess:

### 1.6.2 *VSC1: Floorspace and Volume Comparison*

1.6.3 The applicant states "if paragraphs 145(g) are not accepted it still, nonetheless, remains the case that there is a significant amount of built form on the site and this will be replaced by a 7-unit residential scheme which in the opinion of the appellant is clearly preferable in terms of openness. The pre-existence of what is on site currently and its loss is clearly a foundation to our very special circumstance case."

1.6.4 As noted previously the proposal will result in an increase in footprint, floorspace and volume of the site given the stacked skips do not constitute existing built form of the site. Nonetheless, it is evident from the figures which include the stacked skips as permanent development that should the site be used at maximum skip capacity the site would have a significant impact on the openness of the site than the proposed development. Therefore, the impact on the openness of the green belt would be greater.

1.6.5 Further, as shown on google maps and as stated on the design and access statement "the site is almost completely hard surfaced with a small area of planting along the front boundary. This hard surfacing of approximately 2941.8sqm equates to around 97% of the site". As noted within the council's green belt review this parcel of green belt performs the duty of resisting unrestricted sprawl which has been designed to be an unmanaged and therefore is has countryside like features. The applicant states "the new proposal aims to return 1540 sqm or approximately 51% of the site back to soft landscaping". Hence, it is evident that a greater proportion of the floorspace of the proposed development will be more in keeping with the design and character of the Green Belt than the existing use of the site, as such, the impact on the Green Belt is considered to be minimised as the visual appearance of the site will be more akin to that of the surrounding area.

1.6.6 Therefore, it is evident from the two points raised above the site has the potential to cause greater harm to the openness of the green belt than the proposed scheme should there be the maximum number of skips on site. Additionally, considering the site is almost completely hard surfaced it appears at odds with the green belt surrounding. As such, whilst officers acknowledge that the volume, footprint and floorspace of the proposed development would exceed that of what is considered existing permanent development, as the proposal will stabilise the sites impact on the openness of the green belt and return the majority of the site back to soft landscaping, on balance officers consider the proposal to cause lesser harm to the green belt than the existing use of the site, hence, officers consider this to be a very special circumstance as denoted in section 143 of the NPPF.

### 1.6.7 *VSC2: Loss of Non-Conforming Use*

- 1.6.8 The application site is located adjacent to Eastbrookend Country Park and situated within a predominately residential area. As noted previously the existing use of the site as a storage and skip hire depot was deemed lawful with the understanding that the height of the skips does not exceed 7 bins following an application for a certificate of lawfulness. As such the site has an existing open industrial use whereby the applicant states “there is no control over house of operation due to it having been achieved via the effluxion of time and lorries will be coming and going opposite residential properties”. Officers believe that the existing site could lawfully be in operation 24 hours a day producing significant levels of noise, comings and goings and general disturbances at all times. Therefore, by nature of use officers do not consider this to be compliant with the surrounding residential use.
- 1.6.9 The proposal seeks to demolish all the existing buildings and construct 7 new dwellinghouses. AS such, the proposed use is considered to be compliant with the surrounding residential use as the noise, comings and goings, general disturbances, and impact on neighbouring amenity caused by the proposal is more harmonious with that of the predominately residential surrounding. Hence, given the sites existing use and its location officers consider this to be a very special circumstance as denoted in section 143 of the NPPF.

#### *1.6.10 VSC3: Aesthetic Improvements*

- 1.6.11 The applicant states “the scheme relates positively to the road and introduces a residential scheme which is complementary to what is seen locally... There is quite clearly an enhancement and both the character and amenity of the area are enhancing. This is a positive matter which arises from the scheme to which a significant amount of weight should be attributed as this is the public face of the site”. As noted in VSC1 and VSC2 officers consider the existing use of the site to generate more noise, comings and goings and fluctuation in the impact on the openness of the site as a result of stacked skips. As such, officers agree with the applicant as they believe the proposal will provide aesthetic improvements.
- 1.6.12 Firstly, as mentioned in VSC1 the proposal seeks to return the majority of the site back to soft landscaping and planting as each property will have a large rear garden and there will be planting situated around the site which would be more in keeping with the character and appearance of the surrounding green belts, hence, officers consider the visual appearance of the proposed site will be an improvement to the existing site whereby the development will look more consistent with the appearance of the surrounding green belt area.
- 1.6.13 Secondly, as stated in the design and access statements “the proposal will use a wide palette of materials which can be found in the local vernacular. Likewise, the decision to use cladding with elements of facing brickwork attempts to reflect the barn-like nature of the existing buildings within the site, without challenging the existing vernacular of the wider surrounding”. Therefore, it is clear to officers that the applicant has provided a bespoke design to the proposal whereby extra effort has been placed to ensure that the character and visual appearance of the proposed dwellings respects and reflect that of the existing buildings found on site. Hence, officers consider the proposal to respect, reflect and enhance the character and appearance of the existing site. As such, improving the character and appearance of the street scene and the surrounding local area.
- 1.6.14 Lastly, the proposal will result in an active frontage along Dagenham Road. As stated on the application form “proposed plots 1-4 have been positioned along the front boundary of the site in a comparable location to the existing storage barn which is to be removed”. From virtual images of the site, it is evident that whilst there is an existing building at this location it does not provide an active frontage along Dagenham Road, nonetheless, the proposed 3-bedroom properties will be accessed directly from Dagenham Road as such providing an active frontage which officers welcome at this location as the proposal will be consistent with the patterns of development and appear congruous with the character and appearance of the surrounding area.
- 1.6.15 Overall, officers consider the proposal to improve the visual appearance of the site and as such it will appear more coherent with the character and appearance of the surrounding green belt area.

Therefore, this matter is considered to represent a very special circumstance as set out in section 143.

#### 1.6.16 VSC4: *The Additional Housing*

1.6.17 The proposal seeks permission for the construction of 7 new family sized homes which the applicant states are clearly a benefit to the borough. The proposal will provide 100% 3 + bedroom properties which is the type of housing in high demand within the borough which policies seek to provide. In addition, developments within the town centre often face a shortfall in the provision of family sized housing, as such, this proposal will help make this up and contribute to a wider mix of family sized housing across the borough. Notwithstanding, whilst officers welcome the construction of new family sized houses as it will contribute to the Boroughs housing mix and remains in keeping with the development policies as outlined below, they do not consider the construction of new houses within the green belt to be a very special circumstance.

1.6.18 Overall, officers consider points VSC1, VSC2 and VSC3 to be very special circumstances. Notwithstanding, in line with section 144 of the NPPF very special circumstances will not exist unless the potential harm to the Green Belt is clearly outweighed by other considerations.

#### 1.7 Very Special Circumstances > Impact on Openness

1.7.1 As noted above the proposed development would result in an increase in volume and massing onsite whereby the proposed volume, floorspace and footprint will be greater than the volume, footprint and floorspace of the existing permanent development. Nonetheless, the proposal seeks to reintroduce soft landscaping to the majority of the site, introduce a use which conforms to the surrounding uses and improve the visual amenity of the site. On balance, whilst the openness of the site may be compromised officers consider the proposed development to be more compatible with the character and appearance of the surrounding green belt and the use of the surrounding local area. Hence, officers consider the very special circumstances to outweigh the harm caused to the openness of the Green Belt. As such, the principle of development is considered acceptable at this location and in keeping with the development policies. Regarding, the construction of new dwellinghouses the policies relating to this are outlined below.

#### 1.8 Construction of new dwellinghouses

1.8.1 At a national level, the National Planning Policy Framework (NPPF) at Chapter 5 has specific regard to housing stating that 'to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment...[and] within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies'.

1.8.2 The London Plan outlines through Policies 3.3, 3.5 and 3.8 that there is a pressing need for more homes in London and that a genuine choice of new homes should be supported which are of the highest quality and of varying sizes and tenures in accordance with Local Development Frameworks. Policy 3.8 requires that Londoners have a genuine choice of homes that they can afford which meets their requirements for different types of high-quality accommodation. The London Strategic Housing Market Assessment (SHMA) which formed the evidence base for London Plan policy 3.8 denotes that new developments are failing to provide enough affordable and family sized homes for London's growing population. To this end, this policy requires LPA's to take account of their housing requirements to identify the range of needs likely to arise within their areas. Policy 3.14 of the London Plan states that the loss of housing should be resisted unless the housing is replaced at existing or higher densities with at least equivalent floor space. The Housing SPG supports the London Plan on such matters.

1.8.3 The Draft London Plan Objective GG4 states that to create a housing market that works better for all Londoners, those involved in planning and development must create mixed and inclusive communities, with good quality homes that meet high standards of design and provide for identified



needs, including for specialist housing. The policies outlined in Chapter 4 (Housing) further acknowledges the stress on housing demand and provides increased targets for Local Authorities and revised policies in respect of ensuring additional housing contribution according to local needs. Policy H1 and H2 echoes existing policy 3.3 reinforcing the need to increase the housing supply to promote opportunity and provide real choice for all Londoners. In particular policy H2 seeks to ensure Borough's pro-actively support well-designed homes on small sites.

- 1.84 Policy SPDG1 of the Draft Local Plan Reg 19 seek to ensure developments contribute to meeting the Borough's housing targets and supports the delivery of a suitable variety of housing to meet high levels of identified need within the Borough. Policy SP3 emphasising the need to optimise suitable sites to help deliver suitable housing for the Borough's high levels of identified housing need. This is further supported by policies CM1 and CM2 of the Core Strategy DPD and policy BP10 of the Borough Wide DPD.
- 1.85 As noted in the above policies there is a clear need for additional family sized homes. This proposal seeks to demolish the existing buildings and construct 7 new dwellinghouses 3x 4-bedroom and 4 x 3-bedroom properties which are all considered family sized homes. Furthermore, the proposal will result in the net increase of 7 dwellings to the Borough's existing housing stock. Overall, the principle of development is considered acceptable and in keeping with the NPPF, policies 3.3, 3.5 and 3.8 of the London Plan, policy GG4, H1 and H2 of the Draft London Plan, polices SPDG1 and SP3 of the Draft Local Plan Reg 19, policies CM1 and CM2 of the Core Strategy DPD and policy BP10 of the Borough Wide DPD.

## **2.0 Dwelling mix and Quality of accommodation:**

### **2.1 Internal Space Standards**

- 2.1.1 At national level, the 'Technical housing standards – nationally described space standard' deals with internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the gross internal area of new dwellings at a defined level of occupancy, as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage, and floor to ceiling height. London Plan Policy 3.5 and Draft London Plan Policy D6 seek for new housing to achieve the space standards in line with those set at national level. The Local Plan also reiterates the need for housing developments to conform to these requirements.
- 2.1.2 Policy D4 of the Draft London Plan also sets out the importance for homes across London to be designed to a high quality – 'New homes should have adequately-sized rooms and convenient and efficient room layouts which are functional, fit for purpose and meet the changing needs of Londoners over their lifetimes. Particular account should be taken of the needs of children, disabled and older people'. Further policy GG3 seeks to ensure that new buildings are well-insulated and sufficiently ventilated to avoid the health problems associated with damp, heat and cold.
- 2.1.3 Policy 3.8 of the London Plan and Policy D5 of the Draft London Plan also outline that 90% of new build homes should meet requirement M4(2) (accessible and adaptable dwellings) of Building Regulations Approved Document M and that 10% should meet requirement M4(3) (wheelchair user dwellings). This target is reflected at local level by Policy DMH3 of the Draft Local Plan Reg 19.
- 2.1.4 The technical housing standards- nationally described space standards state that properties that are 3 bedroom, 6-person, 2- storey should provide 93 sqm of gross internal floor area and 2.5 sqm of built-in storage; 4-bedroom, 8-person, 2 storey properties should provide 124sqm of gross internal area and 3.0 sqm of built-in storage. In addition, double bedrooms should have a floor area of at least 11.5 sqm and a width of 2.75 metres; single bedrooms should have a floor area of at least 7.5 sqm and a width of 2.15 metres. The space standards for the proposed dwellinghouse as shown on the proposed plans are set out below:

#### **Property 1 (3 -bedroom, 6 -person, 2-storey)**

Gross Internal Area: 101.5sqm **Complies**  
Bedroom 1: 11.7sqm **Complies**  
Bedroom 2: 11.6sqm **Complies**  
Bedroom 3: 9.8 sqm **Complies**  
Storage: 2.15sqm **Fails to comply.**

**Property 2 (3 -bedroom, 6 -person, 2-storey)**

Gross Internal Area: 101.5sqm **Complies**  
Bedroom 1: 11.7sqm **Complies**  
Bedroom 2: 11.6sqm **Complies**  
Bedroom 3: 9.8 sqm **Complies**  
Storage: 2.15sqm **Fails to comply.**

**Property 3 (3 -bedroom, 6 -person, 2-storey)**

Gross Internal Area: 101.5sqm **Complies**  
Bedroom 1: 11.7sqm **Complies**  
Bedroom 2: 11.6sqm **Complies**  
Bedroom 3: 9.8 sqm **Complies**  
Storage: 2.15sqm **Fails to comply.**

**Property 4 (3 -bedroom, 6 -person, 2-storey)**

Gross Internal Area: 101.5sqm **Complies**  
Bedroom 1: 11.7sqm **Complies**  
Bedroom 2: 11.6sqm **Complies**  
Bedroom 3: 9.8 sqm **Complies**  
Storage: 2.15sqm **Fails to comply.**

**Property 5 (4 -bedroom, 8 -person, 2-storey)**

Gross Internal Area: 149.6sqm **Complies**  
Bedroom 1: 16.4sqm **Complies**  
Bedroom 2: 13.0sqm **Complies**  
Bedroom 3: 11.5sqm **Complies**  
Bedroom 4: 11.5sqm **Complies**  
Storage: 2.29sqm **Fails to comply.**

**Property 6 (4 -bedroom, 8 -person, 2-storey)**

Gross Internal Area: 149.6sqm **Complies**  
Bedroom 1: 16.4sqm **Complies**  
Bedroom 2: 13.0sqm **Complies**  
Bedroom 3: 11.5sqm **Complies**  
Bedroom 4: 11.5sqm **Complies**  
Storage: 2.29sqm **Fails to comply.**

**Property 7 (4 -bedroom, 8 -person, 2-storey)**

Gross Internal Area: 149.6sqm **Complies**  
Bedroom 1: 16.4sqm **Complies**  
Bedroom 2: 13.0sqm **Complies**  
Bedroom 3: 11.5sqm **Complies**  
Bedroom 4: 11.5sqm **Complies**  
Storage: 2.29sqm **Fails to comply.**

2.1.5 The gross internal area and bedroom area of all 7 properties would exceed the minimum requirements set out by the technical housing standards- nationally described space standards for properties of their size. Nonetheless, all properties fail to provide the minimum required built-in storage provision expected for properties of their size, however, as all properties exceed minimum gross internal area and bedroom floor area and as an ample provision of built-in storage has been provided officers do not consider the shortfall of storage space to have a considerable impact on the quality of accommodation or the standard of living the properties will provide, as such, officers do not consider this matter to warrant a reason for refusal. Further, all rooms will be appropriately sized for their use and well-lit by daylight and naturally ventilated by open windows as such officers consider the proposal to provide high quality accommodation which will support an adequate standard of living. The proposal is therefore considered acceptable and in keeping with the development policies. Notwithstanding, a condition will be placed on the proposal requiring details of contaminated land and a scheme of acoustic protection so as to ensure that risks from land future users of the land and neighbouring land are minimised and proposed residential units are adequately protected from noise.

## 2.2 External Amenity Space

2.2.1 Chapter 8 of the NPPF seeks to promote healthy and safe communities by ensuring planning decisions achieve healthy, inclusive, and safe places which enable and support healthy lifestyles and wellbeing needs. Policy 3.5 of the London Plan and policy D6 of the Draft London Plan supports this by ensuring new housing provides adequate outside space. Policy DMNE1 of the Draft Local Plan Reg 19 seeks to ensure proposals provide adequate external amenity space whereby developments should not rely on upon existing publicly accessible open space to contribute towards onsite amenity space and children play space. This is further supported by Policy BP5 of the Borough Wide Development Plan Document which states that new developments must provide adequate external private and/ or communal amenity space to meet the need generated by development.

2.2.2 Policy BP5 of the Borough Wide DPD states that 3-bedroom properties should have 60sqm of external amenity space and 4+ bedroom houses should have 75sqm of external amenity space. In addition, this area should be safe, functional, private, and useable. The external amenity space for the proposed dwellings are as follows:

Property 1: 75sqm

Property 2: 79sqm

Property 3: 78sqm

Property 4: 86sqm

Property 5: 261sqm

Property 6: 152sqm

Property 7: 104sqm

2.2.3 As detailed above all the proposed properties will provide sufficient external amenity space which meets minimum requirements for properties of their size. In addition, as shown on the proposed plans the external amenity space for the 4-bedroom properties will be located to the rear of the dwellings, as such, officers are confident that these will be private, functional, safe, and useable. Notwithstanding, as the development has been designed so that the 3-bedroom properties sit in front of the 4-bedroom properties as a result whilst the external amenity space for these properties sit behind the dwellinghouse, a road runs to the rear of them to provide access to the 4-bedroom properties and off-street parking for the 3-bedroom properties. Consequently, it is clear from the proposed block plan that the rear gardens for the 3-bedroom properties may be used as an access

route to the dwelling given residents will park to the rear and access the property from the rear. Nonetheless, as this layout has allowed for an active frontage along Dagenham Road whereby the front entrances which will be used for deliveries, visitors etc will be off the main road officers consider the use of the rear entrance to be exclusive to residents of the property, as such, on balance officers consider this area to be private, safe, functional, and useable.

- 2.2.4 Further, it is noted that the amenity space for the property at plot 1 will be located adjacent to the primary access route into the site, as such, to ensure that the proposed garden space remains private, safe, functional, and useable it is paramount that suitable boundary treatment is installed at this location to protect the amenity of residents. Therefore, a condition will be placed on this application requiring details of boundary treatment.
- 2.2.5 In addition, the application site is located adjacent to Eastbrookend Park and a 3-minute walk from its entrance. This is a large green space which resident can use for recreation.
- 2.2.6 Overall, officers consider the proposal to provide ample provision and access to external amenity space both on and off site. As such, the proposal is considered acceptable and in keeping with the development policies.

<b>3.0 Design and quality of materials:</b>	
<i>Does the proposed development respect the character and appearance of the existing dwelling?</i>	Yes
<i>Does the proposed development respect and accord to the established local character ?</i>	Yes
<i>Is the proposed development acceptable within the street scene or when viewed from public vantage points?</i>	Yes
<i>Is the proposed development acceptable and policy compliant?</i>	Yes

- 3.1 Paragraphs 127 and 128 of the NPPF (2019) outline that planning policies and decisions should aim to ensure that developments function well and add to the overall quality of an area not just for the short-term, but over the lifetime of the development. Paragraph 130 advises that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 3.2 London Plan (2016) Policy 7.1 stated that the design of new developments and the spaces they create should help reinforce the character of the neighbourhood. Policy 7.4 requires development to have regard to the form, function and structure of an area, place or street and the scale, mass and orientation of surrounding buildings and other forms of development. It is required that in areas of poor, or ill-defined, character, new development should build on the positive existing elements that can contribute to establishing an enhanced character for the future function of the area. Policy 7.6 seeks the highest quality materials and design appropriate to its context. It is advised that the buildings and structures should be of the highest architectural quality and comprise details and materials that complement the local architectural character. Draft London Plan (2019) Policy D4 discusses the need for good design to be thoroughly scrutinised at application stage, including elements relating to layout, scale, density, land-uses, materials, detailing and landscaping.
- 3.3 This is further supported by policies SP2, SP4 and DMD1 which seek to ensure developments contribute to providing a high-quality built environment which contributes positively to the character of the surrounding area. This is further supported by policy BP11 of the Borough Wide DPD and policy CP3 of the Core Strategy DPD.
- 3.4 Mass, Bulk, Size and Scale
- 3.4.1 The area surrounding Fels Farm is made up predominately by residential properties which are characterised by being low rise 2 storey detached, semi-detached and terraced properties, as such,

it would be expected that the proposed residential development respects and reflects the built form and character of the area.

- 3.4.2 The proposed residential development covers a 3,029 sqm area and seeks to construct 2 storey detached and semi-detached dwellings occupying generous sized plots. The proposed site layout consists of the 4 x 3-bedroom semi-detached properties which sit long Dagenham Road and form an active frontage. The 3 x 4-bedroom properties sit behind the 3-bedroom properties. The urban design officer was consulted and was in support of the proposed layout of the scheme noting in particular the support for the active street frontage that the development will provide.
- 3.4.3 Furthermore, each 3-bedroom property (plots 1-4) will be 'L-shaped' and have a depth of 11.85 metres. The 2.63 metres of depth closest to the front elevation will have a width of 3.15 metres and the remaining will have a width of 5.41 metres at both levels. Nevertheless, on the ground floor there is a set-in porch measuring 1.67 metres in width and 0.55 metres in depth. The property will have a pitched roof with a hipped end whereby the height of the eaves will be 5.01 metres and the maximum height 8.85 metres. The semi-detached pair will measure 11.85 metres in depth whereby the bulk will be 11.11 metres wide and the narrow part to the front of the property will be 6.60 metres wide and share a single roof scape.
- 3.4.4 The proposed 4-bedroom properties (plots 5-7) will be detached 'L-shaped' properties. Each property will have a depth of 11.22 metres whereby the 2.78 metres of depth at the front elevation of the property will have a width of 4.20 metres and the remaining part will have a width of 8.58 metres at both levels. The property will have a set-in porch at ground floor level measuring 1.13 metres in width and 0.84 metres in depth. The property will have a pitched roof with a gabled end whereby the height of the eaves will be 5.0 metres and the maximum height 8.65 metres.
- 3.4.5 Overall, officers consider the mass, bulk, size, and scale of the proposed development to be acceptable, notwithstanding an assessment as to the impact on the openness of the green belt will be carried out below.

### 3.5 Impact on Openness of Green Belt

- 3.5.1 As noted previously in the section which explores development within the green belt the application site currently comprises of hardstanding to facilitate the existing uses. Therefore, at present the site is considered to appear at odds with the surrounding Green Belt and nearby residential areas. Further, as highlighted previously the proposed volume, footprint and floorspace of the proposal will be greater than that of the existing development officers note that given the development will be in the form of 2 storey detached and semi-detached dwellings the proposed layout, scale and massing is not considered to have a detrimental impact on the green belt. The urban design officer was consulted and agreed with the points raised above noting that the overall appearance and layout of the scheme would be more congruous with the character and appearance of the surrounding area, as such, the impact on the openness of the green belt is considered to be negligible. The proposal is therefore considered to be acceptable and in keeping with the development policies. Notwithstanding, a condition will be placed on this application removing permitted development rights so as to prevent the overdevelopment of the site, maintain visibility lines and ensure the openness of the green belt is preserved.

### 3.6 Materials

- 3.6.1 Regarding, materials the urban design officer was consulted who noted that the quality of materials and architectural detailing and the extent to which they derive from and reference local/site context is key as such it would be expected that a high-quality brick/timber cladding, aluminium/ timber composite window and high-quality architectural detailing is proposed. As stated in the design and access statement "the size and shape of each dwelling have been designed to reflect the positioning within the site and the relationship with adjoining properties. This design approach has resulted in two different house types; however, the decision has been taken to use complementing materials to add a cohesiveness to the site as a whole". The proposed materials include cedar

lap cladding ('pewter' colour) and takeley facing red brickwork for the walls and marley modern 'anthracite' coloured roof tiles for the roof to reflect the barn-like nature of the existing buildings. The urban design officer considers the architectural approach comprising of a limited palette of materials namely brickwork facing and timber cladding to reference the original agricultural barn-like structure/ local Essex vernacular to be acceptable as it reflects the origins of the site and its use of materiality will help create a distinctive character and identity to the proposed development. Notwithstanding, they do not consider the proposed choice of brick and the use of UPVC windows indicated on the plans to reflect the level of quality that is expected. Consequently, they do not consider this element to reference the local/ site context. Officers have revised this and agree with the points raised above and as such consider the proposed materials to be unacceptable. Therefore, a condition requiring the applicant to submit details of the proposed materials prior to construction will be placed on this proposal so as to ensure the finished development reflects and respects the character and appearance of the surrounding local area.

### 3.7 Landscaping

3.7.1 With regard to landscaping it would be expected that the proposal integrates high-quality landscaping with natural sustainable drainage measures. Likewise, the design, maintenance and management of the proposed soft landscaping areas should be carefully considered to avoid neglected 'left over' spaces". The applicant seeks to return the majority of the site back to soft landscaping to improve the visual outlook from the surrounding area and reduce the current impact of the barren site on the surrounding greenbelt. The design and access statement outlines that "in addition to private gardens, the proposals aim to introduce planting to communal areas and around the new dwellings to improve the visual amenity of the site when viewed from outside. The introduction of native hedging and plants will also encourage biodiversity and bring the site into harmony with the aspirations of the adjacent Country Park". The urban design officer was consulted and note that the proposed soft landscaping elements including tree planning across the site is welcomed and will contribute towards creating a quality of place for future resident. Officers agree with the points raised by the urban design officer, however, as limited details have been provided as to what the soft and hard landscaping or boundary treatment is proposed for the site a condition will be placed on the application to ensure this detail is submitted to the council prior to construction to ensure it remains in keeping with the visual amenity and character of the surrounding local area. Likewise, limited details of a drainage strategy have been submitted as such a condition will be placed on the application requiring these details to be submitted for approval prior to commencement of any above ground works.

### 3.8 Trees

3.8.1 The proposal does not seek to remove any trees or alter the treescape from any notable public viewpoint, as such, in principle the proposal is considered acceptable. The Arboricultural officer was consulted with regard to the scheme and agree that the proposed impact on the existing trees does not warrant an objection. Nonetheless, they have raised a few points for consideration.

3.8.2 The proposal seeks to retain the existing tree line which to the south of the site which borders on to Bell House. This will act as a screen between the two plots which officers and the Arboricultural officer consider to be acceptable. Nonetheless, limited details have been provided with regard to the impact of surfaces changes where the car parking is going as this may be in the roof protection area. Likewise, no details have been provided as to the tree protection plan to prevent damage during the demolition and building stages for those trees and the county park trees to the west of the site. As such officers will place a condition on the application to ensure a tree protection plan and method statement to ground preparation and re-surfacing are submitted prior to any above ground works taking place.

3.8.3 Further, the Arboricultural officer notes that the biggest issues arising from the properties being built up against woodland is potential boundary fouling, or damage, from the parkland trees. They note that the trees on the west side are under the LBBB Ranger Service and are not managed for maintenance pruning. Whilst this is not a concern for the existing use of the site with the proposed



development being new dwellinghouses whereby gardens border these parkland trees, there is a change that this could lead to a high number of complaints and costs resulting in the crown of these trees being within falling distance of the properties. Under the current proposed plans this area will be hard to access for any parties. As such they have advised that a clear boundary of 1.5 metres is established between the new dwellings and the park tree line whereby the area of land should be under the ownership of the dwellings so they can maintain a clearance to their fences and gardens and be maintain their boundaries. Likewise, it enables the site to be inspected and access is provided for maintenance to those trees should it be necessary whereby side access and rear gates should be accessible for work at the rear of these gardens to prevent adjacent landowners from being saddled with damage claims and additional costs for maintenance not currently necessary.

- 3.8.4 Officers have reviewed this and note that from visual images it is evident that these parkland trees sit in most parts a significant distance from the site boundary. Likewise, they hold concerns that by creating a clear boundary to the rear which will be accessible via a side access and rear gate this area of land may become unsightly and poorly maintained due to potential unregulated use by future residents of the dwellings. As such a condition will be placed on this application requiring all boundary fences to be positioned at least 1.5 metres from any pre-existing tree so as to prevent the adjacent landowner from being saddled with damages claims and additional costs for maintenance not currently necessary.

### 3.9 Lighting

- 3.9.1 Similarly, it is evident from the proposed block plan that bollard lighting will be placed throughout the site, however, limited details of lighting provision have been provided as such officers will secure this by condition to ensure a safe environment for residents and visitors.

### 3.10 Setting of nearby listed and locally listed buildings.

- 3.10.1 The application site is located within the setting of a Grade II listed building Bell House and Fels Farmhouse a locally listed building, as such, heritage policies are relevant to this application.

- 3.10.2 Chapter 16 of the NPPF states that heritage assets are an irreplaceable resource and should be covered in a manner appropriate to their significance so they can be enjoyed by existing and future generations. As such proposals should set out a positive strategy is in keeping with the conservation and enjoyment of historic environments. Policies 7.8 and 7.9 of the London Plan seek to ensure that these heritage assets are identified and play a positive role in place shaping. This is further supported by policy HC1 of the draft London Plan.

- 3.10.3 Bell House and Fels Farmhouse form part of the rich local history of the area as such it is referenced in policy CP2 of the Core Strategy as forming an important symbol of the past. This policy seeks to respect the local context and reinforce local distinctiveness. Likewise, policy BP2 of the Borough Wide DPD also references this heritage value and is concerned with preserving heritage areas of their instinctive and historically important feature and ensuring developments do not detract from the heritage area's significance. This is further supported by policy DMD4 of the Draft Local Plan regulation 19.

- 3.10.4 Further, section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1991 (as amended) places a general duty on the Council with respect to listed buildings in exercising its planning functions. In considering whether to grant listed building consent for development which affects a listed building or its setting, the Local Planning Authority (LPA) shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Likewise, Section 72 of this act has special regard to conservation areas and places a duty on the council to ensure the character and appearance of the area is protected and enhanced.

- 3.10.5 Bell House is two storey symmetrical building which is characterised by being five window bays wide and represents a form of early 18<sup>th</sup> century architecture which was later altered in early 19<sup>th</sup>

century. As such, the property forms part of the rich local history and became Grade II listed in 1981. This property sits 40.70 metres south of the shared boundary with the application site.

3.10.6 Fels Farmhouse is a two-storey detached building which became a locally listed building in 2008. This property sits 27.51 metres north of the shared boundary with the application site.

3.10.7 Given the separation between the proposed development and the Grade II listed and locally listed building officers do not consider the proposal would cause harm to the setting of the nearby heritage assets. The urban design officer was consulted and agreed with the points raised by officers noting additionally that given the layout, scale, and massing of the site the impact on the heritage assets will be significantly diminished. Therefore, officers consider the proposal to be acceptable and in keeping with the development policies and section 66 and section 72 of the Town and Country Planning Act (1990).

### 3.11 Refuse Storage

3.11.1 No details of refuse storage have been provided showing the proposed design and materials used, as such a condition will be placed on this application requiring these details to be submitted prior to any above ground works.

3.11.2 Overall, officers consider the proposal to have an acceptable impact on the openness of the green belt and the character and appearance of the surrounding local area, as such, it is considered to be in keeping with the development policies. Notwithstanding, limited details have been provided with regard to crime prevention, as such, a condition will be placed on this application to ensure the development is compliant with a secure by design scheme.

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

4.1 The NPPF, The London Plan Policies 7.1, 7.4 and 7.15, draft London Plan Policies GG1, GG3 and D14, all have relevance to the importance of quality development which addressing neighbouring amenity and avoiding unacceptable impacts.

4.2 Policy DMD1 of the Draft Local Plan Reg 19 seeks to ensure all development proposals consider the impact on neighbouring amenity with regard to significant overlooking (loss of privacy and immediate outlook) and overshadowing (unacceptable loss of daylight/sunlight). Policy DMSI3 further expands on this noting development proposals which generate an unacceptable level of nuisance including noise, waste, comings and goings and general disturbances will be resisted. This is supported by policy DMD6 of the Draft Local Plan Reg 19 and policy BP8 of the Borough Wide DPD.

4.3 As stated in the design and access statement “the site currently contains two large industrial barns along with a number of smaller storage units. The site is almost entirely hard surfaced... Current storage and skip hire use allows skips to be stacked to 7 bins high around the site, this is a fluctuating site coverage on a day-to-day period”. The current use of the application site was deemed lawful following an application for a certificate of lawfulness: existing use based on the understanding that the skip bins do not exceed a height of 7 bins. No other restrictions apply as to the hours of operation or the number of skips permitted on site. As such, given the sites location within a largely residential setting and adjacent to Eastbrookend Country Park the current unrestricted industrial use of the site is considered to be at odd with the environment and setting of the surrounding local due through the generation of noise and visual disturbances detrimental to the amenity of neighbouring properties.

4.4 This application seeks permission for the construction of 7 family sized dwellinghouses as such increasing the number of households on site by 7 and the number of permanent residents to a maximum of 44. Whilst officers acknowledge that introducing 7 new dwellings for up to 44 residents at this location may result in an increase in noise, light, waste, comings and goings and general

disturbances. The assessment of the proposal must be made as a comparison to the amount of noise, waste, light, comings and goings and general disturbances currently produced by the site. As mentioned above the site is currently benefits from unrestricted industrial use, as such, as a comparison to the existing use officers do not consider the proposal to produce greater levels of noise, waste, comings and goings, light and general disturbances than currently produced by the site. In addition, giving the location of the site within a largely residential area officers consider the proposed development to be more suited to the setting of the application site than the existing use.

- 4.5 Further, Fels Farmhouse sits to the north of the site and shares a boundary line with the application site. The property at plot 4 offsets the boundary by 1.0 metres however, the remaining proposed works along this boundary line are ground works. In addition, Fels Farmhouse offsets the shared boundary by 31.84 metres, as such officers consider the distance to mitigate any significant levels of overshadowing and any material loss of daylight, outlook, and privacy.
- 4.6 Bell House sits to the south of the site and shares a boundary line with the application site. The property at plot 5 will offset the shared boundary by 3.24 metres and sit adjacent to the eastern corner. The property at plot 1 will offset the boundary line by 9.49 metres and sit to the western corner. In addition, Bell House is located 41 metres from the shared boundary line, as such, officers consider the distance between the proposed development and Bell House to mitigate any significant levels of overshadowing and any material loss of daylight, outlook a privacy.
- 4.7 414 and 412 Dagenham Road sit to the south and share a rear boundary line with the application site whereby the proposed dwellinghouses sit 30 metres from the boundary line. As shown on the proposed block plan the area directly behind these properties consists of plot 5's garden as such officers so not consider the proposal to result in overshadowing or the material loss of daylight and outlook.
- 4.8 The properties along Dagenham Road to the west offset the sites boundary line by 17 metres as such officers consider the distance to mitigate any overshadowing or material loss of daylight, outlook, and privacy. Likewise, Eastbrookend Country Park sits to the east and north east, as such there will be no impact on neighbouring amenity in this location.
- 4.9 Notwithstanding, objections were received from neighbouring properties with regard to the impact the proposal will have on the visual amenity and openness of the green belt namely there are concerns that the proposal will set precedence for further development on green belt land. Officers have covered these matters in the principle of development and design sections.
- 4.10 Further, significant concerns have been raised with regard to increased traffic, pedestrian, and cyclist's safety. These matters will be assessed in the sustainable transport section below.
- 4.11 Moreover, concerns were raised with regard to noise from demolition and building works. Whilst officers acknowledge that the construction of the proposal may result in the creation of more noise and general disturbances, these disturbances will only occur in the short term as they will only last the duration of construction, as such, officers do not consider this matter to warrant a reason for refusal.
- 4.12 Overall, officers consider the proposal to have an acceptable impact on neighbouring amenity in keeping with the development policies. Notwithstanding, a condition regarding construction environmental management and site waste management will be placed on this application to reduce the environmental impact of the construction and the impact on the amenities of neighbouring residents.

## **5.0 Sustainable Transport:**

- 5.1 The NPPF recognises that sustainable transport has an important role to play in facilitating sustainable development but also contributing to wider health objectives. It offers encouragement

to developments which support reductions in greenhouse gas emissions and those which reduce congestion. The NPPF also outlines that developments which generate significant vehicle movements should be located where the need to travel will be minimised and the use of sustainable transport options can be maximised. It is also expected that new development does not give rise to the creation of conflicts between vehicular traffic and pedestrians. However, it also stated 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.

5.2 This is echoed by the London Plan through Policies 6.3, 6.9 and 6.13, and policies T6.1 and T5 of the Draft London Plan and further supported by policies DMT 2 and DMT 3 of the Draft Local Plan Reg 19 and policy BR9 of the Borough Wide DPD.

### 5.3 Car Parking

5.3.1 The application site has a PTAL of 1b which represents poor access to public transport. Table 10.3 of policy T6.1 of the Draft London Plan states that outer London locations with this PTAL should provide no more than 1.5 parking spaces per dwelling. The proposal seeks to provide two off-street parking per dwelling whereby accessible spaces are available at 5 of the dwellings- the car parking spaces for the 4-bedroom properties will be located to the front of the dwellinghouses and for the 3-bedroom properties the spaces will be located to the rear. In addition, two visitor parking spaces will be provided. These will be located adjacent to the access road. The transport development manager was consulted and noted the car parking provision proposed does not comply with policy T6.1 of the Draft London Plan or policy DMT 2 of the Draft Local Plan as such the number should be reduced to at least 1.5 spaces per unit. Further they note that the transport technical note states "all car parking will be provided with passive provision for ECVP's from the outset with possibility of future occupiers choosing to have them fitted at a later stage". This does not comply with the London Plan which requires 20% active provision installed, the remainder passive with locations for both indicated on a plan. Officer have relayed these comments to the applicant and sought amendments. An amended block plan has been provided reducing the car parking for each property to 1 and showing the ECVP points for each space. Officers consider the amended provision of parking to be acceptable and in keeping with the development policies.

### 5.4 Cycle Parking

5.4.1 Further, Table 10.2 of policy T5 of the Draft London Plan states that properties with 2 or more bedrooms should provide at least 2 safe and secure cycle storage spaces per dwelling. In addition, developments which to construct between 4 and 20 dwellings should provide at least 2 short-stay cycle parking spaces for visitors. As such, it would be expected that the proposal provides sufficient long-term and short-term cycle storage. The proposal will provide 2 x safe and secure cycle storage spaces within the rear garden of each property. In addition, there will be 3 short-term cycle spaces for visitors adjacent to the access road. Overall, officers consider the proposal to provide adequate provision of safe and secure cycle storage. Notwithstanding, officers have placed a condition regarding cycling on this application to ensure the proposed cycle storage spaces are designed in accordance with London cycle design standards and relevant development policies.

### 5.5 Public Transport

5.5.1 Lastly, the application site is located 1minute walk from two bus stops on Dagenham Road which are served by the 174-bus route and provide regular services to Romford Station and Dagenham Heathway Station both of which are an 11-minute bus journey. Further Dagenham East Tube Station is located a 24-minute walk away. As such, it is evident that whilst public transport links are accessible, they are not convenient, hence, it is likely that residents and visitors to the site will use private cars and bicycles. Therefore, officers are in full support of the cycle and parking arrangements which are provided on site.

5.5.2 In addition, a new tabletop entrance will be installed at the vehicular entrance of the property which will prioritise the cycle path, hence, highlighting that the proposal supports more sustainable modes of transport.

## 5.6 Access

5.6.1 The swept path analysis submitted with the application demonstrates the road design is suitable for access by refuse and emergency vehicles to enter and leave in a forward gear. Notwithstanding, the transport development officer was consulted whilst they were satisfied with the access arrangements to the site and the shared space leading into the site, they noted that they would like to see a segregated footway between the back of the public highway and the shared surface to avoid conflict with vehicles entering or leaving. Officers sought amendments from the applicant regarding this matter, however, it was detailed in an email dated 28.01.2021 that whilst the applicant understood the reasoning behind the need for this segregation, they held concerns that by having a separate pedestrian footway this would expose pedestrians to cyclist potentially travelling at speed at the section where intervisibility of pedestrians and cyclists would be significantly restricted by neighbouring properties. As such, whilst they provided amended drawings showing a 2.0-metre-wide segregated footway connection, they requested that the final decision would be subjected to the highway safety audit related to the junction redesign. Officers have taken this matter into account and note that whilst they understand the applicants concerns that having a segregated pathway at the entrance may compromise pedestrian safety at this junction, they note that this would still be the case should the shared surface extend onto the main road, however, in addition to this there would be the additional risk of pedestrian conflict with vehicles entering and leaving the site. Therefore, on balance in agreement with the transport development officer, officers consider the segregated footway to offer greater pedestrian safety as such they consider the amended drawing to be acceptable and in keeping with the development policies.

5.6.2 Likewise, the access strategy proposes to make use of the existing entrance on Dagenham Road and via a new private road which connects all the parking areas for each plot. The transport officer notes the existing access will require modifications to make sure it is in line with the current highway design standards for this type of residential development. In addition, the forward visibility on the bend of the private access road should be safeguarded to avoid the sightline being obscured at the rear of plot 1. The applicant confirmed in an email dated 28.01.2021 and as shown on the amended proposed block plan the landscaping to the front and rear of plot 1 will consist of low-level planting and not exceed 600 mm in height to maintain visibility. Officers believe this is acceptable to avoid sightlines being obscured, nonetheless, it would be expected that details of this landscaping are submitted to discharge the condition regarding landscaping.

5.6.3 Further, it is noted highway alterations to Dagenham Road will be required to safely accommodate the developments proposed access arrangements. These will go beyond the extension of the red line boundary of the application site whereby road works will include kerb, footway, and carriageway modifications, TMO's, parking restrictions and signage. The transport officer notes this will need to be secured with the applicant separately in a section 278 agreement with the Highway Authority. As such a condition will be placed on this application requiring a section 278 agreement (Highways Act 1980) to be entered into by the applicant prior to construction taking place on site.

5.6.4 Finally, concerns were raised by neighbouring residents regarding highway, traffic, cyclists, and pedestrian safety given the site was located adjacent to a blind bend. Officers note that the private access road into and out of the site will be a private road, however, it would be expected that speeds are kept to a minimum within the site as such there are limited concerns on the impact this will have to cyclists and pedestrians within and outside the site. Likewise, as the application will have to enter a section 278 agreement with the highway's authority suitable signage and carriageway markings will be required beyond the red line boundary as such officers are satisfied that this will allow Dagenham Road to safely accommodate the new development. In addition, the transport development officer notes that there have not been any reported incidents at this junction and given the number of houses on site the number of trips made by car are not considered to be

significant. Therefore, officers consider the impact the proposal will have on the safety of the highway to be acceptable and in keeping with the development policies.

5.6.5 Overall, officers consider the proposal to have an acceptable impact on the highway, local parking amenity and promote the use of more sustainable modes of transport. The proposal is therefore considered acceptable and in keeping with the development policies.

#### **6.0 Conclusions:**

The proposed demolition of existing buildings and construction of 3 x 4-bedroom and 4x 3-bedroom dwellinghouse is considered to have an acceptable impact on the openness of the Green Belt whilst also increasing the net stock of family housing within the borough by 7 which is the type of housing in high demand. Likewise, the proposal will have an acceptable impact on the character and appearance of the Green Belt and the surrounding local area, neighbouring amenity, and the highway. The proposal is therefore considered to be acceptable and in keeping with the development policies.



**Appendix 1:**

<p><b>Development Plan Context:</b>          The Council has carefully considered the relevant provisions of the Council’s adopted development plan and of all other relevant policies and guidance. Of particular relevance to this decision were the following Framework and Development Plan policies and guidance:</p>	
<p><i>National Planning Policy Framework (NPPF) (MHCLG, Feb 2019)</i></p>	
<p><i>The London Plan: Spatial Development Strategy for London (GLA, consolidated with alterations since 2011, published March 2016)</i></p>	<p>Policy 3.3 Increasing Housing Supply</p> <p><i>Policy 3.5 Quality and design of housing developments</i></p> <p><i>Policy 3.8 Housing Choice</i></p> <p><i>Policy 3.14 Existing Housing</i></p> <p><i>Policy 7.1 Lifetime Neighbourhoods</i></p> <p><i>Policy 7.4 Local Character</i></p> <p><i>Policy 7.6 Architecture</i></p> <p>Policy 7.8 Heritage Assets and Archaeology</p> <p><i>Policy 7.15 Reducing and managing noise, improving, and enhancing the acoustic environment and promoting appropriate soundscapes.</i></p> <p><i>Policy 7.16 Green Belt</i></p> <p><i>Policy 6.3 Assessing effects of development on transport capacity.</i></p> <p><i>Policy 6.9 Cycling</i></p> <p><i>Policy 6.13 Parking</i></p>
<p><i>The Mayor of London’s Draft London Plan - Intend to Publish version December 2019 is under Examination. Having regard to NPPF paragraph 48 the emerging document is a material consideration and appropriate weight will be given to its policies and suggested changes in decision-making unless other material considerations indicate that it would not be reasonable to do so.</i></p>	
<p><i>Draft London Plan - Intend to Publish version December 2019</i></p>	<p>Policy GG4 Delivering the Homes Londoners need</p> <p>Policy H1 Increasing housing supply.</p> <p>Policy H2 Small sites</p> <p>Policy D4 Delivering good design.</p> <p>Policy D5 Inclusive design</p> <p>Policy D6 Housing quality and standards</p> <p>Policy H10 Housing size mix</p> <p>Policy H9 Ensuing the best use of stock.</p>

	<p>Policy D6 Housing quality and standards</p> <p>Policy GG1 Building strong and inclusive communities.</p> <p>Policy GG3 Creating a healthy city.</p> <p>Policy D3 Optimising site capacity through design led approach.</p> <p>Policy D8 Public realm</p> <p>Policy D14 Noise</p> <p>Policy T6.1 Parking</p> <p>Policy T5 Cycling</p> <p>Policy HC1 Heritage Conservation and Growth</p> <p>Policy G2 London's Green Belt</p>
<p><i>Local Development Framework (LDF) Core Strategy (July 2010)</i></p>	<p>Policy CM1 General Principles of Development</p> <p>Policy CM2 Managing Housing Growth</p> <p>Policy CP3 High Quality Built Environment</p> <p>Policy CP2 Protecting and Promoting our Historic Environment.</p> <p>Policy CM3 Green Belt and Public Open Space</p>
<p><i>Local Development Framework (LDF) Borough Wide Development Plan Document (DPD) (March 2011)</i></p>	<p>Policy BP5 External Amenity Space</p> <p>Policy BP6 Internal Amenity Space</p> <p>Policy BP11 Urban Design</p> <p>Policy BP8 Protecting Residential Amenity</p> <p>Policy BR9 Parking</p> <p>Policy BR10 Sustainable Transport</p> <p>Policy BR2 Conservation Areas and Listed Buildings</p>
<p><i>The London Borough of Barking and Dagenham's Draft Local Plan: (Regulation 19 Consultation Version, October 2020) is at an "advanced" stage of preparation. Having regard to NPPF paragraph 216 the emerging document is now a material consideration and substantial weight will be given to the emerging document in decision-making unless other material considerations indicate that it would not be reasonable to do so.</i></p>	
<p><i>The London Borough of Barking and Dagenham's Draft Local Plan: (Regulation 19 Consultation Version, October 2020)</i></p>	<p>Policy SPDG1 Delivering growth in Barking and Dagenham.</p> <p>Policy SP3 Delivering homes that meet peoples' needs.</p> <p>Policy DMH3 Specialist housing</p> <p>Policy DMNE1 Parks, open spaces and play space</p>

	<p>Policy DMD4 Heritage assets and archaeological remains.</p> <p>Policy SP2 Delivering a well-designed, high-quality, and resilient built environment.</p> <p>Policy SP4 Delivering social and cultural infrastructure facilities in the right locations.</p> <p>Policy DMD1 Securing high-quality design.</p> <p>Policy DMSI3 Nuisance</p> <p>Policy DMT2 Car parking</p> <p>Policy DMT3 Cycling</p> <p>Policy SP6 Green and Blue Infrastructure</p>
<p><i>Supplementary Planning Documents</i></p>	<p>DCLG Technical Housing Standards (nationally described space standard) (DCLG, March 2015) (as amended)</p> <p>Housing Supplementary Planning Guidance (GLA, March 2016, Updated August 2017)</p> <p>LBBB Green Belt Review (October 2016)</p>

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

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

**Appendix 2:**

<b>Relevant Planning History:</b>			
<i>Application Number:</i>	19/01290/PRE	<i>Status:</i>	No decision taken
<i>Description:</i>	Pre application meeting request: Mixed use of A3, B1 and C3 comprising of 8 x 3 bed; 8 x 2 bed; and 6 x 1 bed. A basement car is proposed, and the scheme frontage is to provide 240 square metres of A3 in the basement, 410 square metres of A3 at ground floor level and 350 square metres of B1 above with 4 residential units above. The rear to be a mixture of flats and houses of a total of 22 units to include the 4 units above the commercial space.		
<i>Application Number:</i>	20/00282/FUL	<i>Status:</i>	Application Withdrawn
<i>Description:</i>	Demolition of existing buildings and erection of a mixed-use scheme comprising 9 new dwellings (5 x 4-bedroom and 4 x 3-bedroom) and a 3-storey office block (Use Class B1(a)) including basement; and utilisation of existing vehicular access.		

### Appendix 3:

The following consultations have been undertaken:

- Environmental Agency
- London Fire Brigade (Water Team)
- Infrastructure Deliver Manager LBBB
- Urban Design Officer
- London Fire Brigade
- TFL Planning
- TFL Underground
- Thames Water
- LBBB Inclusive Growth
- LBBB Contaminated Land
- Historic England (Archaeology)
- Historic England Buildings
- Design Out Crime Officer
- LBBB Access Officer
- Transport Development Manager
- Arboricultural Officer
- LBBB Highways
- Cllr Princess Bright (Eastbrook Ward Councillors)
- Cllr Tony Ramsay (Eastbrook Ward Councillors)
- Cllr Mick McCarthy (Eastbrook Ward Councillors)

Summary of Consultation responses:		
Consultee and date received	Summary of Comments	Officer Comments
Stephen Knell- Access Officer  Email dated: 09.11.2021	<ul style="list-style-type: none"> <li>• A lovely scheme no objections</li> </ul>	N/A
Leslie Gipps- Designing out Crime Unit.  Email dated: 17.11.2020	<ul style="list-style-type: none"> <li>• Officers have not been consulted with regards to crime prevention on the project. As such it is advised that a condition is placed on the application so as to ensure the development achieves a certificate of compliance to a secure by design scheme.</li> </ul>	Matters have been addressed in paragraph 3.11.2 and secured by condition 7
Tracy Farrell- Environmental Protection Officer  Email dated: 29.11.2020	<ul style="list-style-type: none"> <li>• If the LPA is minded granting permission the following conditions are recommended: contaminated land, construction environmental management and site waste management and scheme of acoustic protection</li> </ul>	Matters have been addressed in paragraphs 4.12 and 2.1.5 and secured by conditions 8, 9 and 10
Louise Davies- GLAAS  Email dated: 09.12.2020	<ul style="list-style-type: none"> <li>• The proposal is unlikely to have a significant effect on heritage assets of archaeological. No further assessment or conditions are therefore necessary.</li> </ul>	N/A
Ian Drew- Urban Design  Email dated: 16.12.2020	<p><b>Layout, Height, Scale and Massing</b></p> <ul style="list-style-type: none"> <li>• The opportunity to redevelop the site and replace existing industrial buildings of little design merit on what was a former skip hire depot</li> </ul>	Matters have been addressed in paragraphs 3.6.1, 3.7.1 and 3.9.1 and secured by condition 3, 4, 5 and 6

	<p>bounded by residential properties is acknowledged. The principle of residential development in the form of 2 storey detached and semi-detached dwellings occupying generous sized plots with an active street frontage is supported.</p> <ul style="list-style-type: none"> <li>• In terms of impact on the greenbelt it is noted that the site currently comprises of hardstanding to facilitate the existing industrial use. Given the proposed layout, scale and massing it is not considered that the proposed development would have a detrimental impact on the openness of the greenbelt.</li> <li>• It is important that any new development makes a positive contribution to the setting and has an appropriate relationship with neighbouring properties and the surrounding context. Bell House, a Grade II listed building, is located to the south of the site. Given the separation distance between the proposed development and the listed building, it is not considered that the proposal would harm the setting of this heritage asset. The site layout, scale and massing are considered acceptable and would not be detrimental to the existing character of the surrounding area.</li> </ul> <p><b>Appearance</b></p> <ul style="list-style-type: none"> <li>• The architectural approach comprising of a limited palette of materials namely brickwork facing and timber cladding to reference the original agricultural barn-like structures/local Essex vernacular is accepted. Reflecting the origins of the site and its use through materiality will help to create a distinctive character and identity to the proposed development.</li> <li>• The quality of the materials and architectural detailing and the extent to which they derive from and reference local/site context is key. The proposed choice of brick and the use of UPVC windows indicated on the plans submitted do not reflect the level of quality</li> </ul>	
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	<p>that is expected and would not be acceptable. A high-quality brick/timber cladding, aluminium/timber composite windows and high-quality architectural detailing is required. Physical samples should be provided, the quality of which should be secured by condition.</p> <p><b>Landscape</b></p> <ul style="list-style-type: none"> <li>• The applicant should seek to integrate high-quality landscaping with natural sustainable drainage measures where possible. The design, maintenance and management of the proposed soft landscaping areas should be carefully considered in order to avoid neglected 'left over' spaces.</li> <li>• The proposed soft landscaping elements including tree planting across the site is welcomed and will contribute towards creating a <i>quality of place</i> for future residents. The Council's Arboricultural Officer should be consulted regarding the proposed removal of existing mature trees fronting Dagenham Road. Details of soft and hard landscaping including boundary treatments should be secured by condition.</li> <li>• Details of external lighting provision should also be secured by condition in order to ensure a safe environment for residents and visitors</li> </ul>	
<p>John Hunter- Transport Development Manager</p> <p>Email dated: 25.01.2021</p>	<ul style="list-style-type: none"> <li>• The PTAL of the site is 1b.</li> <li>• The proposed residential development will change the type of vehicles movements, instead of HGV/LGV's the types of trips will be predominantly cars. The impact of car trips would be minimal and would result in a decrease in the overall number of trips when compared with the sites previous use.</li> <li>• There are 2 allocated off-street car parking spaces within the boundary of each plot. This does not comply with the London Plan, draft London plan or the reg 19 local plan. As such the number of spaces should be reduced to 1.5 spaces per unit.</li> </ul>	<p>Matters have been addressed in section 5.0 and secured by condition 12 and 16</p>

	<ul style="list-style-type: none"> <li>• The Transport Technical note states all car parking will be provided with passive provision for ECVP's from the outset with possibility of future occupiers choosing to have them fitted at a later stage. This does not comply with the London Plan which requires 20% active provision installed, the remainder passive with locations for both indicated on a plan.</li> <li>• The access strategy proposes to make use of the existing site entrance on Dagenham Road and via a new private roadway access connect to all the parking areas for each plot. The existing access will require modifications to make sure it is line with the current highway design standards expected for this type of residential development. The forward visibility on the bend of the access road should be safeguarded to avoid the sightline being obscured at the rear of plot 1.</li> <li>• A segregated footway within the site should be provided to give a safe walking connection between the back of the public highway with the shared surface to avoid conflict with vehicles entering or leaving. In terms of inclusive mobility ideally the width of the footway should be 2.0 meters to facilitate wheelchairs and prams to pass freely and where this width is not possible, a clear width of 1.5m should be provided.</li> <li>• Swept path analysis has been carried out that demonstrates the road design is suitable for access by refuse and emergency vehicles to enter and leave in a forward gear.</li> <li>• A Construction and Logistic Plan would be needed to ensure best practice in accordance with TfL guidance and TfL's Freight Operators Recognition Scheme is adhered and this should be secured with a condition.</li> <li>• To realize this proposal as submitted it will require highway alterations on Dagenham Road to</li> </ul>	
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	<p>safely accommodate the developments proposed access arrangements. These will go beyond the extent of the red line boundary of the application and we will need more detail information than what has already been shown on the indicative highway scheme submitted.</p> <ul style="list-style-type: none"> <li>• These road works will consist of kerb, footway, and carriageway modifications, TMO's, parking restrictions and signage. This will need to be secured with the applicant separately in a section 278 agreement with the Highway Authority. We suggest in the interest of highway safety, a section 278 agreement (Highways Act 1980) is entered into by the applicant prior to construction taking place on site.</li> </ul>	
<p>Colin Richardson- Arboricultural Officer</p> <p>Email dates: 26.11.2020</p>	<p>I do not believe there is any significant impact with this scheme that warrants objection. No trees are being removed and, ultimately, the treescape is not altered from any notable public viewpoint. But there are some points to make that should be considered.</p> <p>Firstly, the existing trees to the south of the site that border to the Bell House: The application intends to retain them as a screen which is good. However, the application should include an impact assessment to surface changes where the car park is going. This may be in the RPA of the trees and in this case a method statement to ground preparation and re-surfacing should be supplied. Also, a tree protection plan for those trees and the country park trees to the west of the site to not get damaged during the demolition and build stages.</p> <p>Most importantly, the biggest issues that arise from properties built up against woodland land is potential boundary fouling, or damage, from the parkland trees. The trees on the west side are under the LBBB Ranger Service and are not managed for maintenance pruning. Under the site's current status, no problems will arise. However, when dwelling gardens border the site, complaints come in and costs can occur to the public purse. It will be the trees that are within crown falling distance of</p>	<p>Matters have been addressed in section 3.8 and secured by condition 11 and 17</p>

	<p>the properties that will be in question for work and they will be hard to access for any parties without some forethought.</p> <p>I would like to see a clear boundary established between the rear fences of the new dwellings and the park tree line, say a minimum of 1.5m. This area of land should be under the ownership of the dwellings so they can maintain a clearance to their fences and gardens and be able to maintain their boundaries (i.e., stopping weed growth, painting wood preservatives to fences etc.) It enables the site to be inspected and access possible for maintenance work to those trees should it be necessary. Side access and rear gates should be accessible for work at the rear of these gardens. It enables the adjacent landowner (in this case LBBB) to comfortably refer to common law with regard to boundary clearance and to not be saddled with damages claims and additional costs for maintenance not currently necessary.</p>	
<p>TFL Email dated 05.11.2021</p>	<p>TFL had no further comments to make regarding the application</p>	
<p>GLA Email Dated 04.01.2021</p>	<p>The floorspace of the proposed scheme is less than 1,000sq, as such, the proposal is not GLA referable.</p>	

**Appendix 4:**

<b>Neighbour Notification:</b>	
<b>Date Neighbour Letters Sent:</b>	03.11.2020
<b>Date of Press Advertisement:</b>	06.11.2020
<b>Number of responses:</b>	13
<b>Address:</b>	<b>Summary of response:</b>
120 Eastbrook Drive	The proposal will rely solely on the small roundabout to access the main road and if this were to become blocked at any time or congested due to ongoing works it could have a huge impact on our day-to-day lives. Concerns with regard to high traffic
7 Hook Hall Drive	Concerns with pedestrian and cyclist safety. Increase traffic resulting in accidents. Concerns occupiers of 3-bedroom properties will park on the pavement/cycle path outside their homes which could lead to pedestrian and cyclist safety being compromised.
68 Eastbrook Drive	The proposal is on green belt and it will intrude upon a precious amenity which would disrupt the wildlife and people's pleasure
14 Park Drive	Green Belt land previously used for agriculture and sits between 2 locally listed houses: Fels Farmhouse and Bell House. Proposal would put strain on Dagenham Road, and it is close to a blind bend. There is no shortage of brownfield sites to build houses on
3 Valentines Way	Noise from demolition and building work. Traffic congestion caused by construction and future residents. Blind bend in the road Spoil view from my house Green Belt land
Anonymous Objection	Vehicular entrance to the yard is dangerous. Only one bus route services the site Not near local shops Impact on the openness of the Green Belt and increase burden upon local infrastructure.
Anonymous Objection	Existing plan bears little or no resemblance to the current use of the yard. Overlooking and loss of privacy Impact on visual amenity- Grade II listed Bell House, Locally Listed Fels Farmhouse and Eastbrookend Country Park. Openness and harm to the Green Belt Highway Safety and Traffic Generation

Cllr Tony Ramsay	<p>1) Green Belt, all previous applications refused correctly. This should on its own warrant refusal.</p> <p>2) Effect on adjoining Country Park, proposal will spoil the visual amenity of the Park.</p> <p>3) Loss of unique barn feature, typical of feature in farming area in the not-too-distant past.</p> <p>4) Traffic, very little currently from site, but increasing if proposal is approved and affecting busy Dagenham Road adversely if approved.</p>
Cllr Princess Bright	<p>Removal of farm outbuildings which is a symbol from our agricultural past. Dangerous as the proposal is near a dangerous bend in the road and a roundabout.</p>
Cllr Mick McCarthy	<p>Removal of farm outbuildings which is a symbol from our agricultural past. Dangerous as the proposal is near a dangerous bend in the road and a roundabout.</p>
Anonymous	<p>Frequent accidents Site is on a dangerous bend</p>
Anonymous	<p>Access Problems Impact on the Green Belt- set a precedence</p>
Anonymous	<p>Strain on schools, hospitals, and cause congestion Site on a dangerous bend prone to accidents Impact the surrounding country park. Site would have a better used as a health centre</p>

**Officer Summary:**

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



## Appendix 5:

### Conditions & Informative:

#### Conditions:

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).*

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

- 1684/P04 Proposed Block Plan [Revision D] Dated September 2020
- 1684/P01 Site Location Plan Dated November 2019
- 1684/P05 Proposed Layout Plots 1 and 4 Dated October 2020
- 1684/P06 Proposed Layout Plots 5 & 6 Dated October 2020
- 1684/P07 Proposed Layout Plot 7 Dated October 2020
- 1684/P08 Proposed Street Scene and Site Sections Dated January 2020
- Design and Access Statement [Revision C] Dated November 2020

No other drawings or documents apply.

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

3. No development shall commence until:

(a) an investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale, and nature of contamination;
- (ii) an assessment of the potential risks to human health; property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines, and pipes; adjoining land; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments; and
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

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

(b) a detailed remediation scheme, to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment, has been prepared and submitted to the Local Planning Authority for approval in writing. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority. The report shall include results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met.

(d) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of (a), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of (b), which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

*Reason: Contamination must be identified prior to commencement of development to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy BR5 of the Borough Wide Development Policies Development Plan Document and policy 5.21 of the London Plan.*

4. No development shall commence, including any works of demolition, until a Construction Environmental Management Plan (CEMP) and a Site Waste Management Plan (SWMP) have been submitted to and approved in writing by the Local Planning Authority. These Plans shall incorporate details of:
- a) construction traffic management;
  - b) the parking of vehicles of site operatives and visitors;
  - c) loading and unloading of plant and materials;
  - d) storage of plant and materials used in constructing the development;
  - e) the erection and maintenance of security hoarding(s) including decorative displays and facilities for public viewing, where appropriate;
  - f) wheel washing facilities;
  - g) measures to control the emission of dust, dirt, and emissions to air during construction; such measures to accord with the guidance provided in the document "The Control of Dust and Emissions during Construction and Demolition", Mayor of London, July 2014; including but not confined to, non- road mobile machinery (NRMM) requirements.
  - h) noise and vibration control.
  - i) a scheme for recycling/disposing of waste resulting from demolition and construction works;
  - j) the use of efficient construction materials;
  - k) methods to minimise waste, to encourage re-use, recovery and recycling, and sourcing of materials; and
  - l) a nominated Developer/Resident Liaison Representative with an address and contact telephone number to be circulated to those residents consulted on the application by the developer's representatives. This person will act as first point of contact for residents who have any problems or questions related to the ongoing development.

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

generation of ground borne vibration are only to be carried out between the hours of 08:00 and 18:00 Monday to Friday.

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

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

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

5. No works shall commence unless and until a scheme for the protection of the existing on-site trees and any tree within 5 metres of the site boundary (including a method statement identifying the root protection areas of the trees and the method to avoid damage to the trees) has been submitted to and approved in writing by the Local Planning Authority. Such a scheme will comply with the provisions of BS 5837:2012 (Trees in relation to design, demolition, and construction – Recommendations) and BS 3998:2010 (Tree work – Recommendations). The approved scheme for the protection of the existing trees shall be implemented prior to the commencement of all works and be maintained in full until the development has been completed.

*Reason: Arboricultural assets are present on the site. The planning authority wishes to secure the protection and future health of the Arboricultural assets. The imposition of this prior to commencement planning condition is considered necessary to prevent commencement of works until the requirements have been met because the timing of compliance is fundamental to the decision to grant planning permission.*

6. Prior to commencement of the development the developer shall enter a s278 agreement to undertake highway improvements and submit to the council a detailed highway design and seeking to ensure it accords with the relevant road safety audit and the detailed design to cover the required Traffic Management Orders to be TSRGD compliant both in term of the accompanying signage and highways markings, kerb alignment and adjustment, footway resurfacing / recon. The detailed design works to be in accordance with the Design Manuel for Roads and Bridges and Manual Contract for Highway Works specifications.

*Reason: In the interest of highway safety and in accordance with section 278 of the Highways Act 1980*

7. The development hereby permitted shall not commence (except for demolition works) unless and until a surface water drainage scheme for the site (based on sustainable drainage principles SuDS) has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall include:
  - a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development;
  - a demonstration that the surface water run-off generated up to and including the 100 years plus Climate Change critical storm period will not exceed the run-off from the undeveloped site following the corresponding rainfall event.
  - details of how the proposed surface water drainage scheme will be maintained; and
  - a drainage scheme nominating the ownership, management, and maintenance arrangements;

The surface water drainage scheme shall be implemented prior to the first occupation and/or use of the development and be constructed in accordance with the approved details.

*Reason: To safeguard the public from surface water flood risk, protect the environment and respond to climate change. The imposition of this prior to commencement planning condition is considered necessary to prevent commencement of works until the requirements have been met because the timing of compliance is fundamental to the decision to grant planning permission.*

8. Prior to commencement of the development a local marketing strategy shall be submitted to and approved in writing by the local planning authority. The local marketing strategy shall include:
- i. details of where and how the development will be marketed;
  - ii. the timings to demonstrate 6 months of exclusive local marketing;
  - iii. the arrangements to ensure that the development is accessible to all local residents; and
  - iv. local residents is defined as residents of Barking and Dagenham. This criterion is to be used for determining the 'local market' and the means by which such criteria shall be kept to.

The dwellings hereby consented shall not be marketed beyond the local area or on wider platforms unless and until parts i – iv have been completed.

*Reason: To ensure local residents have priority access to the provision of additional family sized dwellinghouses*

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

*Reason: To protect and enhance the character and amenity of the area in accordance with policies 7.4 and 7.6 of the London Plan and policy and BP11 of the Borough Wide Development Policies Development Plan Document.*

10. No development above ground level shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the position, design, materials, and type of boundary treatment to be erected. The plan shall include pedestrian gates to the sides and rear of the building to prevent unauthorised access to the site. The development shall not be occupied until the approved boundary treatment has been provided. The approved boundary treatment shall be retained unless the Local Planning Authority gives prior written approval for its removal.

*Reason: To ensure the boundary treatment protects or enhances the character and amenity of the area in accordance with policies 7.4 and 7.6 of the London Plan and policy and BP11 of the Borough Wide Development Policies Development Plan Document.*

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

*Reason: To safeguard and improve the appearance of the area in accordance with policies 7.4 and 7.6 of the London Plan and policy and BP11 of the Borough Wide Development Policies Development Plan Document.*

12. No above ground development shall commence until a scheme showing the provisions to be made for external lighting has been submitted to and approved in writing by the Local Planning Authority. The lighting is to be designed, installed, and maintained so as to fully comply with The Association of Chief Police Officers - Secured by Design publication "Lighting Against Crime - A Guide for Crime Reduction Professionals", ACPO SPD, January 2011. The design shall satisfy criteria to limit obtrusive light presented in Table 1, page 25 of the guide, relating to Environmental Zone E2 Low district brightness areas-Rural, small village or relatively dark urban locations. The development shall not be occupied

until the approved scheme has been implemented. Thereafter the approved measures shall be permanently retained unless otherwise agreed in writing by the Local Planning Authority.

*Reason: In the interests of security and safety, to avoid light pollution and safeguard neighbouring amenity and in accordance with policies 7.4 and 7.6 of the London Plan and policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.*

13. No development above ground level shall take place until details of refuse enclosures showing the design; location and external appearance have been submitted to and approved in writing by the Local Planning Authority. The approved enclosures shall be provided before the commencement of the use and thereafter permanently retained.

*Reason: To provide satisfactory refuse storage provision in the interests of the appearance of the site and locality in accordance with policies 7.4 and 7.6 of the London Plan and policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document*

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

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

The approved scheme shall be fully implemented before the first occupation of the residential unit to which it relates and shall be maintained at all times thereafter.

*Reason: To ensure that the proposed residential units are adequately protected from noise and in accordance with policy BR13 of the Borough Wide Development Policies Development Plan Document and policy 7.15 of the London Plan.*

15. Prior to first occupation, details of the cycle parking facilities, as shown on drawing No. 1694/P04 (Revision D) Proposed Block Plan, shall be submitted to, and approved in writing by the Local Planning Authority. The cycle parking facilities shall be designed and laid out in accordance with the London Cycle Design Standards. The development shall not be occupied until the approved details have been implemented. Thereafter, the cycle parking facilities shall be permanently retained.

*Reason: In the interests of promoting cycling as a safe, efficient, and non-polluting mode of transport and in accordance with Policy BR11 of the Borough Wide Development Policies Development Plan Document, Policy 6.9 of the London Plan and of the London Cycle Design Standards.*

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), no development falling within Classes A, B, C, D and E in Part 1 of Schedule 2 or Class A in Part 2 of Schedule 2 to that Order shall be carried out without the prior written permission of the Local Planning Authority.

*Reason: To prevent the overdevelopment of the site, maintain visibility lines within the development and preserve the openness of the green belt in accordance with the NPPF, policies 7.4 and 7.6 of the London Plan and policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.*

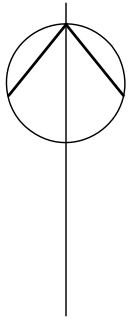
17. All boundary fences along the western boundary adjacent to Eastbrookend Country Park must be positioned 1.5 metres from any pre-existing trees.

*Reason: To ensure the protection of trees and allow for the future maintenance and pruning of the trees.*

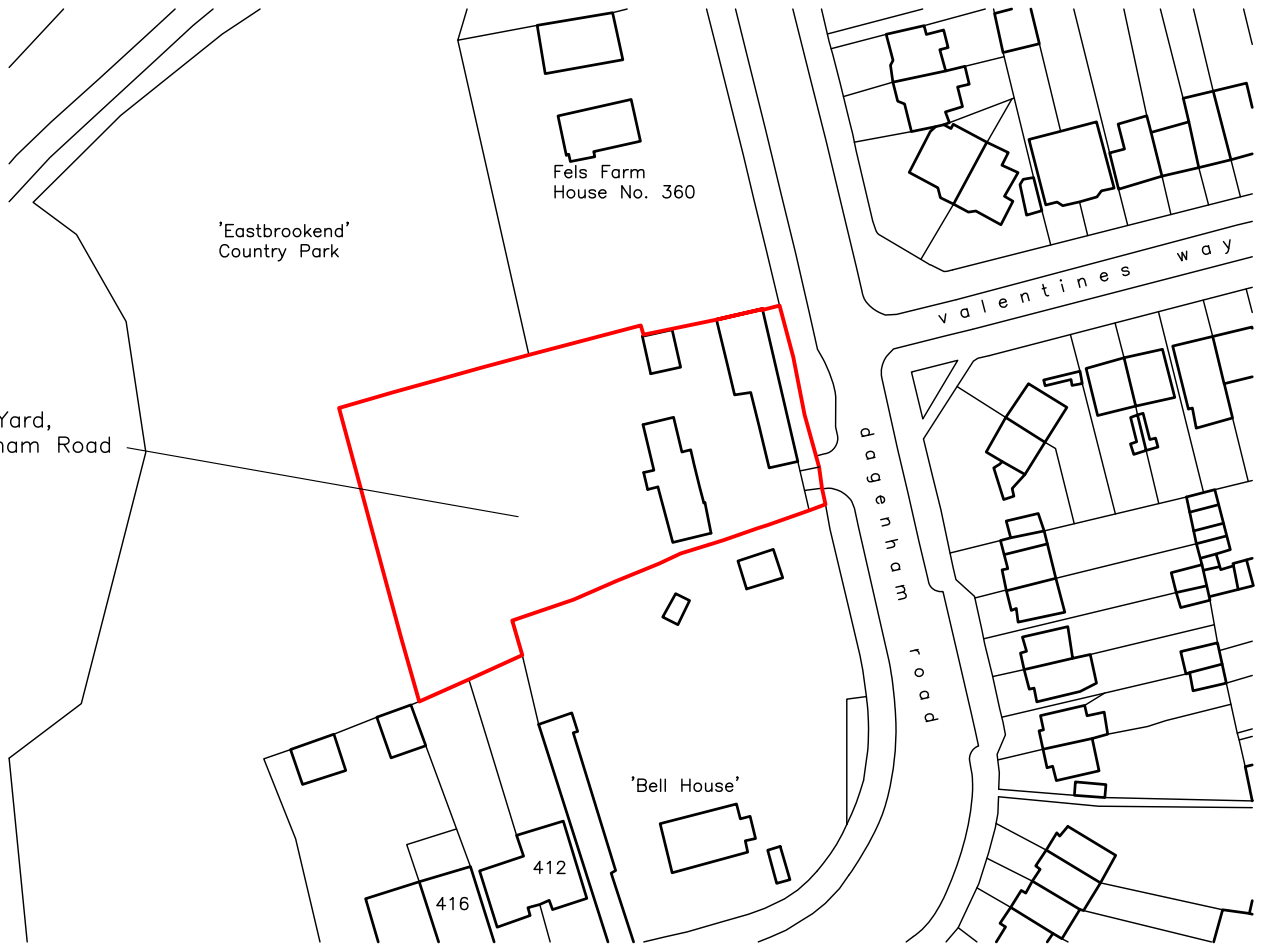
18. The development shall achieve a Certificate of Compliance to a Secure by Design (silver) scheme where they exist. Or alternatively achieve secure by design standards to the satisfaction of the Metropolitan Police, details of which shall be provided in writing to the Local Planning Authority prior to first habitation or use. All security features are to be retained and maintained for the lifetime of the development.

*Reason: In the interests of security and safety, to reduce the fear of crime and safeguard neighbouring amenity and in accordance with policies 7.4 and 7.6 of the London Plan and policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.*

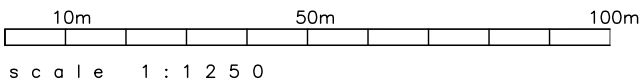


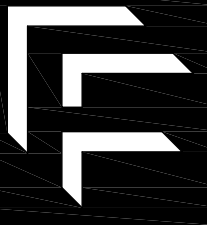


Site:  
Fels Farm Yard,  
360 Dagenham Road



site location plan  
scale 1 : 1 2 5 0



client	Cedarmill Developments Ltd.	detail	Proposed New Development Site Location Plan			<b>ARCHITECTS</b> <b>URBAN DESIGN</b> <b>SPACE PLANNING</b>  85 CRAIGDALE RD, ROMFORD ESSEX, RM11 1AF T: 01708 741235 INFO@FORMARCHITECTURE.LTD.UK WWW.FORMARCHITECTURE.LTD.UK	 <b>FORM ARCHITECTURE</b>
project	Fels Farm Yard 360 Dagenham Road Rush Green Romford RM7 0NT	scale 1:1250 @A4			checked lc		
		date Nov 2019	drawn ayc	revision			
		drawing no. <b>1684/P01</b>	Page 289		-		

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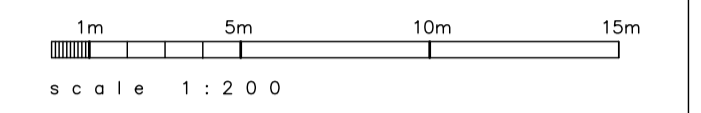
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  - Be responsible for requesting any additional information required.
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Note: This drawing is prepared solely in support of the Town & Country Planning Act and is not a working drawing and should not be used as such.

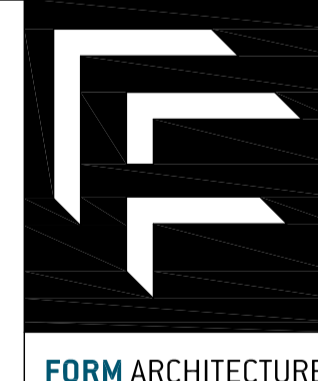
Revisions

No.	Date	Detail	Initial
A	10/20	Site Access Atts	lc
B	10/20	Road Markings	lc
C	10/20	Planning Notes	lc
D	01/21	Planning/Highways Comments	lc



Note: Drawing based upon survey information provided Laser Surveys Ltd.

**ARCHITECTS  
URBAN DESIGN  
SPACE PLANNING**



85 CRAIGDALE RD, ROMFORD  
ESSEX, RM11 1HF  
T: 01708 741235  
F: 01708 741302  
INFO@FORMARCHITECTURE.LTD.UK  
WWW.FORMARCHITECTURE.LTD.UK

**FORM ARCHITECTURE**

client	Cedamill Developments Ltd.		
project	Fels Farm Yard, 360 Dagenham Road, Rush Green, Romford, RM7 0NT		
detail	New Development Proposed Block Plan		
scale	1/200 @ A1		
date	Sept 2020	drawn	lc
checked		checked	
drawing no.	1684/P04		revision
			D

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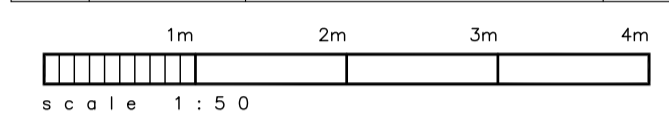
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Revisions

No.	Date	Detail	Initial



plots 1 - 4  
schedule of areas

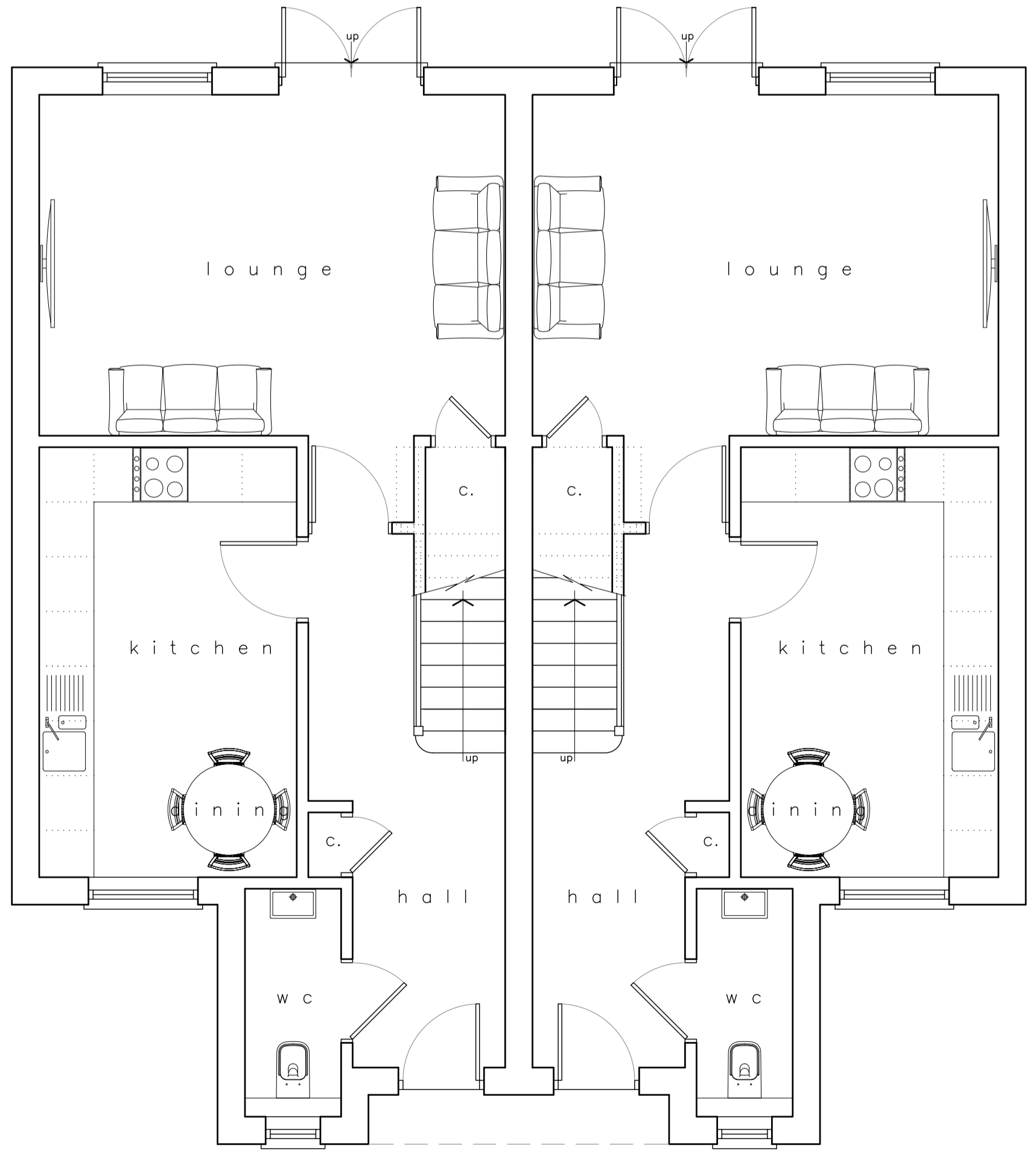
floor	area
ground floor	50.3 sq m (541 sq ft)
first floor	51.2 sq m (551 sq ft)
total house area	101.5 sq m (1,092 sq ft)



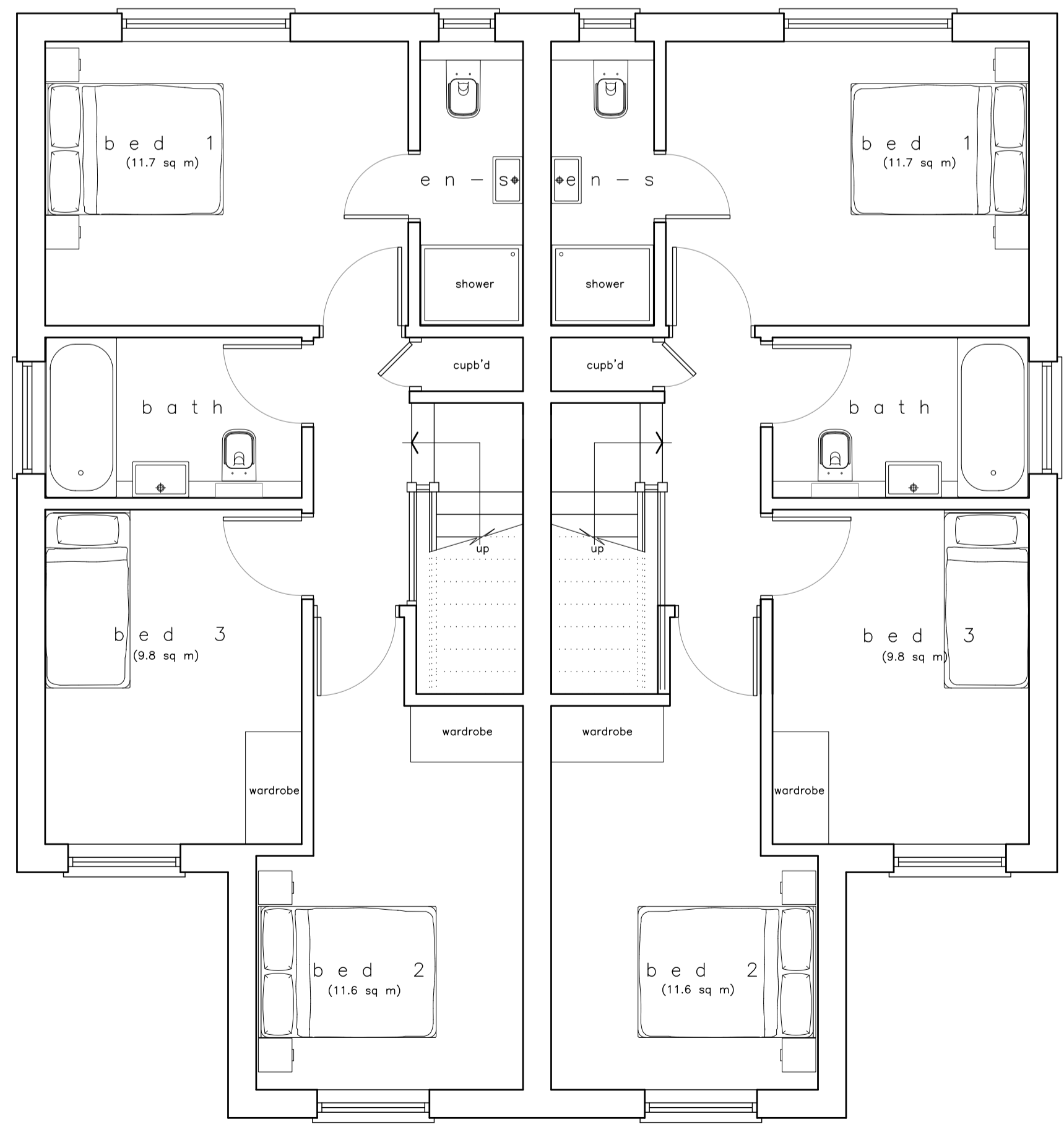
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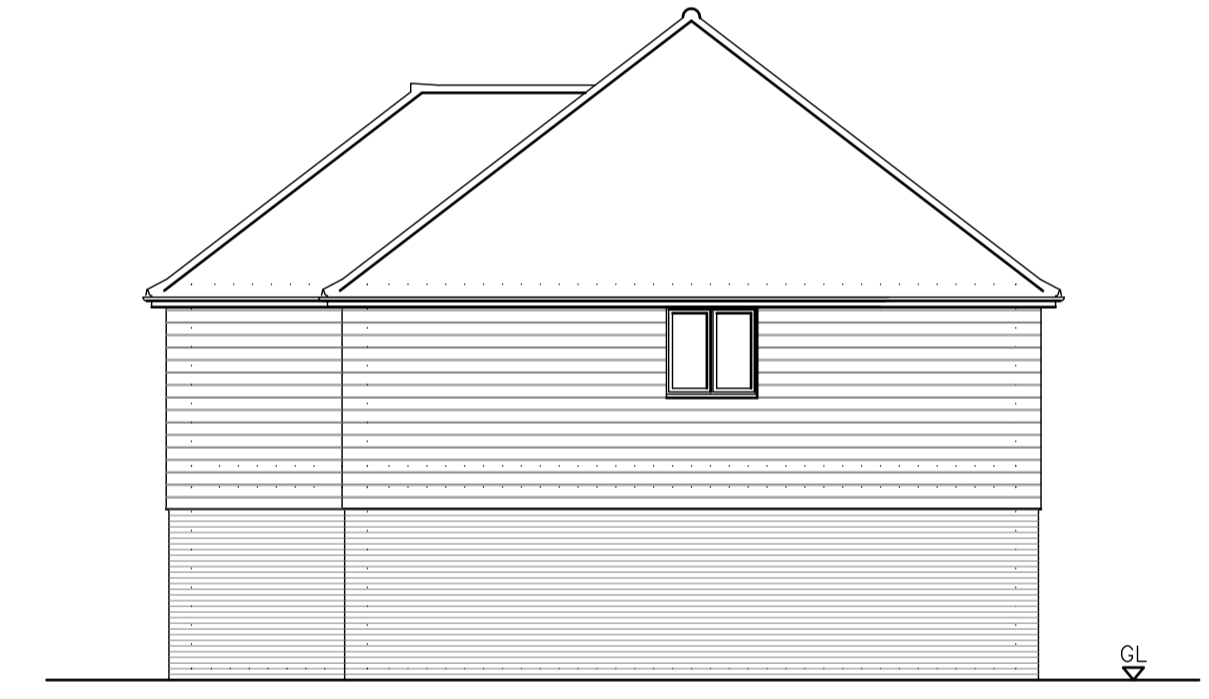
rear elevation  
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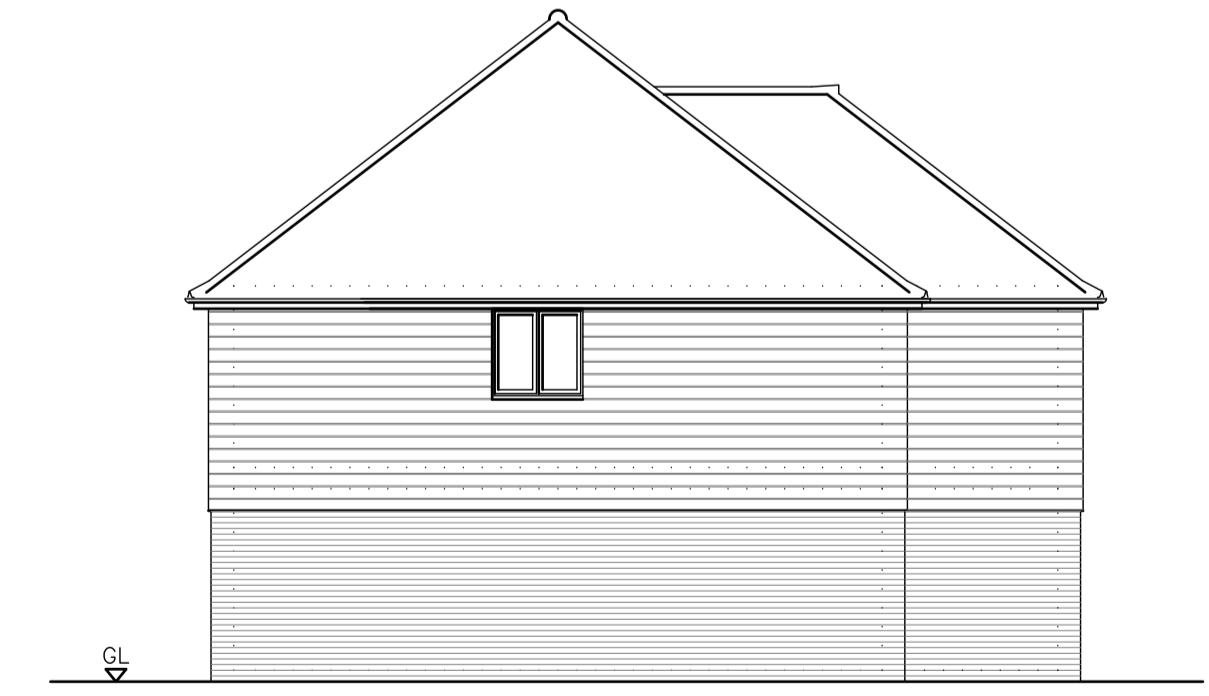
ground floor plan  
scale 1:50



first floor plan  
scale 1:50



side elevation  
scale 1:100



side elevation  
scale 1:100

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T: 01708 741235  
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WWW.FORMARCHITECTURE.LTD.UK

FORM ARCHITECTURE

client	Cedamill Developments Ltd.		
project	Fels Farm Yard, 360 Dagenham Road, Rush Green, Romford, RM7 0NT		
detail	New Development Proposed Layout Plots 1 & 4		
scale	1/50 @ A1		
date	Oct 2020	drawn lc	checked
drawing no.	1684/P05		revision -

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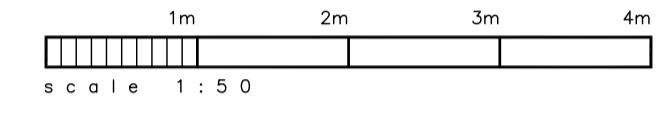
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Revisions

No.	Date	Detail	Initial



plots 5 & 6  
schedule of areas

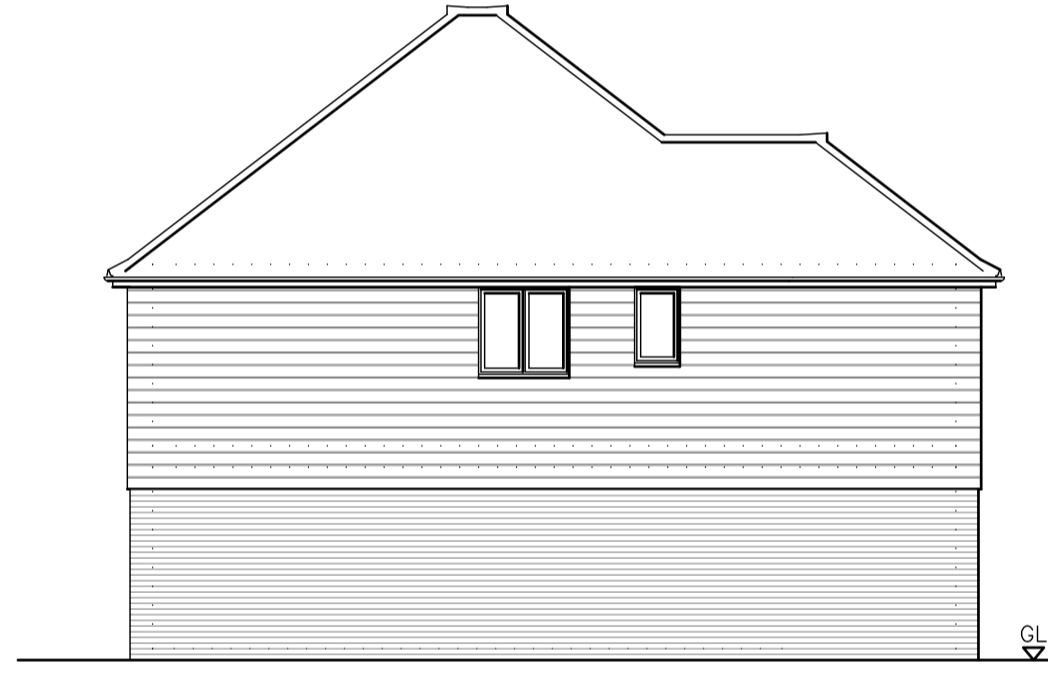
ground floor	74.1 sq m (797 sq ft)
first floor	75.5 sq m (813 sq ft)
total house area	149.6 sq m (1,610 sq ft)



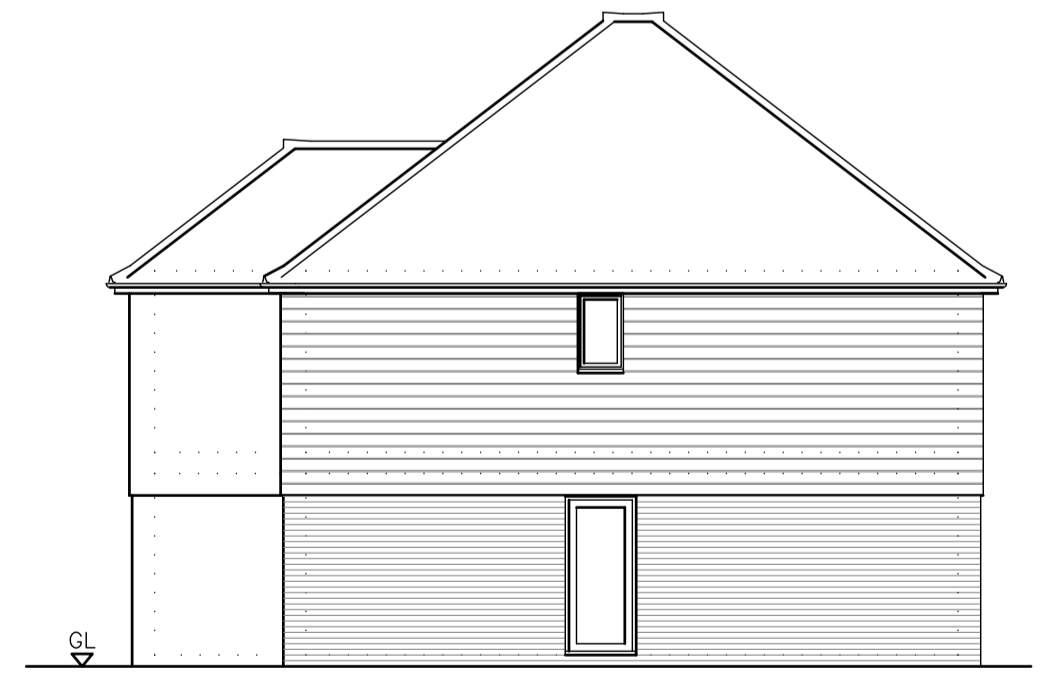
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scale 1:50



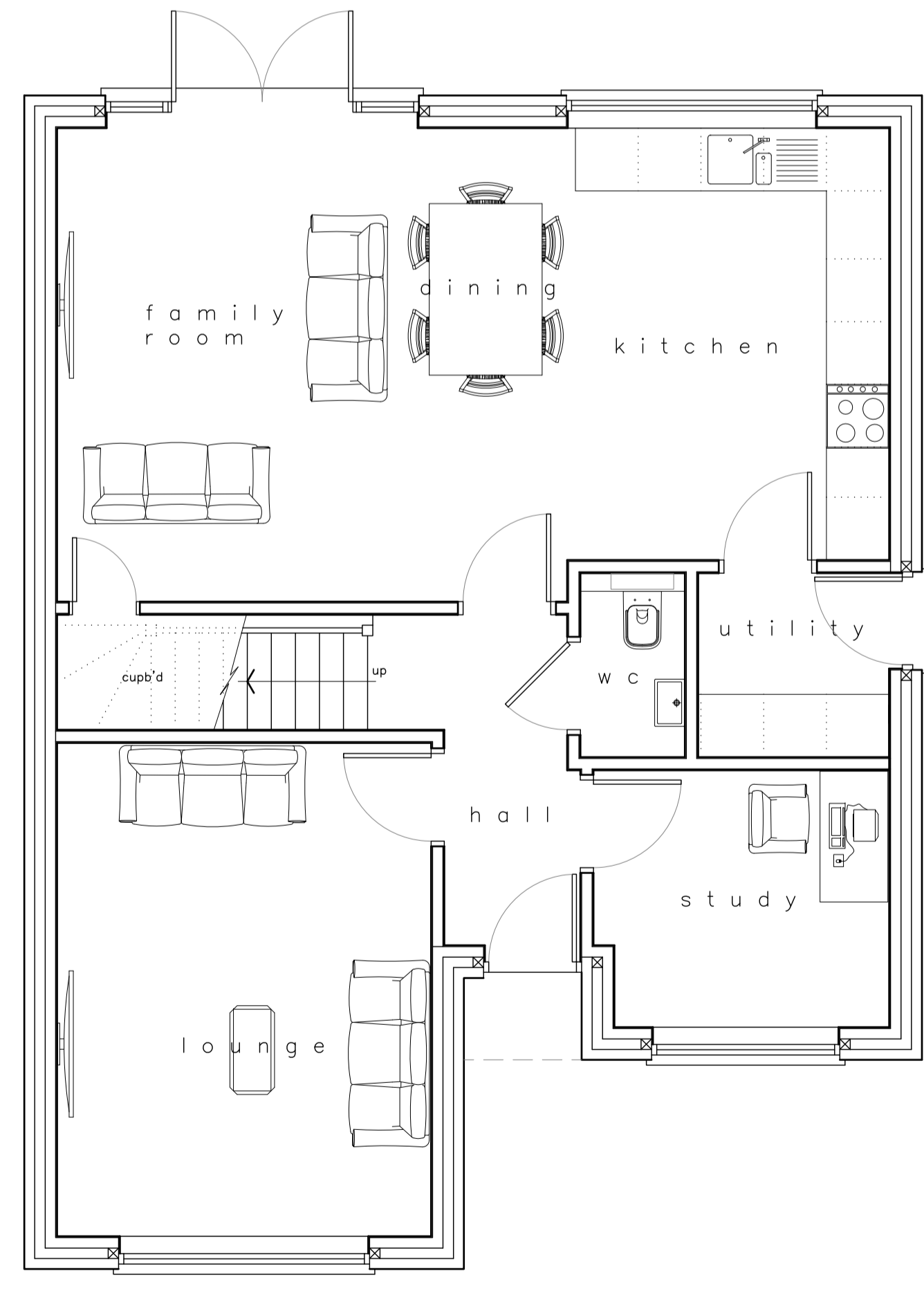
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scale 1:50



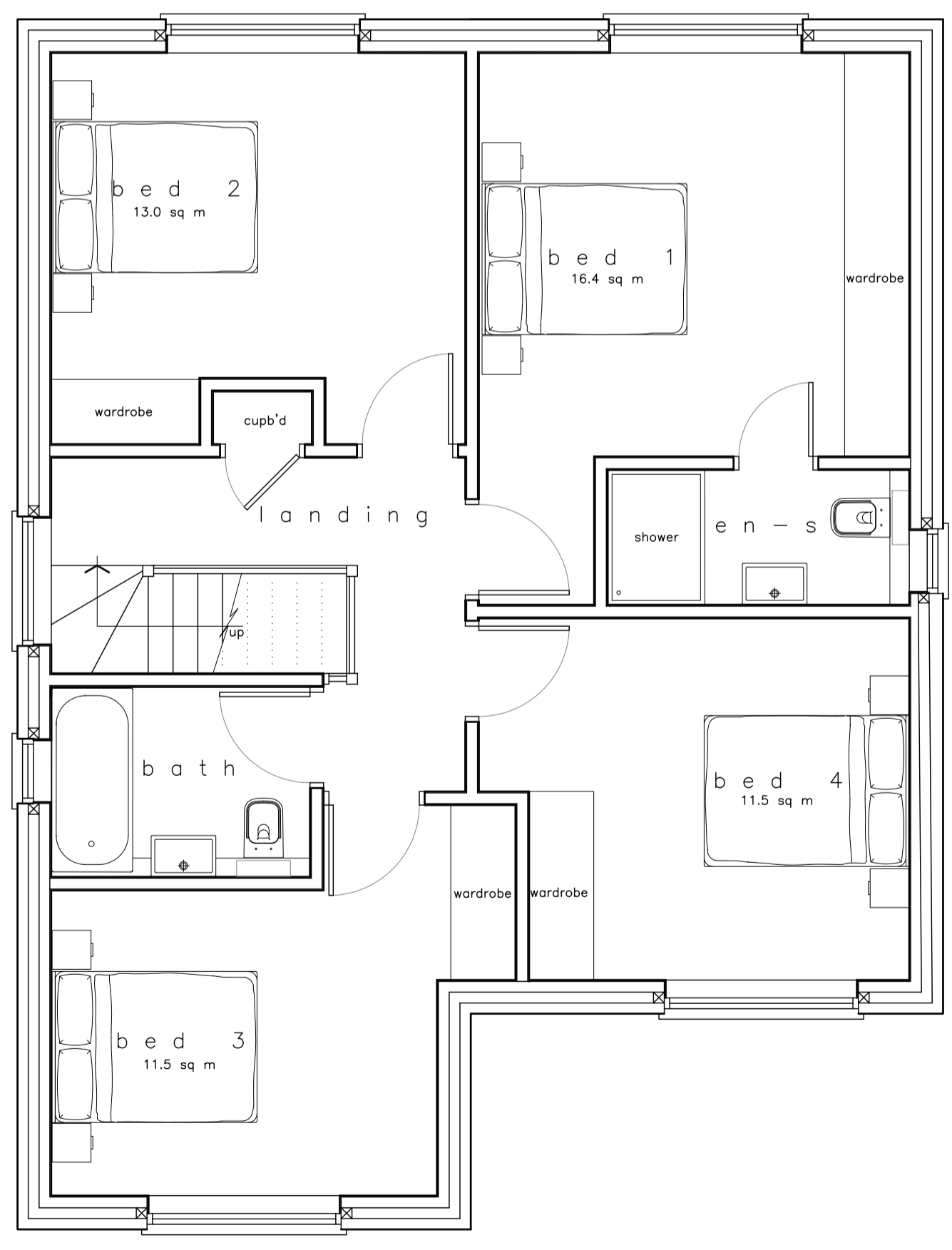
side elevation  
scale 1:100



side elevation  
scale 1:100



ground floor plan  
scale 1:50



first floor plan  
scale 1:50

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client	Cedamill Developments Ltd.		
project	Fels Farm Yard, 360 Dagenham Road, Rush Green, Romford, RM7 0NT		
detail	New Development Proposed Layout Plots 5 & 6		

scale	1/50 @ A1		
date	Oct 2020	drawn	lc
checked		revision	-
drawing no.	1684/P06		

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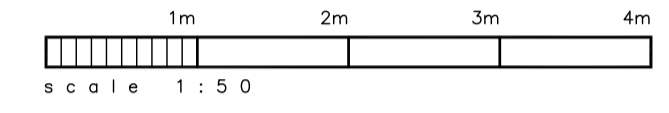
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Revisions

No.	Date	Detail	Initial



plots 5 & 6  
schedule of areas

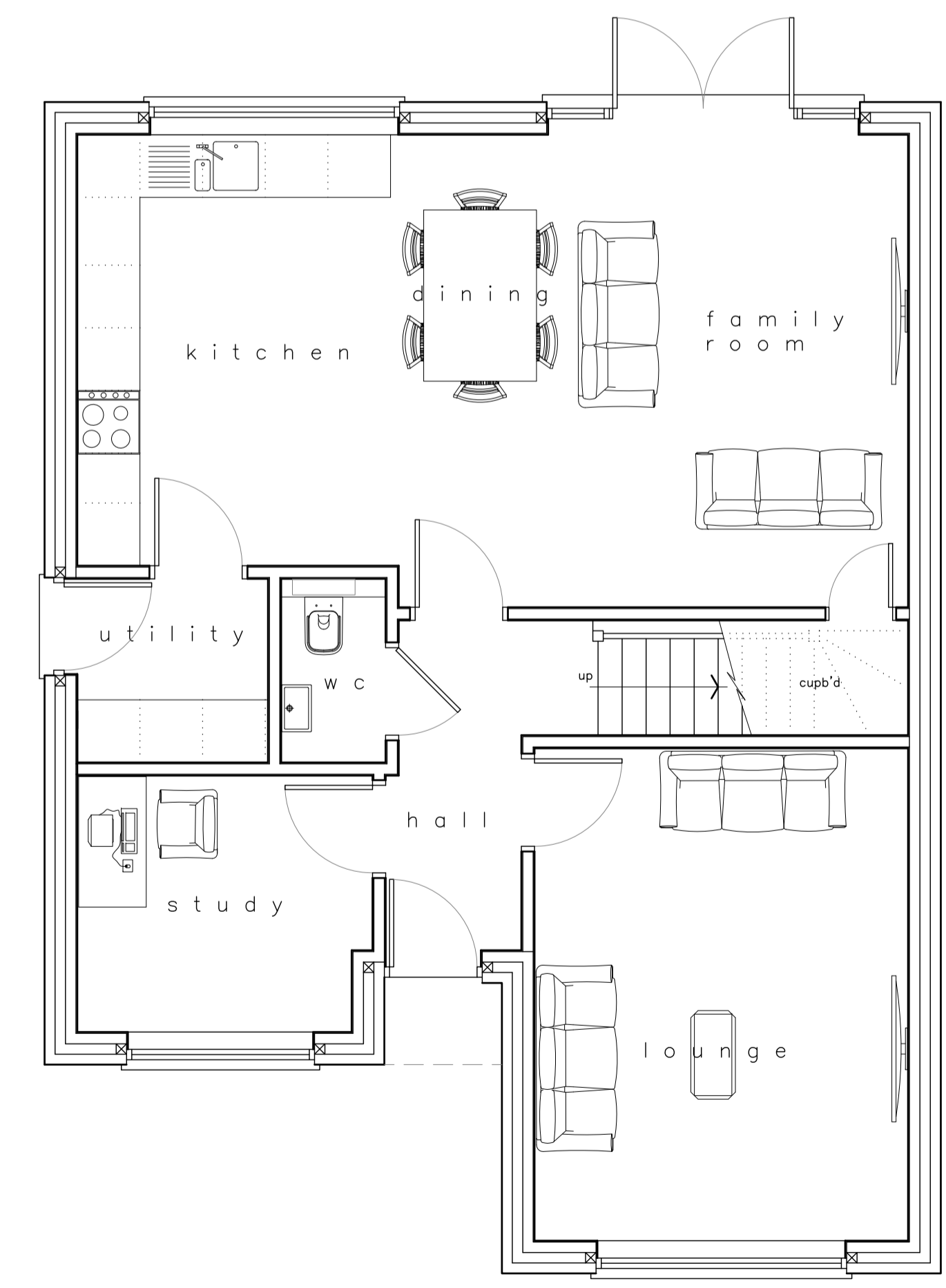
ground floor	74.1 sq m (797 sq ft)
first floor	75.5 sq m (813 sq ft)
total house area	149.6 sq m (1,610 sq ft)



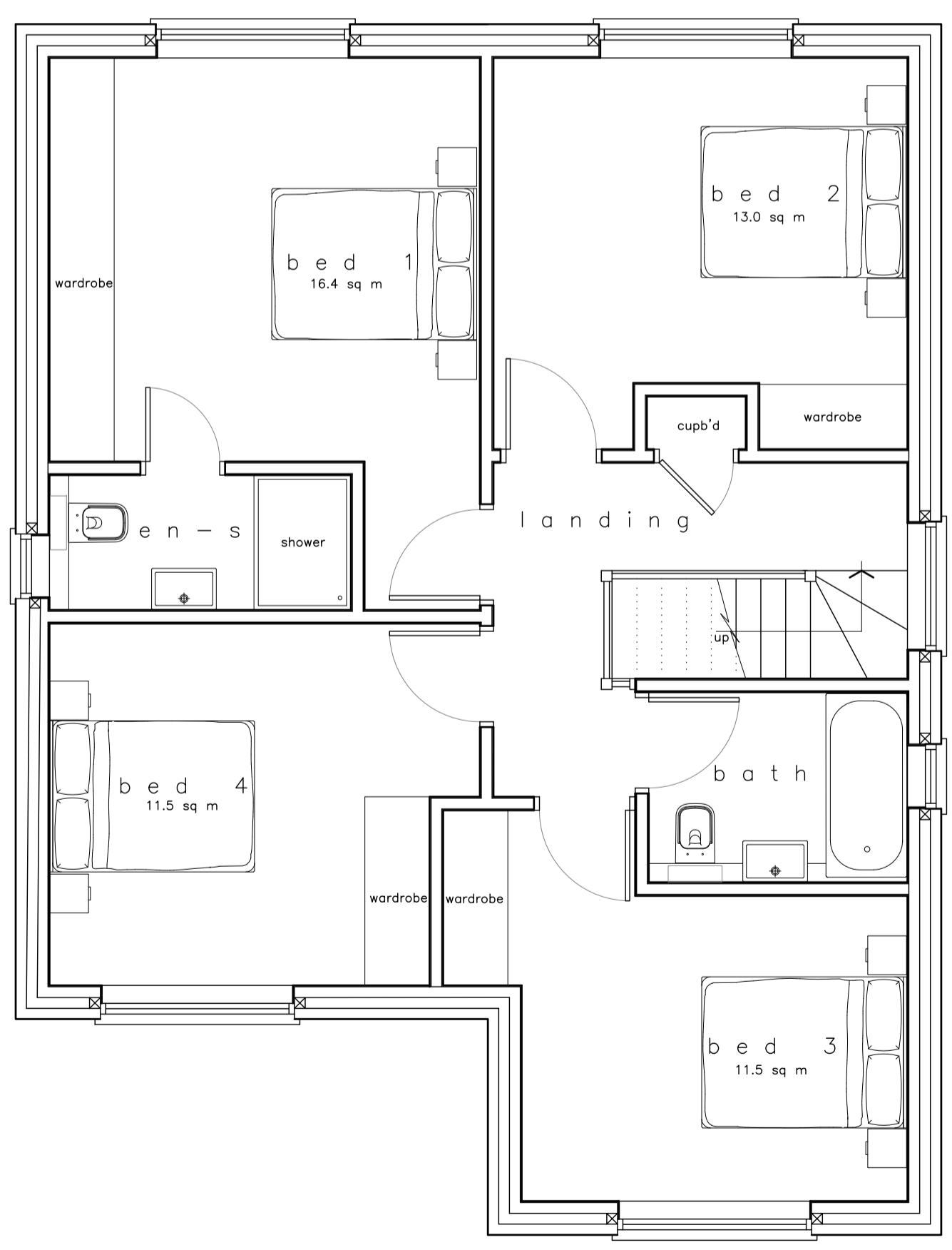
front elevation  
scale 1:50



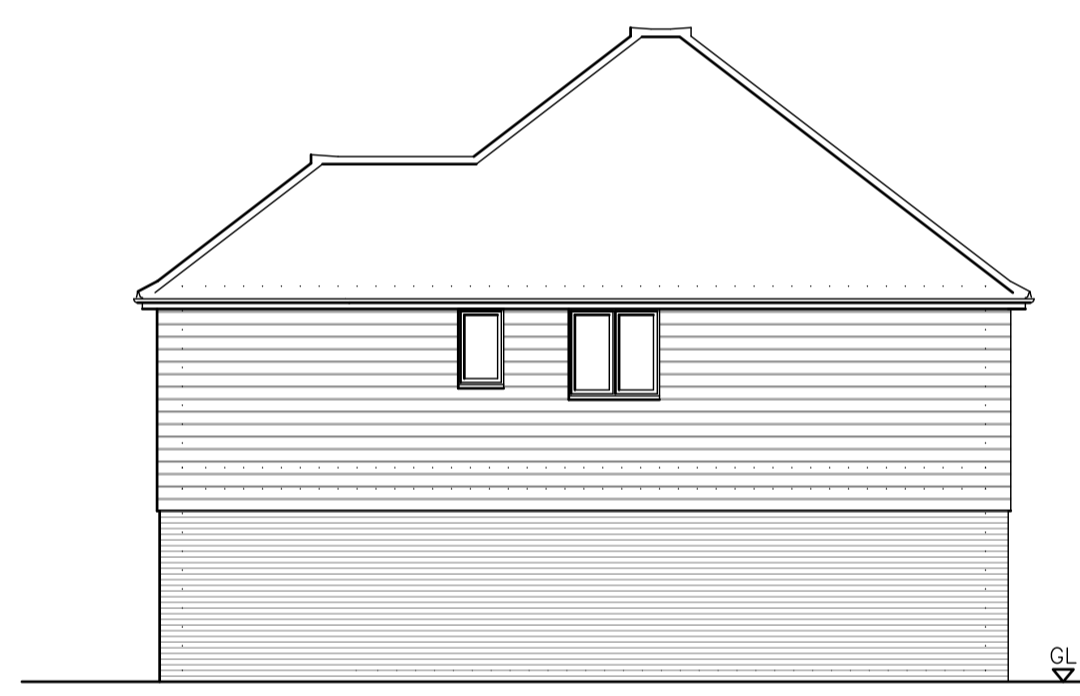
rear elevation  
scale 1:50



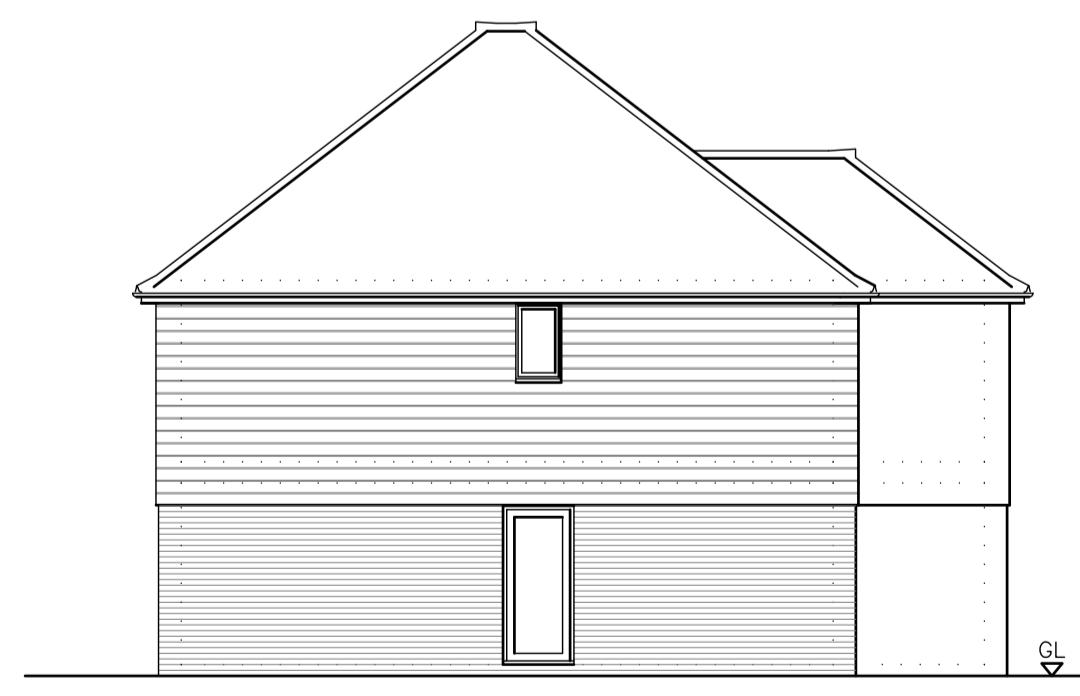
ground floor plan  
scale 1:50



first floor plan  
scale 1:50



side elevation  
scale 1:100



side elevation  
scale 1:100

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FORM ARCHITECTURE

client	Cedamill Developments Ltd.		
project	Fels Farm Yard, 360 Dagenham Road, Rush Green, Romford, RM7 0NT		
detail	New Development Proposed Layout Plot 7		
scale	1/50 @ A1		
date	Oct 2020	drawn lc	checked
drawing no.	1684/P07		revision -

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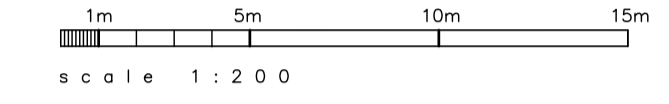
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Revisions

No.	Date	Detail	Initial



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FORM ARCHITECTURE

client	Cedarmill Developments Ltd.		
project	Fels Farm Yard 360 Dagenham Road Rush Green Romford RM7 0NT		
detail	New Development Proposed Street Scene & Site Sections		

scale	1/200 @ A1		
date	Jan 2020	drawn ayc	checked lc
drawing no.	1684/P08		revision -

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Working in partnership


**Barking &  
Dagenham**
**LONDON BOROUGH OF BARKING & DAGENHAM**
**PLANNING COMMITTEE**
**22<sup>nd</sup> March 2021**
**Notification for Prior Approval: New Dwelling houses on Detached Blocks of Flats.**

Schedule 2, Part 20, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

<b>Case Officer:</b>	Kathryn McAllister	<b>Valid Date:</b>	23-12-2020
<b>Applicant:</b>	Avon Freeholds Ltd	<b>Expiry Date:</b>	22-03-2021
<b>Application Number:</b>	20/02534/PRIFLAT	<b>Ward:</b>	Abbey
<b>Address:</b>	The Sienna Building, 116-118 Victoria Road, IG11 8PZ		

The purpose of this report is to set out the Officer recommendations to Planning Committee regarding an application for prior approval: new dwelling houses on detached blocks of flats to the proposal below at The Sienna Building, 116-118 Victoria Road. This is not a planning application.

**Proposal:**

*Prior notification application for the construction of new dwelling houses on detached blocks of flats. The proposed development involves the construction of one additional storey on top of the detached block of flats to create 4 new units.*

**Officer Recommendations:**

Planning Committee is asked to resolve to:

1. agree the reasons for approval as set out in this report; and
2. delegate authority to the London Borough of Barking & Dagenham's Director of Inclusive Growth to grant prior approval based on the Conditions listed in Appendix 5 and summarised below.

**Conditions Summary:**

- Time
- Approved Drawings & Documents
- Materials
- Construction Management Plan
- Notification of completion
- Use as dwelling houses only.

## OFFICER REPORT

### Understanding the Application:

This application seeks prior approval for the construction of dwelling houses on detached block of flats. This application is not a planning application. As such the principle of development, quality of accommodation, waste management and provision of cycle storage and parking are matters which fall outside the scope of consideration.

Matters which can be assessed include impact on public transport, highway, air traffic and defence assets; consideration on contaminated land, flood risks and protected vistas; consideration of the design impact on the existing building, however, this does not include the assessment of the actual design of the additional floor; consideration of the amount of natural light received by the new dwellings and consideration of the impact on the amenity of the existing building and any adjoining premises including overlooking, privacy and the loss of light.

### Site, Situation and relevant background information:

The application site is a three-storey purpose-built block of flats located on 116-118 Victoria Road. The applicant previously sought pre-application advice for the construction of an additional storey to create 4 new units. This was received positively and in planning terms officers considered the proposal to be acceptable.

Notwithstanding, the applicant submitted a prior approval: new dwelling houses on detached blocks of flats application for the construction of 2 additional storeys to create 8 new units (20/02265/PRIFLAT). This application was refused for the following reasons:

1. Having regard to the proposed development and further to the assessment above in relation to overlooking, privacy and the loss of light, it is considered that the proposed development is un-neighbourly and would have a detrimental impact upon the amenity of the adjoining properties. As such, having regard to the policies below, Prior Approval for a 'new dwelling houses on detached blocks of flats' is required and refused.

- National Planning Policy Framework (MHCLG, February 2019)
- Policies 7.1, 7.4, 7.6 and 7.15 of The London Plan (March 2016)
- Policies GG1, GG3 and D14 of the Draft London Plan Intended to Publish (December 2019)
- Policy BP8 of the Borough Wide DPD (February 2012)
- Policy DMD1 and DMS13 of the Draft Local Plan Regulation 19 consultation version (June 2020)

2. Having regard to the proposed development and further to the assessment above in relation to architectural design and features of the external appearance of the building, it is considered that the proposed development would have a detrimental impact upon the character of the purpose built flat and the wider streetscene. As such, having regard to the policies below, Prior Approval for an 'new dwelling houses on detached blocks of flats' is required and refused.

- National Planning Policy Framework (MHCLG, February 2019)
- Policies 7.1, 7.4 and 7.6 of The London Plan (March 2016)
- Policy D4 of the Draft London Plan Intended to Publish (December 2019)
- Policy CP3 of the Core Strategy DPD (July 2010)
- Policy BP11 of the Borough Wide DPD (March 2011)
- Policies SP2 and DMD 1 of the Draft Local Plan Regulation 19 consultation version (October 2020)

This prior notification application for the construction of new dwelling houses on detached blocks of flats seeks permission for the construction of one additional storey to create 4 new units. This application is different to application 20/02265/PRIFLAT as it seeks permission for the construction of one additional floor only.

**Assessment:**

<b>A.</b>	<b>Purpose-Built Detached Block of Flats</b>
<i>Is the application site a purpose-built, detached block of flats?</i>	
	<b>YES</b>
<i>Officer comment: (if NO)</i>	

<b>B.</b>	<b>Pre-Commencement &amp; Planning Enforcement</b>
<i>Have works commenced on site (all or in part) in relation to that proposed?</i>	
	<b>NO</b>
<i>Is the application site the subject of a related enforcement case?</i>	
	<b>NO</b>
<i>Officer comment: (if YES)</i>	

<b>C.</b>	<b>Conservation Area (Article 2(3) land) (A.1(o))</b>
<i>Is the application site located within a Conservation Area (Article 2(3) land)?</i>	
	<b>NO</b>
<i>Officer comment: (if YES)</i>	

<b>D.</b>	<b>Permitted Development Rights</b>
<i>Have the provisions of Schedule 2, Part 20, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) been removed from the application site?</i>	
	<b>NO</b>
<i>Officer comment: (if YES)</i>	

<b>E.</b>	<b>Application Clarity</b>
<i>Has the developer provided sufficient information to enable the authority to establish whether the proposed development complies with the conditions, limitations or restrictions applicable to development permitted by Class A?</i>	
	<b>YES</b>
<i>Officer comment: (if NO)</i>	

<b>F</b>	<b>The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Schedule 2, Part 20, Class A.1 &amp; A.2 Criteria</b>
<i>Does the proposed development comply with the conditions, limitations or restrictions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Schedule 2, Part 20, Class A.1 and A.2?</i>	
	<b>YES</b>
<i>Conditions, limitations or restrictions</i>	<i>Officer comment:</i>
Class A.1(c)	The application site was granted permission on 18.05.2005 for the erection of three storey building comprising 14 one- and two-bedroom flats together with associated access road and car parking at Land Adjoining 114 Victoria Road (04/01130/FUL). The application site is a purpose- built detached block of flats constructed between the period of 1 <sup>st</sup> July 1948 and 5 <sup>th</sup> March 2018. The site therefore complies with the requirements of Class A.1 (c).

<b>G.</b>	<b>The Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2020) Schedule 2, Part 20, Class A.2 (1) Criteria</b>
<b>A.2 (1) (a), (b), (c), (d) and (h) Criteria</b>	
<b>Consideration of;</b>	
<ul style="list-style-type: none"> <li>a. Transport and highway impact on the development;</li> <li>b. air traffic and defence asset impacts of the development; and</li> <li>c. contaminated risks in relation to the building;</li> <li>d. flooding risks in relation to the building</li> <li>h. Protected Vistas</li> </ul>	

Does the proposed development raise concerns with respect to the transport and highway impacts of the development?	NO
Does the proposed development raise any concerns with respect to air traffic and defence asset impacts of the development?	NO
Does the proposed development raise concerns with respect to contamination risks in relation to the building?	NO
Does the proposed development raise concerns with respect to the flooding risks in relation to the building?	NO
Does the proposed development raise any concerns with respect to whether, as a result of the siting of the building, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15th March 2012(1) issued by the Secretary of State;	NO
Officer comment:	<p>The proposal does not seek to provide any additional car parking, as such, it will be a car free development. Notwithstanding, given the sites close proximity to Barking Station (11-minute walk) and a number of bus routes along Ilford Lane and Fanshawe Avenue it is evident that the site has good access to nearby public transport links. Therefore, it would be expected that future residents and visitors to the site use these links to access the property. Further, due to the size and number of flats proposed the impact on public transport links and traffic will be negligible. The transport development manager was consulted who agreed with the points raised above noting in particular that the proposal would have an acceptable impact on highway safety. Therefore, in agreement with the transport development manager officers are confident that the proposal will not result in a material change or material increase in the character of traffic in the vicinity. The proposal is considered to comply with the criteria set by Class A.2(1)(a).</p> <p>The proposal is not considered to have an acceptable impact on air traffic and defence assets, as such, the proposal will meet the criteria of Class A.2(1)(b).</p> <p>The proposal will sit directly above the existing 3<sup>rd</sup> storey, as such, the proposal is not considered to raise concerns with regard to contaminated land. The environmental protection officer was consulted with regard to this scheme. They raised no concerns with regard to contaminated land. Officers therefore consider the proposal to meet the criteria of Class A.2(1)(c).</p> <p>As shown on the 'Flood Map for Planning' (<a href="https://flood-map-for-planning.service.gov.uk/">https://flood-map-for-planning.service.gov.uk/</a>) the application site is located in Flood Zone 1 which represents a &lt;0.01% chance of river or sea flooding. Officers are therefore satisfied that there would be no flooding risks associated with the proposal. The environmental agency was consulted who agreed with the points raised above by officers. As such the proposal is considered to meet the criteria of Class A.2(1)(d).</p> <p>The sitting of the proposal is not considered to impact any protected views, as such, the proposal meets the criteria of Class A.2(1)(h)</p> <p>Overall, the proposal is considered to have an acceptable impact on transport, highway, air traffic and defence assets. Likewise, the proposal is not considered to result in contaminated land or flooding risks and will have no impact on protected vistas. The proposal is therefore considered to meet the criteria A.2(1)(a), (b), (c), (d) and (h).</p>
<p><b>A.2 (1) (e) Criteria</b></p> <p><b>Consideration of the external appearance of the building</b></p>	
Does the proposed architectural design and features to the external appearance of the building respect the character and appearance of the existing building and street scene?	YES
Officer comment:	Victoria Road is characterised by two storey terraced rows which are uniform in size, scale and design whereby each row shares a single building frontage and roof scape which gives the street a very balanced and pleasing symmetry. The application site is an existing

3 storey purpose-built block of flats which sits at the western end of Victoria Road. At present the maximum height of the application site sits approximately 0.68 metres above the maximum height of the terrace rows adjacent. Whilst it sits slightly above that of the terraces adjacent officers consider the height to remain sympathetic and in keeping with the character and appearance of the street scene.

The proposal seeks permission for the construction of 1 additional storey directly above the existing 3<sup>rd</sup> storey. The additional storey will be 2.69 metres in height; as such the height of the overall building will increase to 12.0 metres. This will result in the maximum height of the application property extending 3.37 metres above the terraces adjoining. Notwithstanding, as the proposal will be set back on the northern and eastern elevations by 1.50 metres officers therefore consider the visual impact of the increase in height and massing at this level to be mitigated.

Further, the rhythm and fenestration of the additional floor has been designed to match that of the property below whereby the external walls will be treated with zinc cladding and the projecting elements will be treated with timber cladding reflect the design and appearance of the existing property below.

Officers therefore consider the proposal to respect and reflect the character and appearance of the host property whereby the additional storey will appear subservient to the existing building. Likewise, given its size, sitting and design the proposal is not considered to add visual mass and bulk to the character and appearance of the street scene.

The urban design officer was consulted with regard to this application and they agreed with the points raised above by officers. In particular they note that this proposal is considered acceptable given the additional storey will be set back at roof level and the proposed materials respect and reflect the character and design of the existing building.

Overall, the proposal is considered to have an acceptable impact on the external appearance of the building and respect the character and appearance of the existing building and street scene.

**A.2 (1) (f) Criteria**

**Consideration of the quality of accommodation the new flats will provide.**

*Does the proposal provide adequate natural light in all habitable rooms of the new dwellinghouses?*

**YES**

*Officer comment:*

All flats will be dual aspect and all habitable rooms will have access to windows. Officers therefore consider the proposal to acceptable quality of accommodation as a habitable room will have access to adequate natural light.

**A.2 (1) (g) Criteria**

**Consideration of the impact on the amenity of the existing building and any adjoining premises including overlooking, privacy and the loss of light:**

*Is the proposed development neighbourly with respect to overlooking and privacy issues?*

**NO**

*Is the proposed development neighbourly with respect to maintaining adequate levels of light?*

**NO**

\_\_\_\_\_ address address address

\_\_\_\_\_ address address address

	119-139 Victoria Road	Existing Flats, The Sienna Building	94-114 Victoria Road
<b>Overlooking and Privacy:</b>			
Harm to habitable rooms?	<b>NO</b>	<b>NO</b>	<b>NO</b>
<i>Is it unacceptable?</i>	<b>NO</b>	<b>NO</b>	<b>NO</b>
Harm to private amenity (gardens)?	<b>NO</b>	<b>NO</b>	<b>NO</b>
<i>Is it unacceptable?</i>	<b>NO</b>	<b>NO</b>	<b>NO</b>

	119-139 Victoria Road	Existing Flats, The Sienna Building	94-114 Victoria Road
<b>Loss of Light and Overshadowing:</b>			
Harmful loss of light or overshadowing to habitable rooms?	<b>NO</b>	<b>NO</b>	<b>NO</b>
<i>Is it unacceptable?</i>	<b>NO</b>	<b>NO</b>	<b>NO</b>
Harmful loss of light or overshadowing to private amenity (gardens)?	<b>NO</b>	<b>NO</b>	<b>NO</b>
<i>Is it unacceptable?</i>	<b>NO</b>	<b>NO</b>	<b>NO</b>

<b>Officer comment:</b>	<p>The proposal seeks permission for the construction of an additional storey to create 4 new flats to accommodate 12 additional people. The existing building contains 14 one and two bedroom flats as such given the size and number of proposed flats officers do not consider the proposal to result in the generation of noise, waste, comings and goings or general disturbances than currently produced on site.</p> <p>In addition, a daylight and sunlight assessment was submitted alongside this application which assessed the impact the proposal will have on the amount of light received by neighbouring properties. In line with BRE guidance this study contains two tests which measure diffuse daylight.</p> <p><u>Test 1: Vertical Sky Component (VSC)</u> VSC is defined by BRE as the measure of available skylight. This is a measure of the amount of diffuse daylight reaching a window. Diffuse daylight will be adversely affected if the after a development the VSC is both less than 27% and less than 0.8 times its former value.</p> <p><u>Test 2: Daylight Distribution</u> This is defined by BRE as the distribution of daylight within a room. Daylight may be adversely affected if after the development the amount of working plane in a room which can received direct daylight is reduces to less than 0.8 times its former value.</p> <p>Additional assessments were carried out to assess the following matters:</p> <p><u>Sunlight availability to Windows</u> This is defined by BRE as the sunlight availability to windows. All main windows facing 90 degrees due south have been tested. Sunlight availability may be adversely affected if the window receives less than 25% of the total annual sunlight hours or less than 5% of sunlight hours in the winter months.</p> <p><u>Overshadowing to Gardens and Open Spaces</u></p> <p>The proposals impact on neighbouring amenity is assessed below:</p> <p><b>Existing Flats, 116-118 Victoria Road</b></p> <p>The proposal seeks to construct an additional storey to create 4 new units. This will sit directly above the existing 3<sup>rd</sup> storey, as such, officers are confident that the proposal will</p>
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not result in the material loss of daylight, outlook, or privacy to the existing residents of the Sienna Building, 116-118 Victoria Road.

**94-114 Victoria Road**

These properties form the residential terrace row which sit east of the application site. This daylight and sunlight assessment concludes that the “proposed development will have a low impact on the light receivable by its neighbouring properties”.

Notwithstanding, officers have looked at the study and found the VSC after the development will be greater than 27% and greater than 0.8 times its former value as such the proposal will have an acceptable impact on daylight diffuse. Likewise, the amount of direct daylight received after the proposal will be greater than 0.8 times its former and sunlight availability to windows will not be reduced after the proposal by 25% of total annual sunlight hour or 5% of sunlight hours in winter months. Officers are therefore confident that these neighbouring properties will continue receiving acceptable levels of direct daylight and sunlight to windows.

In addition, this study shows the proposal will result in minimal levels of overshadowing across the rear gardens of these properties whereby with the addition of the additional storey the majority of the rear gardens at no’s 114, 112 and 110 will continue to receive at least 2 hours of sunlight on the 21 March. Further, the proposal will offset the eastern elevation by 1.50 metres. This external area will not be accessible by resident and be for maintenance use only, hence, the proposal is not considered to result in overlooking. Overall, officers are confident the proposal will not result in the material loss of daylight, outlook or privacy.

**119- 139 Victoria Road**

These properties form the terrace row which sit directly opposite the application site on Victoria Road. These properties sit 12.0 metres north of the application property. The daylight and sunlight assessment concludes that the “proposed development will have a low impact on the light receivable by its neighbouring properties”.

Notwithstanding, officers have looked at the study and found the VSC after the development will be greater than 27% and greater than 0.8 times its former value as such the proposal will have an acceptable impact on daylight diffuse. Likewise, the amount of direct daylight received after the proposal will be greater than 0.8 times its former and sunlight availability to windows will not be reduced after the proposal by 25% of total annual sunlight hour or 5% of sunlight hours in winter months.

Nevertheless, officers want to draw attention to the daylight distribution received by nos. 121 and nos. 119 after the development. Nos. 121 will experience a 18% loss in daylight distribution to their lounge and 119 will experience a 12% loss in daylight distribution to a non-habitable ground floor room and 15% loss in daylight distribution to a ground floor bedroom. Whilst officers acknowledge that the percentage lost to the daylight distribution to nos. 119 and 121 are higher than the properties which sit adjacent to them. They note that the loss of daylight distribution after the proposal for these properties will be no less than 0.8 times its former value.

The table shows the daylight distribution calculations for these properties:

Refence	Daylight Distribution		
	Before Development	0.8 times former value	After Development
<b>119 Victoria Road</b>			
(GF) Windows 45 to 49	59.0%	47%	47%

(GF) Windows 50 to 52	78%	62%	63%
<b>121 Victoria Road</b>			
(GF) Window 60	88%	70%	70%

Therefore, it the evident shows that the proposal will not have an adverse impact on the amount of direct daylight received by these rooms. Overall, officers consider the proposal to have an acceptable impact on the level of overshadowing and acceptable impact on the daylight and sunlight received by neighbouring properties.

Further, the additional storey will offset the northern elevation by 1.50 metres. This will not be accessible by resident, as such, officers are confident the proposal will not result in overlooking or the material loss of privacy.

Officers are confident that nos. 119-139 will continue receiving acceptable levels of direct daylight and sunlight to windows. Likewise, the proposal is not considered to result in any unacceptable loss of privacy or outlook.

### **Railway**

The site is bounded by railway lines to the north and west. TFL Spatial Planning and TFL Railway Infrastructure Management were consulted and were satisfied that the proposal would have an acceptable impact on nearby infrastructure. Officers therefore consider the proposal to be acceptable.

### **Neighbour Objections**

A number of neighbour objections have been received which officers will address below.

Concerns were raised with regard to the proposal appearing out of place and out of character with the existing building and the rest of the street. This matter is addressed above where officers have assessed the Class A.2 (1) (e) Criteria.

Concerns were raised regarding the impact on neighbouring amenity and the proposal resulting in the loss of daylight, outlook and privacy to neighbouring residents. This matter has been addressed above.

Concerns were raised with regard to transport, traffic, and parking. This matter is addressed above where officers have assessed the Class A.2 (1) (a) Criteria.

Further concerns were raised regarding the devaluing of the property, maintenance, the presence of Japanese knotweed, cycle storage and waste storage. Officers note that the proposal includes extending the existing cycle storage and waste storage provision to accommodate the new flats. Notwithstanding, whilst officers welcome these matters, their provision does not form part of the assessment for prior approval: new dwelling houses on detached blocks of flats. Therefore, these matter cannot warrant a reason for refusal. Likewise, whilst officer appreciate concerns raised regarding the devaluing of the property, maintenance, and Japanese Knotweed these are not material planning considerations, as such, they hold no material weight.

Finally, concerns were raised with regard to fire safety and disruption during construction. Officers note that the proposed works must comply with building regulations, as such, they are satisfied that the proposal will not pose a greater fire risk. Equally, whilst officers accept that the construction of the proposal will result in more noise and general disruptions these will only be short term disturbances, as such, they are considered to be acceptable.

Overall, the proposal is considered to have an acceptable impact on the amenity of the existing building and the adjoining premises.

**Conclusions:**

Having regard to the proposed development and further to the assessment above, Prior Approval for an 'new dwelling houses on detached blocks of flats' is required and granted subject to the imposition of conditions.

**Appendix 1****Additional Reference:***Human Rights Act*

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

*Equalities*

In determining this planning application, the BeFirst on behalf of the London Borough of Barking & Dagenham has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010 (as amended).

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

**Appendix 2:****Relevant Planning History:**

<i>Application Number:</i>	20/02265/PRIFLAT	<i>Status:</i>	Prior Approval Refused
<i>Description:</i>	Prior notification application for the construction of new dwelling houses on detached blocks of flats. The proposed development involves the construction of two additional storeys on top of the detached block of flats to create 8 new units.		
<i>Application Number:</i>	04/01130/FUL	<i>Status:</i>	Application Permitted
<i>Description:</i>	Erection of three storey building comprising 14 one and two bedroom flats together with associated access road and car parking		

### Appendix 3:

The following consultations have been undertaken:

- Environmental Protection Officer
- Urban Design Officer
- Transport Development Officer
- Access Officer
- Environmental Agency
- TFL Spatial Planning
- TFL Railway Infrastructure Manager

<b>Summary of Consultation responses:</b>		
<b>Consultee and date received</b>	<b>Summary of Comments</b>	<b>Officer Comments</b>
Environmental Protection Officer dated 26.01.2021	If the LPA is minded to grant this application permission it is advised that a condition relating to the scheme of acoustic protection and construction environmental management and site waste management are submitted to the LPA.	The environmental protection officer has recommended standard planning conditions to be used in planning application. Given this application is a prior approval application standard planning conditions are not required, therefore these recommended conditions have not been included.
Urban Design Dated 19.01.2021	<p>In terms of scale and massing the proposals are similar to what has previously been presented at pre-app (20/01011/PRE) and we should be consistent with the response letter. One additional storey is on balance considered acceptable given that the additional storey will be set back at roof level.</p> <p>The proposals are an improvement on the previous application (20/02265/PRIFLAT) which was not acceptable. In terms of appearance the proposed materials comply with previous guidance provided.</p> <p>The extent of any additional overshadowing/loss of light for neighbouring properties should be considered.</p> <p>In terms of the internal plans/dwelling mix I would question the suitability of rooftop accommodation for 2 family sized units particularly where no amenity space is provided.</p>	These matters are assessed in Paragraph G.
Transport Development Manager dated 14.01.2021	<p><b>Highway Planning Observations</b> The current Public Transport Accessibility Level (PTAL) rating has been determined at 2.</p> <p><b>Site Access</b> Access is to remain as existing. We have no objections to this.</p> <p><b>Car Parking:</b></p>	These matters are addressed in Paragraph G.

	<p>The applicant has proposed that this proposal is car free. As Victoria Road is within a Controlled Parking Zone, a condition should be attached to any permission granted that ensures this development is car free with new residents being restricted from applying for car parking permits.</p> <p><b>Cycle Parking:</b> No cycle parking has been proposed. As there is limited space with this application, we understand that adding in cycle parking is difficult. On this occasion, we have no objections.</p> <p><b>RECOMMENDATION</b> Based on the information provided it is our considered view that there is no apparent adverse highway safety issue or any substantial reason to object.</p>	
Access Officer dated 08.01.2021	I am happy with these plans.	This matter does not require assessment as such this has not been addressed above.
Environmental Agency dated 07.01.2021	Low environmental risk as such no comments have been provided.	This matter has been addressed in Paragraph G.
TFL Spatial Planning Dated 13.01.2021	No strategic comments to make on this planning application	This matter has been addressed in Paragraph G.
TFL Railway Infrastructure Manager dated 11.01.2021	<p>Though we have no objection in principle to the above planning application there are a number of potential constraints on the redevelopment of a site situated close to London Underground infrastructure.</p> <p>Therefore we request that the grant of planning permission be subject to conditions to secure the following:</p> <ul style="list-style-type: none"> <li>• provide details on the use of tall plant, cranes and scaffolding</li> <li>• demonstrate that there will at no time be any potential security risk to our railway, property or structures</li> </ul> <p>This site is also adjacent to Network Rail assets. Please contact them directly to query what affect, if any, the proposals will have on their railway.</p> <p>This response is made as TfL Railway Infrastructure Manager under the "Town and Country Planning (Development Management Procedure) Order 2015". It therefore relates only to railway engineering and safety matters. Other parts of TfL may have other comments in line with their own statutory responsibilities.</p>	Standard planning conditions have been recommended. Given this application is a prior approval application standard planning conditions are not required, therefore these recommended conditions have not been included. Notwithstanding, matters relating to the impact on the railway are addressed in Paragraph G.

**Appendix 4:**

<b>Neighbour Notification:</b>	
<b>Date neighbours consulted:</b>	06.01.2021
<b>Number of neighbouring properties consulted:</b>	109
<b>Number of responses:</b>	7+ <i>Petition</i>
<b>Address:</b>	<b>Summary of response:</b>
<i>Flat 6, 116 Victoria Road</i>	<ul style="list-style-type: none"> <li>• Additional storey will add visual bulk, appear overbearing and will destroy the current balanced symmetry with the rest of the road.</li> <li>• Result in overshadowing and create a visual eye sore.</li> <li>• Proposal has a stacked and unneighbourly look.</li> <li>• Reduction in light for residents</li> <li>• Unsafe reduction in parking space</li> <li>• Noise pollution</li> </ul>
121 Victoria Road	<ul style="list-style-type: none"> <li>• Loss of privacy and overlooking.</li> <li>• Lose direct light.</li> <li>• Parking and traffic</li> </ul>
123 Victoria Road	<ul style="list-style-type: none"> <li>• Loss of privacy and overlooking.</li> <li>• Loss of light</li> <li>• Parking and traffic</li> </ul>
Flat 3, 116 Victoria Road	<ul style="list-style-type: none"> <li>• Out of character with the street scene</li> <li>• Loss of privacy</li> <li>• Loss of light</li> <li>• Parking and traffic</li> <li>• Waste Storage</li> <li>• Materials</li> <li>• Disruption caused by 4 new flats and up to 12 new residents.</li> </ul>
127 Victoria Road	<ul style="list-style-type: none"> <li>• Loss of privacy and overlooking.</li> <li>• Loss of light and increase levels of overshadowing.</li> <li>• Parking</li> <li>• Noise from construction</li> </ul>
Flat 8, 116 Victoria Road	<ul style="list-style-type: none"> <li>• Devaluing the property</li> <li>• Cracks on the existing building</li> <li>• Japanese Knotweed</li> <li>• Maintenance and fire risk of wooden cladding</li> <li>• Parking</li> <li>• Noise</li> <li>• Loss of light</li> </ul>
108 Victoria Road	<ul style="list-style-type: none"> <li>• Loss of privacy</li> <li>• Security and privacy</li> <li>• Parking, waste collection and other services</li> <li>• Out of character</li> </ul>
129 Victoria Road	<ul style="list-style-type: none"> <li>• Loss of privacy</li> <li>• Loss of light</li> <li>• Parking</li> <li>• Fly-tipping and vermin</li> </ul>



Petition Signed by 29 residents	<ul style="list-style-type: none"> <li>• Parking</li> <li>• Light</li> <li>• Privacy</li> <li>• Overlooking</li> <li>• Waste and cycle storage</li> <li>• Fire Safety</li> <li>• Out of character</li> <li>• Disruption during construction</li> </ul>
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**Officer Summary:**

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

**Appendix 5:**

**Conditions**

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 Schedule 2, Part 20, Class A Condition A.2 (2) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by The Town and Country Planning (Permitted Development and Miscellaneous Amendments)(England)(Coronavirus) Regulations 2020 and The Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2020)*

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

- 1244.16.001 Site Plan Dated November 2020
- 1244.16.002 Block Plan [Issue AA] Dated November 2020
- 1244.16-211 Proposed Elevations Dated December 2020
- 1244.160-101 Proposed Ground Floor Plan [Revision 2] Dated November 2020
- 1244.160-105 Proposed Third Floor Plan [Revision 1] Dated December 2020

No other drawings or documents apply.

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

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

*Reason: To ensure that the finished appearance of the development will respect the character and visual amenities of the local area.*

4. Before beginning the development, the developer must provide the local planning authority with a report for the management of the construction of the development, which sets out the proposed development hours of operation and how any adverse impact of noise, dust, vibration and traffic on adjoining owners or occupiers will be mitigated.

*Reason: To comply with the requirements of Schedule 2, Part 20, Class A Condition A.2 (3) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by The*

*Town and Country Planning (Permitted Development and Miscellaneous Amendments)(England)(Coronavirus) Regulations 2020 and The Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2020).*

5. On the completion of the development or as soon as reasonably practicable after completion, the developer must provide notification to the local planning authority confirming:

- (i) the name of the developer,
- (ii) the address of the dwelling house, and
- (iii) the date of completion.

*Reason: To comply with the requirements of Schedule 2, Part 20, Class A Condition A.2 (4) and (5) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by The Town and Country Planning (Permitted Development and Miscellaneous Amendments)(England)(Coronavirus) Regulations 2020 and The Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2020).*

6. Any new dwelling house created under Class A is to remain in use as a dwelling house within the meaning of Class C3 of the Schedule to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the primary use as a dwelling house.

*Reason: To comply with the requirements of Schedule 2, Part 20, Class A Condition A.2 (6) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by The Town and Country Planning (Permitted Development and Miscellaneous Amendments)(England)(Coronavirus) Regulations 2020 and The Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2020).*



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REV.	AMENDMENT	BY:	DATE



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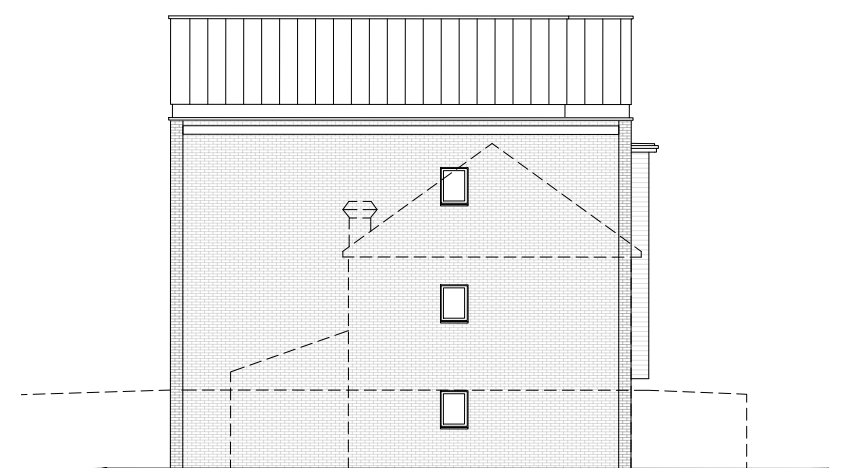


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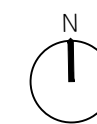
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Proposed South Elevation  
1:200 @ A3



Proposed East Elevation  
1:200 @ A3



**Brooks Murray Architects**  
The Arts Building, Morris Place, N4 3JG  
+44 (0)2077399955 architects@brooksmurray.com

**brooks  
murray**

CLIENT:  
AVON GROUP LTD  
JOB:  
SIENNA BUILDING  
116 - 118 VICTORIA ROAD  
BARKING IG11 8PZ, LONDON  
DRAWING TITLE:  
PROPOSED ELEVATIONS

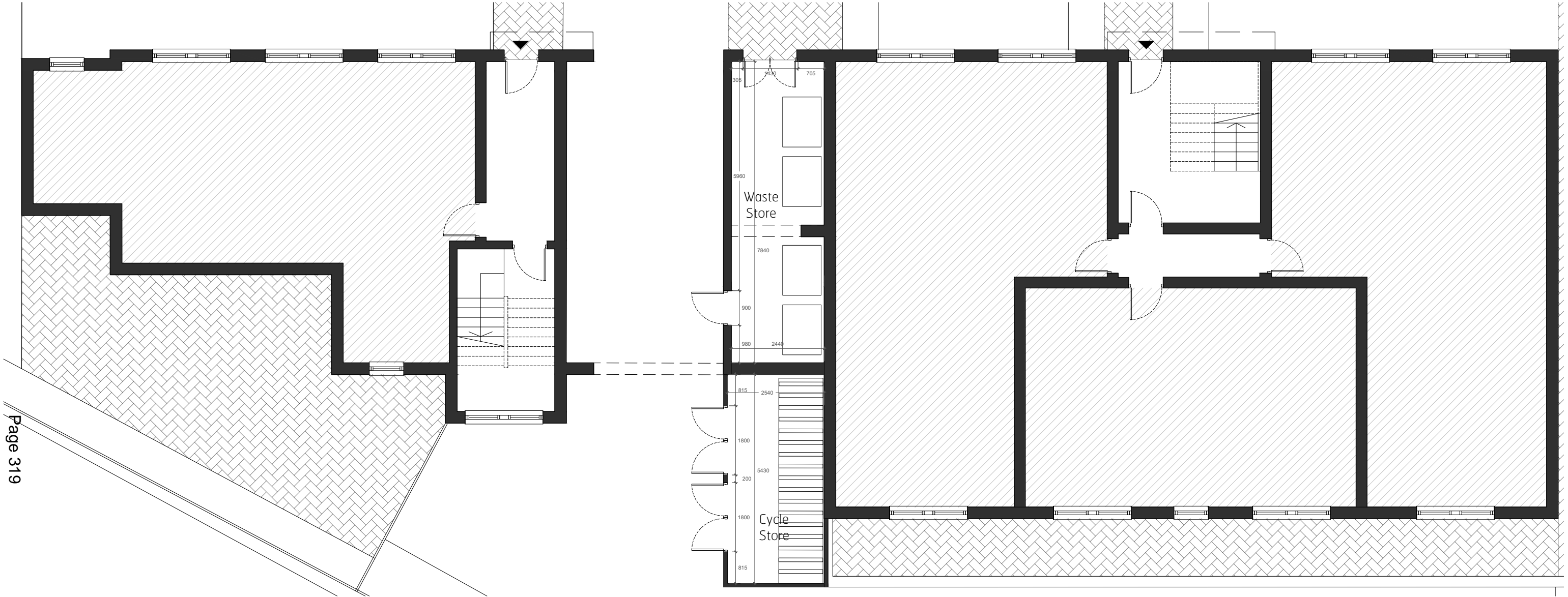
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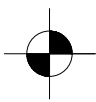


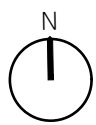
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REV.	AMENDMENT	BY:	DATE
1	Dimensions included	CM	17.02.2021



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 Proposed Ground Floor Plan  
1:100 @ A3



**Brooks Murray Architects**  
The Arts Building, Morris Place, N4 3JG  
+44 (0)2077399955 architects@brooksmurray.com



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AVON GROUP LTD

JOB:  
SIENNA BUILDING  
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BARKING IG11 8PZ, LONDON

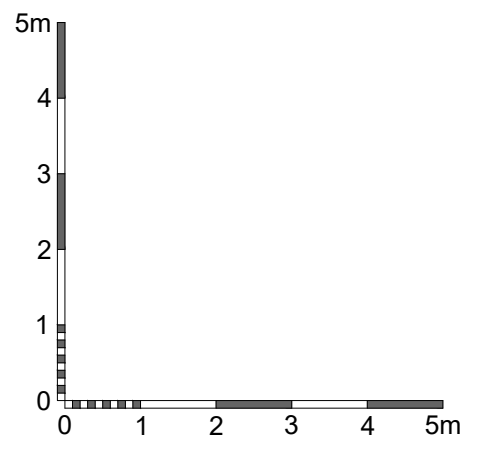
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DATE:  
NOVEMBER 2020

STATUS:  
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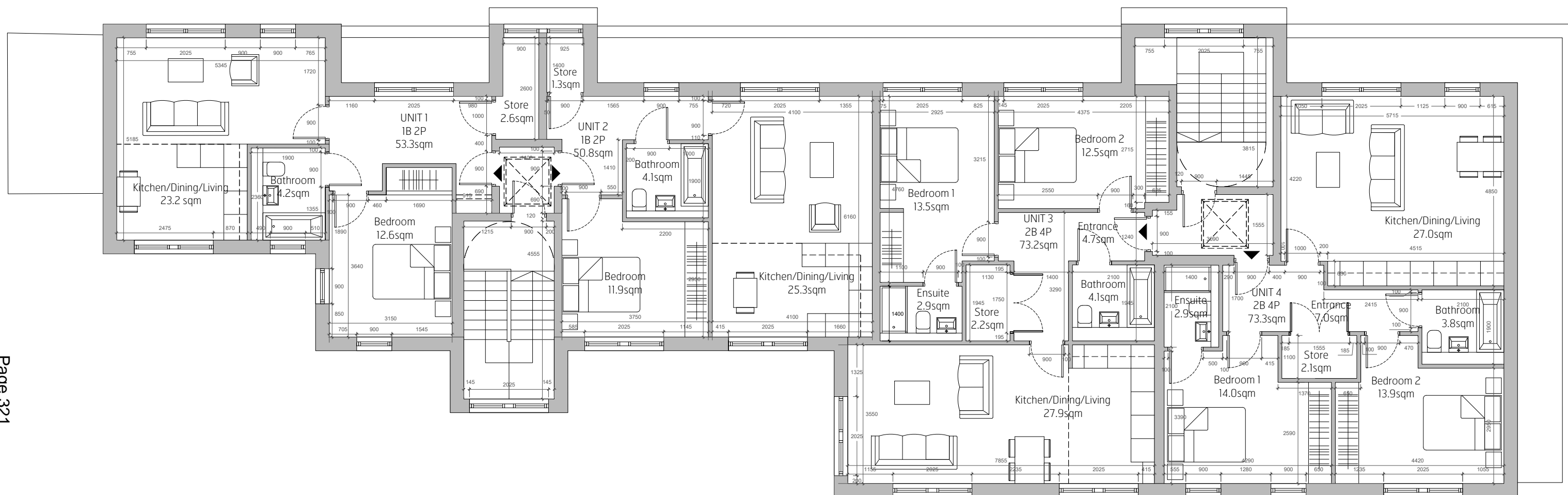
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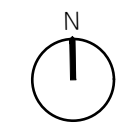
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REV	AMENDMENT	BY:	DATE
1	Dimensions included		CM 17.02.2021



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Proposed Third Floor Plan  
1:100 @ A3



**Brooks Murray Architects**  
The Arts Building, Morris Place, N4 3JG  
+44 (0)2077399955 architects@brooksmurray.com



CLIENT:  
AVON GROUP LTD

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SIENNA BUILDING  
116 - 118 VICTORIA ROAD  
BARKING IG11 8PZ, LONDON

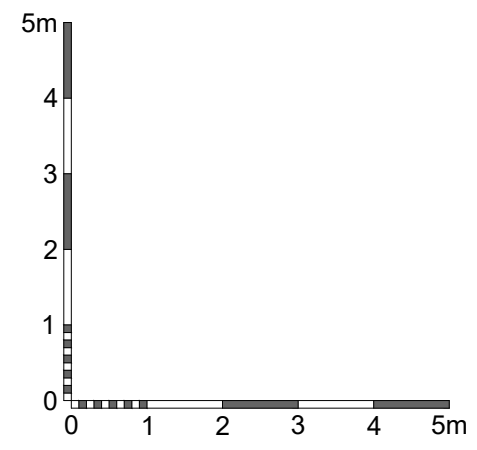
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DATE:  
DECEMBER 2020

STATUS:  
PLANNING

DRAWING NUMBER: 1244.16 - 105    REV: 1    ISSUED BY: CM



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