

**Notice of Meeting**

**PLANNING COMMITTEE**

**Monday, 16 October 2023 - 7:00 pm**  
**Council Chamber, Town Hall, Barking**

**Members:** Cllr Muhammad Saleem (Chair), Cllr Jack Shaw (Deputy Chair), Cllr Faruk Choudhury, Cllr Muhib Chowdhury, Cllr Alison Cormack, Cllr Edna Fergus, Cllr Cameron Geddes, Cllr Harriet Spoor, Cllr Dominic Twomey and Cllr Sabbir Zamee

Date of publication: 6 October 2023

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Please note that this meeting will be webcast via the Council's website. Members of the public wishing to attend the meeting in person can sit in the public gallery on the second floor of the Town Hall, which is not covered by the webcast cameras. To view the webcast online, click [here](#) and select the relevant meeting (the weblink will be available at least 24-hours before the meeting).

**Councillors who are not members of the Planning Committee may speak at a meeting with the agreement of the Chair but must sit separately from the Committee Members and must declare whether they have had any contact with the applicant / objector / property owner or their agents, and whether they are speaking on behalf of a third party and, if so, who (Councillors' Code of Conduct for Planning Matters)**

**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 11 September 2023 (Pages 7 - 11)**

## **New Planning Applications**

## **Ward**

- |  |                      |
|--|----------------------|
| <b>4. Barking Riverside, Stage 2 South Boulevard - Sub Framework Plan and Discharge of Conditions - 23/01182/AOD (Pages 13 - 49)</b>   | Barking<br>Riverside |
| <b>5. Barking Riverside, Stage 2 South Boulevard - Section 106 strategies - 23/01180/S106A (Pages 51 - 77)</b>   | Barking<br>Riverside |
| <b>6. Any other public items which the Chair decides are urgent</b>  |                      |
| <b>7. 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.***

- 8. 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

- Residents are supported during the current Cost-of-Living Crisis;
- Residents are safe, protected, and supported at their most vulnerable;
- Residents live healthier, happier, independent lives for longer;
- Residents prosper from good education, skills development, and secure employment;
- Residents benefit from inclusive growth and regeneration;
- Residents live in, and play their part in creating, safer, cleaner, and greener neighbourhoods;
- Residents live in good housing and avoid becoming homeless.

To support the delivery of these priorities, the Council will:

- Work in partnership;
- Engage and facilitate co-production;
- Be evidence-led and data driven;
- Focus on prevention and early intervention;
- Provide value for money;
- Be strengths-based;
- Strengthen risk management and compliance;
- Adopt a “Health in all policies” approach.

The Council has also established the following three objectives that will underpin its approach to equality, diversity, equity and inclusion:

- Addressing structural inequality: activity aimed at addressing inequalities related to the wider determinants of health and wellbeing, including unemployment, debt, and safety;
- Providing leadership in the community: activity related to community leadership, including faith, cohesion and integration; building awareness within the community throughout programme of equalities events;
- Fair and transparent services: activity aimed at addressing workforce issues related to leadership, recruitment, retention, and staff experience; organisational policies and processes including use of Equality Impact Assessments, commissioning practices and approach to social value.

<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 – <a href="#">see footnote 2</a>
<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 – <a href="#">see footnote 4</a> . State funded school for single academic year – <a href="#">see footnote 2</a> .
<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 – <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>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) <a href="#">See footnote 8</a> 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) <a href="#">See footnote 9</a> . Betting offices and pay day loan to D2 (up to 200m2) – <a href="#">see footnote 10</a> . Betting offices and payday loan to C3 residential use - <a href="#">see footnote 5</a>

<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**

Monday, 11 September 2023  
(7:00 - 7:56 pm)

**Present:** Cllr Muhammad Saleem (Chair), Cllr Jack Shaw (Deputy Chair), Cllr Muhib Chowdhury, Cllr Alison Cormack, Cllr Cameron Geddes and Cllr Dominic Twomey.

**Apologies:** Cllr Faruk Choudhury, Cllr Edna Fergus, Cllr Harriet Spoor and Cllr Sabbir Zamee.

**9. Declaration of Members' Interests**

There were no declarations of interest.

**10. Minutes (17 July 2023)**

The minutes of the meeting held on 17 July 2023 were confirmed as correct.

**11. David James Motor Co., 154 High Road, Chadwell Heath, Romford - 22/01950/FULL**

The Development Management Officer (DMO), Be First Development Management Team, presented a retrospective planning application from David James (the applicant) for a change of use from a car sale to hand car wash at the site of 154 High Road, Chadwell Heath, Romford RM6 6NT. In accordance with the Scheme of Delegation this application was presented to the Planning Committee for decision as more than five objections were received.

A total of 117 notification letters were sent to neighbouring properties from which 15 objections were received, the material planning considerations and issues raised from which were addressed by the DMO in their planning assessment of the application. In addition to the published papers a supplementary report was presented clarifying and correcting aspects of the published report.

The DMO summarised the planning history of the site and notably that an enforcement notice was issued in October 2021 for the unauthorised material change of use from car sales to a car wash. This notice was unsuccessfully appealed in March 2022, and consequently it was noted that despite the submission of a retrospective application for a change of use, the time for compliance with the notice had passed, and the case was now at prosecution stage.

The Local Planning Authority has the power to decline to determine a planning application on a development already the subject of an enforcement notice. If any new application includes part of the details of the breach in the

enforcement notice, then the LPA could decline its determination. However, having regard to the grounds of the appeal and the outcome, it was noted that the appeal did not consider whether the development could be made acceptable if planning permission was retrospectively sought with or without conditions and planning obligations. In the light of this the Officers agreed that the retrospective application could be accepted and considered as long as it addressed the harm that was initially caused and required an enforcement notice to be served.

A representation was made at the meeting by Councillor Achilleos, who on behalf of his fellow Whalebone ward councillors made a statement opposing the application for the following reasons:

1. The applicant had shown a flagrant disregard of planning policy and enforcement action, and that based on his behaviour ward councillors had no confidence that should the application be approved that he would comply with the proposed conditions of use set out in the report.
2. The negative impact that the illegally operated business has had on residents through excessive and disruptive noise,
3. The adverse effect the business already has on traffic congestion in the immediate area, and the heightened risk of accidents, and
4. Seeing that the local Controlled Parking Zone operates from 8am till 5.30pm, and the application for the car wash is to operate until 7pm, means the potential for substantial queuing, which could lead to customers utilising resident parking spaces causing problems for residents returning home from work.

The Chair asked the DMO that as to whether she was confident that adequate mitigation measures had been put in place with regards to the application to satisfy the reasons for issuing the enforcement notice. The DMO responded that she had worked closely with the applicant to overcome any concerns including those raised by ward councillors.

Members whilst sympathising with the ward councillors point about the applicant disregarding the enforcement notice, did acknowledge that this was not a material planning consideration when it came to determining the retrospective application. They did however think that there was merit in the points raised about noise, disturbance and parking issues, and to that extent should the Committee be mindful to approve the application then consideration could be given to restricting the operating hours from 7am to 5.30pm.

Officers stated that times of operation were open to discussion although the key factor would be one of reasonability i.e weighing up residents' concerns to that of the viability of the business.

Another point raised concerned that the nature of the car wash operations meant that a number of the public claimed to get wet as they passed by the site on the footway, and again should this application be approved then it would be sensible to erect some form of protective screening to mitigate the impact of splashes and water run-off from the site.

In response to the resident objections, the comments of the ward councillor and the remarks of the Members of the Committee, the applicant stated that he had operated on the site for over 30 years and had always looked to build good relationships with his neighbours. He questioned the validity of the enforcement notice suggesting that the change of use from car sales to that of a car wash were not in his opinion contrary to his original planning consent. That said he accepted that his appeal against the enforcement notice had been dismissed, but that by presenting the retrospective application and with the conditions suggested, he was confident he could work alongside residents to keep them happy. To that end he would be prepared to put up appropriate protective screening as suggested. As for the proposed additional time restrictions on operation until 5.30pm, he felt this was unfair given the nature of the High Road and that the vast majority of businesses operating in the Road do not close until after 7pm.

In conclusion, the proposed amendments to the operation of the hand car wash on the site of the former petrol filling station forecourt were considered by officers to overcome the reasons for serving the enforcement notice to cease the use. Officers were also satisfied that following the submission of additional information the proposal would not generate unacceptable levels of pollution, noise and general disturbance, and would not pose an unacceptable threat to the quantity or quality of the Borough's water resources. As such, the proposal was considered to accord with the relevant development plan policies, and therefore it was recommended that planning permission be granted subject to a number of conditions detailed in the report, and the additional points raised by Members, namely that condition 1 be amended to require commencement within 3 months, not 3 years, that condition 3 be amended to change the hours of use from 1900 to 1730, and a new condition 7 be added to require that protective screening be installed at the front of the site within 3 months, to prevent splashing on to the pavement.

Therefore, the Committee **RESOLVED** to:

Agree the reasons for approval as set out in the report, and delegate authority to the Strategic Director of Inclusive Growth (or authorised Officer) to grant planning permission subject to the Conditions listed at Appendix 4 of the report as amended at the meeting.

## **12. Gascoigne East Phase 3A - 23/01146/S106**

The Development Management Officer (DMO), Be First Development Management Team, introduced a report and presentation on an application from LBBD for an amendment to Schedule 4 (Phase 3 affordable housing schedule) of the approved S106 Agreement as varied by 20/01251/VAR to remove the reference to private units and replace them with Discount Market Rent units in connection with the development at Gascoigne Estate East Phase3A, King Edwards Road, Barking.

In addition to internal and external consultations, a total of 158 notification letters were sent to neighbouring properties together with the requisite statutory site & press notices. No objections were received.

The proposed changes were sought by the applicant following a review of LBBD's development portfolio which had identified that additional affordable housing could be provided at Gascoigne East Phase 3A, to be achieved through a change of tenure mix, secured via a S73 application alongside another application for the scheme known as the Development Site, Junction of Stamford Road and Woodward Road (see minute 13)

The DMO explained that the application had been made under a S106a modification and discharge of planning obligations. The legislation states at S106A(6):

6) Where an application has been made the authority may determine—

(a) that the planning obligation shall continue to have effect without modification,

(b) if the obligation no longer serves a useful purpose, that it shall be discharged; or

(c) if the obligation continues to serve a useful purpose but would serve that purpose equally well if it had effect, subject to the modification.

In considering the above changes, officers have concluded the obligation continues to serve a useful purpose but would serve that purpose equally well if it had effect, subject to the proposed modification. It was considered that the proposal falls within the legislative provisions as set out above and therefore it has been recommended that the deed of variation proceeds. Officers also recognise the benefits of increasing the number of affordable homes, acknowledging the role Discount Market Rental homes have in meeting local demand.

In those circumstances,

The Committee **RESOLVED** to:

1. Agree the reasons for approval as set out in the report, and
2. Delegated authority to the Strategic Director of Inclusive Growth in consultation with the Head of Legal Services to approve the proposed changes, subject to the completion of a new Deed of Variation to replace the existing Deed of Variation attached to application 20/-1251/VAR dated 26.01.2021 based on the changes summarised in Appendix 4 of the report.

### **13. Woodward Road - 23/01143/VAR**

The Development Management Officer (DMO), Be First Development Management Team, introduced a report and presentation on an application from LBBD seeking consent for a variation of Condition 2 (Approved Plans) attached to planning consent 20/00097/FUL dated 17.07.2020, so as to amend the approved affordable housing tenure mix by changing 15 out of the 16 London Affordable Rent units to Discount Market Rent in connection with

the development on the site at the junction of Stamford Road and Woodward Road, Dagenham.

In addition to internal and external consultations, a total of 266 notification letters were sent to neighbouring properties together with the requisite statutory site & press notices. No objections were received.

The DMO stated that although the changes would result in the loss of 15 low-cost rent units the proposed amendment to the consented scheme would enable the applicant to use right to buy receipts, clawing back a significant proportion of the scheme's deficit as it stood, and would in so doing allow for the continued delivery of the scheme and the provision of much needed affordable accommodation in the borough. This despite an accompanying viability assessment which confirmed that even after the proposed changes the scheme would remain in deficit.

In conclusion officers consider the proposed changes to be acceptable and constitute a minor material amendment, and therefore they have recommended that planning permission be granted subject to the completion of a deed of variation. In those circumstances,

The Committee **RESOLVED** to:

1. Agree the reasons for approval as set out in the report,
2. Delegate authority to the Strategic Director of Inclusive Growth in consultation with the Head of Legal Services to grant planning permission subject to the completion of a deed of variation under s106 of the Town and Country Planning Act 1990 (as amended) based on the changes identified at Appendix 6 and the Conditions listed in Appendix 5 of the report, and
3. That, if by 11 March 2024 the legal agreement has not been completed, the Strategic Director of Inclusive Growth be delegated authority to refuse planning permission or extend the timeframe to grant approval.

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Working in partnership


**Barking &  
Dagenham**
**LONDON BOROUGH OF BARKING & DAGENHAM**
**PLANNING COMMITTEE**
**Monday 16 October 2023**
**Application for the Sub Framework Plan and Discharge of Conditions**

<b>Case Officer:</b>	Lewis Goodley	<b>Valid Date:</b>	-
<b>Applicant:</b>	Barking Riverside Limited.	<b>Expiry Date:</b>	<b>Subject to PPA</b>
<b>Application Numbers:</b>	<b>23/01182/AOD</b>	<b>Ward:</b>	Barking Riverside Ward
<b>Address:</b>	Stage 2 South, Boulevard - 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 and discharge of planning conditions relating to the proposal below at Barking Riverside Area, Renwick Road, Barking.

**Proposals**
**23/01182/AOD**

*Application for approval of details in relation to Stage 2 South Boulevard Sub Framework Plan (SFP) pursuant to Condition 31 (Sub Framework Plan) and 32 (Details of Sub Framework Plan), in addition to the partial discharge of conditions 4 (Phasing and Stages), 5 (Partial Discharge), 23 (Flood Defence Buffer Zones), 33 (Nature Conservation and Landscaping), 35 (Temporary Pedestrian and Cycle Routes) and 36 (Design Code) attached to planning permission 18/00940/FUL dated 26/10/2018*

**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 Strategic Director of Inclusive Growth (or authorised Officer), to approve the Sub-Framework Plans (23/01182/AOD) and specified planning conditions for Stage 2 South Boulevard, Barking Riverside.

## OFFICER REPORT

### Planning Constraints

- Air Quality Management Area
- London Riverside Opportunity Area
- Key Regeneration Area
- Archaeological Priority Area
- Site of Importance for Nature Conservation (adjacent).

### 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.

To date, some 3,500 new homes benefit from detailed planning approval. In addition, four schools have been provided. Stage 1, which lies to the west of Renwick Road and north of River Road is largely complete (or consented to reserved matters stage) which includes the Rivergate Local Centre.

BRL are now building out Stage 2, which lies to the north of the Boulevard. A temporary Co-op is open and will relocate to a permanent store as the development proceeds and the community develops. The London Overground is now operational from the new station. River boat services (Thames Clipper) are now operational from the new pier. A frequent bus-based service organised around East London Transit (ELT) is also long-established and operational.

The application relates to Stage 2 South Boulevard. Figure 1 below shows the location of the proposed SFP area. Figure 2 shows that the SFP is in both Stage 2 South and within the District Centre.

Plots 210A, 210B, 210C and 303A fall within 'Stage 2 South' on the Phasing Strategy. Plots DC3B and DC3C fall within 'District Centre'. Together these form the proposed SFP area named Stage 2 South, Boulevard.



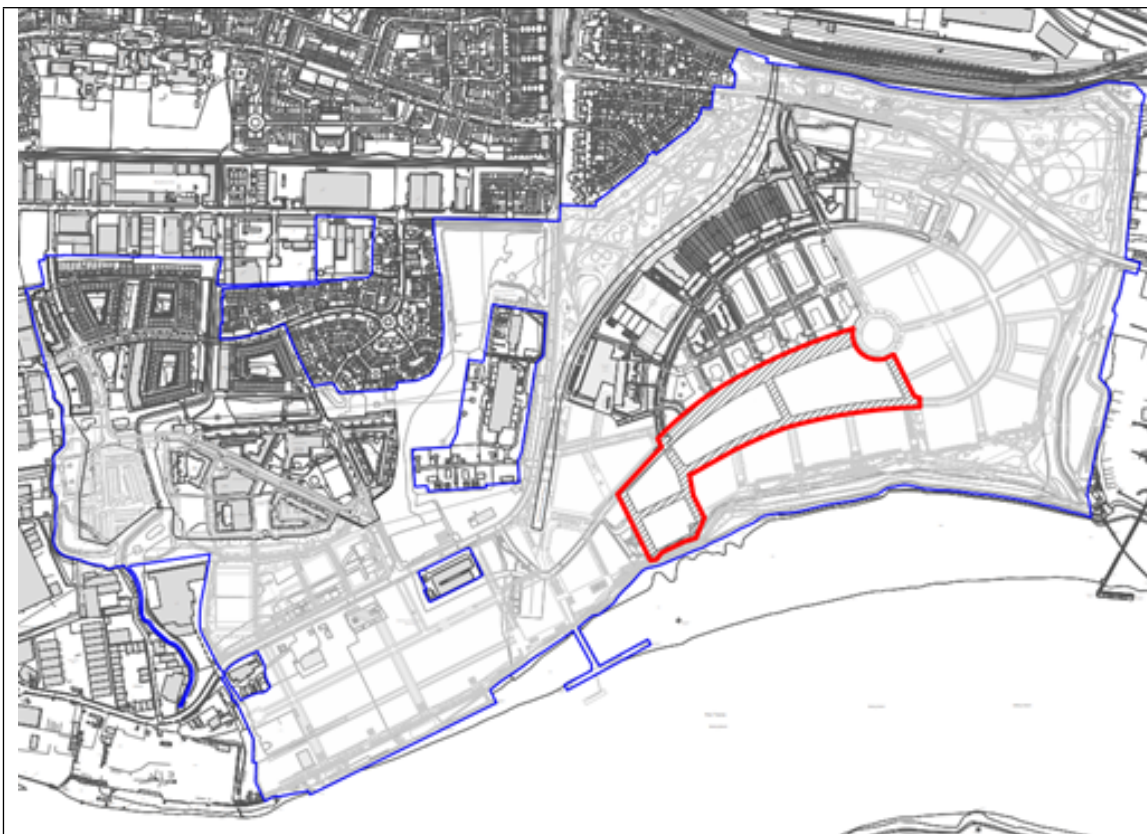


Figure 1 – Redline boundary

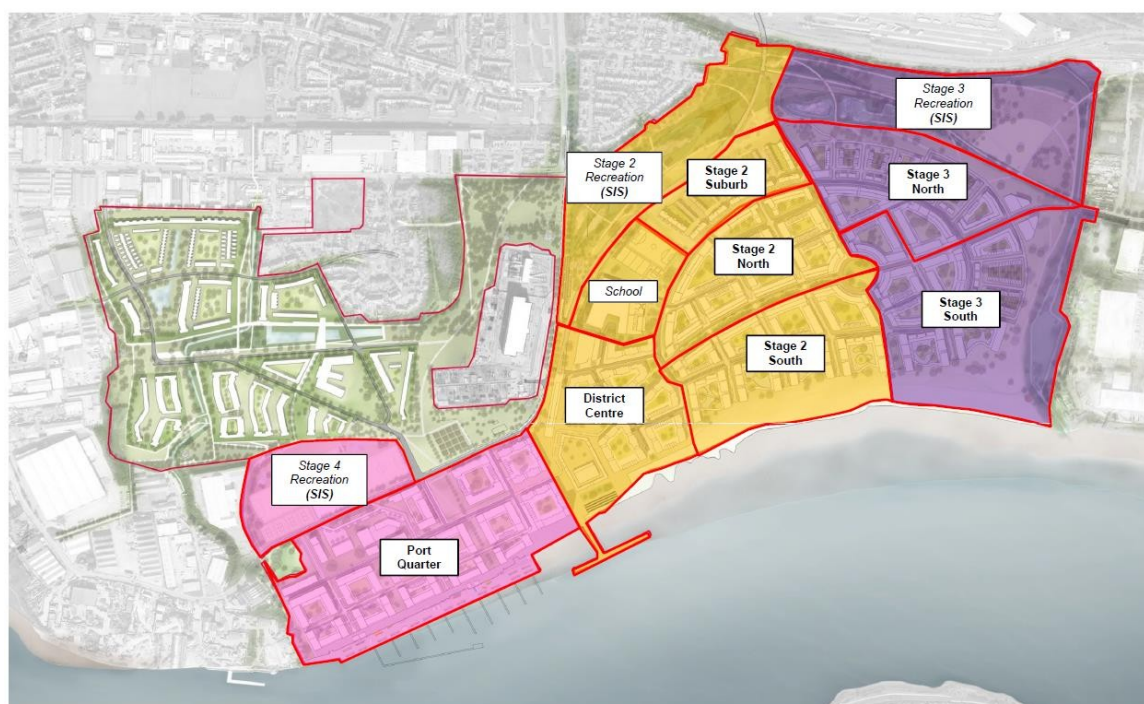


Figure 2 – Consented phases

### Proposal

This application seeks permission for the approval of the Sub Framework Plan for Stage 2 South Boulevard pursuant to Conditions 31 and 32 attached to Outline Planning Permission 18/00940/FUL, in addition to the partial discharge of Conditions 4, 5, 23, 33, 35 and 36 for up to 2,450 dwellings (Use Class C3) and up to 400 sqm of non-residential floorspace (Use Class A), with associated landscaping, parking, pedestrian, cycling and vehicular routes.

All proposed amendments remain broadly in accordance with the outline parameters set by and approved by the 2018 extant outline planning permission (OPP).

### Relevant Background Information

The application site which forms part of the Barking Riverside site has an extensive planning history and the most relevant planning applications are summarised below.

Barking Riverside received site-wide outline planning permission on 7 August 2007 (ref. 04/01230/OUT) which provided for, inter alia, the development of the site for up to 10,800 new homes, including the provision of an extension to the Docklands Light Railway (DLR). This was subsequently amended through a section 73 application (ref. 08/00887/FUL), for which permission was granted on 23rd July 2009 ('the 2009 OPP').

This is a three-tier permission which introduces a requirement for Sub Framework Plans ('SFP') in advance of Reserved Matters ('RMs'). The SFP and RMs for Stage 1 were approved by the Council on 20 August 2009, pursuant to the 2009 OPP (LPA ref. 08/00895/CDN and 08/00896/REM). Following cancellation of the DLR, Barking Riverside has been subject to two further section 73 applications to accommodate the replacement of the DLR with an extension to the London overground (refs. 16/00131/OUT and 18/00940/FUL ('the 2018 OPP'). This latest outline permission was granted on 26 October 2018. This includes the requirement for the submission of details for site wide infrastructure as a reserved matter (see condition 16), to enable BRL to service the site, create development parcels for the provision of new homes by others. The terms of the s106 agreements which accompanied the 2009 OPP, and 2018 OPP were rationalised in a composite s106 agreement in 2019, drawing the provisions of earlier agreements into a single deed, with the obligations updated ('the 2019 s106'). These include the requirement for the submission and approval of a number of strategies. These strategies guide the preparation of the SFPs and the RMs.

A Deed of Variation to the 2019 s106 agreement was approved on 15 July 2021.

This allows for, inter alia, the affordable housing definition to be updated to reflect the introduction of London Affordable Rent and London Shared Ownership, as well as updates to the provisions related to private rented housing and market housing. The SFP and S106 Strategies have been prepared on this basis, utilising these definitions.

### Section 106 Legal Agreement (S106) Strategies

The 2019 s106 agreement requires the submission and approval of various site wide strategies on submission of the first SFP relating to a stage provided that the strategy had not been reviewed in the preceding 12-month period.

The following strategies have been submitted and are considered as a separate committee agenda item. The planning reference for this application is '23/01180/S106A'.

The strategies submitted under this reference are:

- Car Parking Strategy July 2023
- Transport Strategy July 2023
- Travel Plan July 2023
- Transport Monitoring Report July 2023
- Housing Strategy July 2023
- Build to Rent Strategy July 2023
- Retail and Non-Residential Use Strategy July 2023
- Health Strategy July 2023
- Placemaking and Cultural Strategy July 2023
- Open Space and Recreation Strategy (2 May 2018) and Cover Statement July 2023
- Energy Strategy July 2023
- Employment and Skills Strategy July 2023
- Waste Strategy July 2023
- Financial Viability Note and Summary, August 2023

## Key Issues

1. Environmental Impact Assessment (EIA)
2. Principle of Development
3. Compliance with requirements of conditions 5 (*Details of Stages/Plots*), Conditions 31 and 32 (*Sub Framework Plans*), Condition 33 (*Nature Conservation*), Condition 35 (*Access*) and Condition 36 (*Design Code*).

## Planning Assessment

### Relevant Conditions:

This application has been submitted to support an updated SFP for Stage 2 South Boulevard, which is required by Conditions 31 and 32 of the 2018 OPP. This application also seeks to discharge Conditions 4, 5, 23, 33, 35 and 36 for Stage 2 South Boulevard.

### Condition 4

The development shall be built out in four Stages in accordance with Barton Willmore drawing P003 dated 14 April 2017. No later than each Strategic Infrastructure Scheme (SIS)/Sub Framework Plan (SFP) submission the developer shall submit a revised phasing plan for the Site.

### Condition 5 Partial Discharge

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.

### Condition 23 Flood Risk

The following areas, named as 'Flood Defence Buffer Zones', shall be left free from permanent built development and obstructions unless suitable access to the watercourse from the public highway for the Environment Agency can be maintained and agreed in writing by the Local Planning Authority:

- i. A horizontal strip between 6 and 16 metres wide as agreed with the Environment Agency, adjacent to the River Thames and measured from the landward extent of the flood defence structure;
- ii. All land riverward of the River Thames flood defence structure;
- iii. A horizontal strip 8 metres wide adjacent to the Goresbrook, Ship and Shovel and Buzzards Mouth; and
- iv. Prior to commencement of relevant works full details of above areas shall be submitted to and approved by the Local Planning Authority, in consultation with the Environment Agency.

### Condition 31

Prior to the submission of any Reserved Matters for Plot details pursuant to conditions 38 and 39 in respect of a particular Plot or part thereof, a Sub Framework Plan and supporting documentation referred to in Condition 32 for the Stage within which that particular Plot is located shall be submitted for approval to the Local Planning Authority in writing. At least one Sub Framework Plan will be prepared per Stage. No phase of development (excluding the works provided for the Strategic Infrastructure Scheme) pursuant to this permission shall commence until the Sub Framework Plan and the documents submitted with it have been approved.

## Condition 32 Sub-Framework Plan Matters to be addressed

The form and content of each Sub Framework Plan shall address the matters in condition 32 (a - s) and be in broad accordance with the matters in condition 32 (t). For the avoidance of doubt, a Sub Framework Plan shall be accompanied by a statement indicating how the matters in condition 32 have been addressed or complied with.

Matters to be addressed:

- a. Identify the relevant Plots within the relevant Stage
- b. Identify the quantum of development per Plot, in terms of unit numbers, mix and tenure and the quantum of sq. m. of non-residential accommodation per Plot.
- c. Identify the level of car and cycle parking provision (including its appearance, location and the means of secure storage) per Plot within the Stage by land use.
- d. Identify those areas that will be retained and managed by the developer or its agent (or such similar agency or entity agreed in writing with the Local Planning Authority) or adopted by the Council or a body nominated by the Council. ('the retained land').
- e. Demonstrate how new residential buildings can achieve compliance with the Mayor of London Housing SPG March 2016 (or equivalent document superseding the 2016 SPG).
- f. Demonstrate how 10% of new residential buildings can achieve Building Regulations Optional Requirement Approved Document M4(3) Category 3: (Wheelchair user dwellings) (2015 edition).
- g. Demonstrate how new buildings can be arranged and 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.
- h. 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.
- i. Set out the provision of facilities as necessary to meet the operational requirements, where appropriate, of the emergency services, namely fire, ambulance and police.
- j. Establish key principles for the tertiary streets.
- k. Demonstrate how the SFP is addressing private amenity space, including garden sizes across the SFP area.
- l. Identify indicative locations for on Plot playspace.
- m. Set out details of the on Plot and tertiary street lighting scheme, having particular regard for the need to protect the riparian habitat and operational requirements of London City Airport.
- n. Set out the provision of suitable flood warning measures (including a Flood Evacuation Plan) and a scheme setting out their specification, implementation, management and maintenance.
- o. Set out the setting-back of built development to minimise shading of watercourses (Thames, Ship and Shovel Sewer, Goresbrook, Buzzards Mouth Creek ordinary watercourses and constructed wetlands).
- p. Assess and demonstrate compliance with the Water Framework Directive (2000/60/EC)

- q. Where relevant, set out proposals for access design, general public movement, safety features and a strategy to promote water recreation, provision of a public slipway or similar means to launch trailer borne craft, riverside amenity, marine management and river transport, in respect of the Riverside Walkway, Coal Wharf and T-Jetty.
- r. Set out a scheme for the provision of ecologically sensitive roofs (green and brown roofs), to include a strategy for their provision, specific action, delivery and management regime.
- s. Set out a strategy for bird nesting and bat roosting boxes on trees and buildings such as bat roosting bricks and/or bird nesting bricks, trees. The details shall accord with the advice set out in "Biodiversity for Low and Zero Carbon Buildings: A Technical Guide for New Build" (Published by RIBA, March 2010) or similar advice from the RSPB and the Bat Conservation Trust.

Matters to be complied with:

- (t) Design and Access Statement [Illustrative] (January 2016).

### **Condition 33 Nature Conservation and Landscape**

Prior to the commencement of each Stage pursuant to this permission, a scheme for the protection and enhancement where possible of nature conservation areas and landscaping of that Stage shall be submitted to and approved by the Local Planning Authority. Each scheme shall include measures to protect areas of nature conservation importance and details of planting; ground modelling and grading of landform; road and footpath surfaces; walls, fences, gates, street lighting and other features external to the built environment. The scheme shall be in accordance with the approved Design and Access Statement and site wide Biodiversity Strategy (Ref. DFCP 3404 ISSUE) as amended by the site wide Biodiversity Strategy addendum (Ref. DFCP 3404) dated 29 May 2018 and shall include area specific Ecological Protection Plans along with Annual Biodiversity Reports. The approved scheme shall be implemented through that Stage with; (1) measures for the protection of nature conservation areas being put in place before construction of the relevant part of the Plot commences; and (2) the landscaping elements of the scheme adjacent to built development be put in place not later than the first occupation of that adjoining development; and (3) other landscape elements within or adjacent to a Plot will be completed prior to the completion of the Plot.

### **Condition 35 Temporary Access Scheme**

For each Sub Framework Plan pursuant to this permission, a temporary access strategy detailing temporary routes for pedestrians and cyclists though the development site shall be submitted to and approved in writing by the Local Planning Authority. The temporary access strategy shall include:

- (a) access through the site during works and upon completion of works in relation to any phasing, including the connections with any completed phases, and connections to the surrounding area and its networks of cycle paths and footpaths;
- (b) any temporary works, including any boundary treatment around later phases;
- (c) provisions for pedestrians shall be fully accessible to all including people with disabilities; and
- (d) Set out a strategy for the implementation of the network of footpaths and cycleways, including the temporary routes, within the relevant SFP Stage in accordance with plans 242839-00 Figure 02 Issue 1 and 242839-00 Figure 03 Issue 3 contained within the Transport Assessment January 2016 and in accordance with the Strategic Infrastructure Scheme (SIS).

The development shall only be implemented in line with the approved details and shall be maintained thereafter.

### **Condition 36 Design Code**

For each Sub Framework Plan pursuant to this permission, a Design Code that is in broad accordance with

the Design and Access Statement for the development shall be submitted to and approved in writing by the Local Planning Authority. Subsequent Reserved Matters Applications submitted for any proposed building should demonstrate how the proposed building design accords with the principles set out in the approved Design Code.

## **1. EIA (Environmental Impact Assessment)**

- 1.1 The Environmental Impact Assessment (EIA) process is the mechanism by which the likely significant effects of a development on the environment are assessed. It identifies likely effects and the residual effects once mitigated, as well as the cumulative effects with other developments in the surrounding area.
- 1.2 An SFP application would be considered a 'Subsequent Application' and the EIA Regulations require that all Subsequent Applications to an EIA Development (i.e. the original outline permission), are screened as to the need for further EIA. On such occasions, EIA will be required if the Proposed Development to which the subsequent Application relates is considered to result in likely significant effects on the environment that were not identified and or were not identifiable at the time of the principal decision.
- 1.3 Given the limited extent of the proposal, Officers consider that the proposals do not exceed the parameters of the outline consent and thus do not create any additional likely significant impacts not assessed as part of the original Environmental Statement (ES). Officers note that this approach has been applied to 'subsequent applications' including other SFP applications historically at Barking Riverside, whereby screening opinions for subsequent development have not previously been requested by Officers or the Local Planning Authority.

## **2. Principle of Development**

- 1.4 The National Planning Policy Framework 2021 (NPPF) states that to meet the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 1.5 The principle of the comprehensive mixed-use redevelopment of the site is established through the 2007 (04/01230/OUT), 2009 (08/00887/FUL), 2016 (16/00131/OUT) and 2018 (18/00940/FUL) outline planning permissions, which reflect the Development Plan and non-statutory policy context.
- 1.6 The regeneration of Barking Riverside is a long-standing policy objective, supported at both the strategic and local level. The development proposals are entirely consistent with the policy objectives of the NPPF, London Plan and OAPF (including the City in the East and London Riverside OAPF) and the adopted Development Plan. The mixed-use regeneration of the site remains an integral part of the Regulation Draft 19 Local Plan.
- 1.7 The proposals submitted accord with the 2008 Outline Planning Permission, including the relevant planning conditions. Parameter plans have been submitted and are considered within the relevant sections of the report below. Section 106 Legal Strategies have also been submitted, as required and will be considered under London Borough of Barking and Dagenham (LBBD) reference '23/01180/S106A'.
- 1.8 The Applicant, Barking Riverside Ltd (BRL) have begun to undertake steps to scope and consult with stakeholders, partners and residents to scope how the development site could accommodate a greater quantum of development and supporting infrastructure. Officers support the moderate forward delivery in the short-term that will be delivered by this SFP, providing more homes, affordable homes, commercial floorspace and supporting infrastructure in the short-term in a manner that aligns with the parameters of the extant OPP. The Regulation 19 Draft Local Plan confirms an emerging policy ambition for an uplift in homes and supporting infrastructure at the wider Barking Riverside development. Page 20

- 1.9 The principle of the development is therefore established by the extant outline planning permission and is strongly supported by National Planning Policy, the Adopted Development Plan and emerging planning policy. As such, the principle of development is considered acceptable and in accordance with planning policy, subject to the matters below.

### 3. Compliance with Conditions

#### 31 (Sub Framework Plan)

- 2.1. (a) - The applicant has submitted a Sub Framework Plan (SFP) and has met this subject to the relevant considerations made within this report.

#### 32 (a – s)

- 2.2. (a) - The applicant has provided a site location plan (ref. 33769 - S2SB-RG-M-08 rev.E) and parameter plan (ref: 333769-S2SB-RG-M-14 rev.F.) This application relates to Plots DC3B&C, 210 A, B & C and 303A, Stage 2.
- 2.3. (b) - The SFP will provide up to 2,450 dwellings (Use Class C3) and up to 400 sqm of non-residential Class A floorspace, with associated landscaping, parking, pedestrian, cycling and vehicular routes.
- 2.4. The Class A floorspace will be located wither whole or in part in Plots DC3B, DC3B and 303A. Whilst the number of homes per plot will be defined by the RM submissions, the following indicative unit numbers are proposed:
- Plot DC3B: 510 units
  - Plot DC3C: 364 units
  - Plot 210A: 384 units
  - Plot 210B: 424 units
  - Plot 210C: 484 units
  - Plot 303A: 529 units

Total: 2695 units

- 2.5. It is noted that the above exceeds the SFP total of 2,450 dwellings. This is to provide flexibility across the plots within the SFP upper limit of 2,450 homes and the density and height parameters.
- 2.6. The SFP will provide 30% 1bed units, 45% 2bed units and 25% 3bed+ units. Whilst an indicative mix has been used to calculate likely parking provision, the exact mix of units will be provided at RM application stage by Plot Developers.
- 2.7. In terms of tenure the following SFP wide split is proposed:
- 28% Shared Ownership,
  - 3% London Living Rent,
  - 4% Affordable Rent and 65% Open Market Sale to include Build to Rent provision.
- 2.8. This amounts to 35% affordable housing provision. The tenure split between Plots will be determined at RM stage, RMs for plots will confirm the tenure split and how this relates to the wider SFP 35% provision. The applicant has provided a financial viability summary. This demonstrates that the applicant is proposing to deliver affordable housing, including genuinely affordable housing, despite an identified current Page 21 deficit. This is assessed as part of application

'23/01180/S106A' whereby the housing strategy considers housing type, local and mix. The matters for the SFP are considered acceptable.

- 2.9. (c) - A Parking Strategy was prepared by WSP in 2017 to fulfil the requirements of the 2017 s106 agreement. The Parking Strategy was approved on 15 October 2018. This has been revised and is submitted pursuant to the terms of the s106 agreement. The Strategy provides information about the site-wide approach to parking, so as to achieve a consistent approach to parking across the site. It provides a single source of information about the purpose, preparation and implementation of the parking related proposals associated with the development.
- 2.10. The Parking Strategy reflects the ambition to create a modal shift away from car use. The intention is to design a pedestrian environment by ensuring that streets are not dominated by cars.
- 2.11. A Transport Statement has been prepared by WSP (ref. S2SB SFP-SIS-TS -001) which is submitted in support of this SFP. This document sets the proposed indicative level of car parking based on an illustrative mix in accordance with Condition 32 (c).
- 2.12. Car parking provision will be consistent with the site-wide parking strategy and s106 allows for up to 1 space per dwelling for the first 4,000 units. The 2018 Parking Strategy sets out the Stages 2,3 and 4 will achieve the average 0.7 spaces per dwelling to ensure that the maximum permitted level of parking across the development (7,560 spaces) is not exceeded.
- 2.13. The indicative housing mix has been used to identify an indicative total of 1566 car parking spaces (to include residents, visitors, car club and blue badge) that could come forward, this is a ratio of 0.63 spaces per dwelling. However full details will be confirmed at RM stage.
- 2.14. All parking except for visitor, car club and loading must be provided on plot in accordance with the site-wide car parking strategy.
- 2.15. 3% active disabled spaces will be provided from the outset by the Plot Developer, with potential for additional 7% controlled through a Car Parking Design and Management Plan to be prepared by the Plot Developer. This will set out how of the 7% of spaces would be reallocated to Blue Badge holders if a property is later occupied by a blue badge holder.
- 2.16. 5% total car parking provision will be visitor parking and will be provided off plot. Electric vehicle charging in accordance with Part S of the building regulations.
- 2.17. Cycle parking will be provided on site in accordance with the London Plan minimum standards (2021) for residential. Details will be provided at RM stage.
- 2.18. (d) - Parameter Plan S2SB-RG-M-20 rev.C 'Adoption Zones' addresses land adoption in the SFP area and clearly sets out land to be adopted by LBBB, land to be retained by BRL and land to be managed by Plot Developers.
- 2.19. The proposed performance specifications will reflect the finish, design and specification for maintenance for the roads to be adopted in the Adoption Zone Plan will be in accordance with the Manual Contract Documents Specification for Highway works (MCHW).
- 2.20. The proposals promote and encourage a modal shift, applying the necessary parking standards prescribed by the London Plan and envisaged in the master plan of the outline planning consent and accompanying strategies.
- 2.21. (e) - Section 2.6 of the Design Code sets out an illustrative scheme for the SFP areas. This scheme has been included to demonstrate that Stage 2 South Boulevard can achieve compliance with the Mayor of London Housing SPG 2016 as updated.
- 2.22. For the avoidance of doubt for Plot Developers, Section 6.6 of the Design Code states that residential developments should comply with the Mayor of London Housing SPG March 2016 and Housing Design Standards LPG (June 2023).



- 2.23. (f) - Section 6.6 of the Design Code sets out that 90 per cent of proposed residential dwellings are required to meet M4(2) requirements and the remaining 10 per cent are required to meet M4(3) as per the Building Regulations Optional Requirement Approved Document M4(3) Category 3: (Wheelchair user dwellings) (2015 edition). The details of the M4(3) units are required to be provided by Plot Developers as part of future RM applications.
- 2.24. The details are considered appropriate, outlining that accessible housing and adaptable housing will be provided with plot developers required to provide 90% M4(3) (Accessible and Adaptable) and 10% M4(3) Category 3: (Wheelchair user dwellings). This will ensure the development offers homes to meet the needs of all, meeting immediate need and future proofing potential future need.
- 2.25. (g) - The Sub Framework Plan Noise Assessment (July 2023) has been submitted in support of this application which demonstrates how new buildings can be arranged and constructed to mitigate noise disturbance and how consideration has been given to the location of noise sensitive buildings.
- 2.26. The report concludes that suitable internal noise levels can be achieved based on the Illustrative Masterplan provided. Further, the noise modelling shows that the principle of good acoustic design has been followed in the use of buildings to provide screening from the surrounding roads, and that target noise levels can be achieved for the shared external amenity areas within the site. A Noise Assessment Report (July 2023) has been submitted alongside this application.
- 2.27. Officers have reviewed the information and consider it necessary to meet the needs of potential future residents. LBBD Environmental Protection Team Officers have provided no response objecting to the details. Officers further note that the proposals would accord with matters previously approved within the development site. Furthermore, details of noise mitigation would be considered on a plot by plot basis at reserved matters stage, with further opportunity for comment from LBBD EPT officers.
- 2.28. (h) - Section 6.6 of the Design Code requires that future residential developments are compliant with the principles outlined in the Secure by Design for Homes 2023 guide. Details of the future lighting scheme (5.13) and approach to CCTV (5.14) are set out in the Design Code as part of the strategy for compliance.
- 2.29. The strategy is that future Plot Developers will be required to make applications as detailed building designs come forward as part of future RM applications. The Met Police will be consulted as part of these applications.
- 2.30. Officers have reviewed the information and consider the principles adopted in the Design Code and proposed supporting documentation sufficiently instil best practice in relation to 'designing out crime'. Key public routes are offered good natural surveillance and any access areas or courtyard areas would be easily enclosed with gates or appropriate boundary treatments. All these details would be considered at Reserved matters stage for further consideration and opportunity for review in consultation with the Met Police.
- 2.31. Officers note the response from the Met Police which confirms no objection. The Met Police acknowledge that prior to the submission of reserved matters applications applicants and their architects should engage with the Met Police Secured by Design Team to ensure compliance.
- 2.32. (i) Section 2.13 of the Design Code details the access route for emergency vehicles. This is also confirmed in the submitted Parameter Plan - Framework Plan (ref: S2SB-RG-M-14 rev. F). Emergency access will be provided across the Boulevard, along Park Street and tertiary streets and south of the Circus. This will be controlled by modal filters. Should emergency access be required to Plots DC3B and DC3C, access will be provided via R9, R15 and to the south via the foreshore route.
- 2.33. The submitted Transport Statement (ref. S2SB SFP-SIS-TS -001) prepared by WSP and the access plan shows the proposed development would provide and meet the necessary access

requirements for emergency vehicles.

- 2.34. (j) - Section 5.4 of the Design Code sets out the key principles for tertiary streets which Plot Developers will be required to accord with. The details will be provided at RM stage.
- 2.35. Officers consider that the Design is very comprehensive and provides strong and robust guidance for tertiary streets. Some flexibility is offered which will help with Reserved Matters applications which will be brought forward by Plot Developers.
- 2.36. Officers note that the tertiary streets stipulate how parking and access through these streets will interact with the proposed public realm, areas of planting, residential and commercial buildings. The Design Code also details how these streets will interact with the primary and secondary streets considered in this application.
- 2.37. Park Street will be brought forward by the Applicant, BRL in a separate Strategic Infrastructure Scheme (SIS) submission, the details of which will accord with the Design Code section. This gives opportunities for officers and consultees, including TfL to provide further comment.
- 2.38. (k) - Section 2.6 of the Design Code includes an Illustrative Site layout which addresses private amenity space and sets out indicative locations on plot for the courtyards within the illustrative layout.
- 2.39. The design principles are set out within Section 4 of the Design Code for each character zone of the SFP area. Garden sizes are detailed at section 4.5 (front gardens) and 4.14 (Private rear gardens) within the Design Code. Balconies will be provided which accord with London Plan standards, key design principles are set out in section 4.12 of the Design Code. The specific details will be set out within future RM applications.
- 2.40. The proposed Design Code outlines strong and clear principles for providing boundary treatment. Officers consider that the principles will help aid with discussion at pre-application stage for RM applications with Plot Developers. The principles and guidance will further help to create visual consistency and visual interest across the SFP area, offering a set of guidelines that will apply to all Plot Developers.
- 2.41. (l) - The details of private amenity space will be provided at RM stage. The SFP sets out that courtyards are to be provided within the residential blocks. Section 2.10 of the Design Code demonstrates indicative locations within each plot for illustrative purposes.
- 2.42. The intention is that 100% of doorstep play for 0-5 year olds is to be delivered on each plot within courtyards. 20% of local play space for 5-11+ will also be provided within each plot, with the remaining provision and youth space (+12 years) to be provided in the wider site consistent with the 2018 OPP. This includes facilities within the Boulevard and Circus and within Pylon Park and the potential future sports facilities.
- 2.43. This approach is considered consistent with other nearby SFP areas, namely Stage 2 North. The proposals outline clearly how Plot Developers should provide courtyard space and how private balconies should be addressed across the SFP area. The provision of Child's playspace beyond the plots within key areas of public open space is supported.
- 2.44. (m) - Section 5.13 of the Design Code sets out the strategy for lighting in the public realm, it notes that obtrusive lighting must be minimised through appropriate specification, siting, control and orientation of lighting apparatus. Also lighting must create the sense of a welcoming, safe and secure neighbourhood made up of well-lit streets but does not have a negative impact on adjacent habitats.
- 2.45. Within the wider Barking Riverside site, lighting impact on the riparian environment and Airport will be considered where an SFP is in proximity to the River Thames and London City Airport. The SFP extends southwards towards the River Thames.

- 2.46. The Biodiversity Statement (ref. RE23/027-05) states that the location of Stage 2 South Boulevard SFP is suitably distant from all onsite watercourses whilst, all works will adhere to strict working methodologies contained within the site wide Construction Environmental Management Plan (CEMP) as such, will result in no adverse effect on riparian habitats or the operation of London City Airport.
- 2.47. Officers are satisfied based on the information submitted that the proposed lighting strategy is sufficient for the protection of residential amenity and to safeguard sensitive ecological habitats and protected species. Officers note that the EA, LBBB EPT have provided no objections to the lighting strategy.
- 2.48. Further review of lighting will undertaken at RM stage. This will be particularly important given the location of the plots within Stage 2 South within the District Centre as these abut the river.
- 2.49. (n) - The FRA and Drainage Strategy (ref. BRL-WSP-S2S-XX-XX-RP-D-001) prepared by WSP is submitted in support of the SFP which details the flood warning measures and Flood Evacuation Plan.
- 2.50. The FRA outlines a practical way to flood evacuation and flood warning measures. Officers note that the Environment Agency (EA) have confirmed that they have no objections to the proposed measures. Based on the information provided officers therefore consider, on balance, that the details are sufficient. Officers note that LBBB as Lead Local Flood Authority has stated that they have no comments/ objections relating to the application.
- 2.51. (o) - The Biodiversity Statement (ref. RE23/027-05) considers the setting-back of built development to minimise shading of watercourses (Thames, Ship and Shovel Sewer, Goresbrook, Buzzards Mouth Creek, ordinary watercourses and constructed wetlands).
- 2.52. It states that the location of Stage 2 South Boulevard SFP is suitably distant from all onsite watercourses whilst, all works will adhere to strict working methodologies contained within the site wide Construction Environmental Management Plan (CEMP) as such, will result in, no adverse effects on watercourses are anticipated as a result of shading. Officers therefore consider the findings sufficient.
- 2.53. (p) - A Water Framework Directive (dated: 28 July 2023) has been prepared by WSP which finds that the scheme is judged to be compliant. The matters are therefore sufficiently addressed. Officer note that the EA have not objected to the proposals.
- 2.54. (q) - Part of the SFP falls within the Framework Plan Hard Waterfront area and details will be provided at RM stage or through a future SIS submission, however that the intention is that this area will be hard and soft landscaping to provide emergency access to the Plot and access to the River.
- 2.55. Whilst recognising the sensitivities of the nearby River Thames, officers consider that this approach is acceptable. The extant permission already makes provision for the hard surfaced waterfront area. This already established principle will be fully scrutinised at RM and SIS stage in consultation with the relevant internal and external consultees. The proposals therefore align with the extant permission and will ensure that all nearby sensitive ecological habitats and protected species will be protected, and wider opportunities for habitat creation across the site not prejudiced.
- 2.56. (r) - The submitted Biodiversity Statement (ref. RE23/027-05) details recommendations for the provision of ecologically sensitive and biodiverse roofs in line with historic commitments and supported applications. This includes the design, implementation, plant specifications and maintenance of the roofs. Detailed information and advice can be found in Chapter 6 of the Statement.
- 2.57. The submitted Habitat Areas Plan (S2SB-RG-M-21) sets out the indicative extent and location of green and brown roofs. It notes that 40% of total roof area to be targeted for green roofs, 10% of total area to be targeted for brown roofs.

2.58. (s) The submitted Biodiversity Statement (ref. RE23/027-05) details recommendations for bat roosting and bird nesting boxes:

Species	Recommended Enhancement
Bat	x3 integrated boxes positioned on south/south-easterly façade of each building (x72 in total).
Bird	x5 integrated (ideally) boxes positioned on each building (x120 in total), to be positioned facing into courtyard planting areas. Of these, x10 to include Starling boxes.
Invertebrate	One invertebrate hotel to be created per courtyard

2.59. The Statement also includes recommendations on suggested locations for bird and bat box locations.

2.60. The proposals for Part (r) and (s) outline the approach to biodiversity. They accord with the extant permission. The report and proposals have been prepared by independent and suitably qualified professionals. Based on the information submitted, on balance, officer consider that the proposals are sufficient to safeguard and promote biodiversity in line with the extant permission. Furthermore officers note that no objection from LBBD or the EA on these matters has been received.

2.61. (t) 'compliance' - The submitted Design Code has been prepared in accordance with the approved Design and Access Statement (January 2016). The matters therefore comply.

Condition 4, 5, 23, 33, 35 and 36

2.62. The Applicant seeks to also seeks to partially discharge the following conditions in respect of the Stage 2 South area:

- Condition 4 (Phasing and Stages)
- Condition 5 (Partial Discharge)
- Condition 23 (Flood Defence Buffer Zones)
- Condition 33 (Nature Conservation and Landscaping)
- Condition 35 (Temporary Pedestrian and Cycle Routes)
- Condition 36 (Design Code)

2.63. Condition 4 – The Applicant has submitted plan ref: '08-06-2023 Rev'. This outlines the phasing and stages within the SFP area. The proposed phasing within the SFP is considered logical and appropriate within the context of the extant permission, masterplan and built-out stages.

2.64. Condition 5 – The applicant as part of this application has comprehensively detailed how their proposals accord with the requirements of condition 4 and the extant permission. They outline how the proposals also align with the consented and updated S106 strategies submitted reference '23/01180/S106A'.

2.65. Condition 23 - The site boundary is partially located within the Flood Defence Buffer Zone to the south of Plot DC3C. This area is proposed to be used for landscaping and emergency access when required.

2.66. The submitted FRA and Drainage Strategy (ref. BRL-WSP-S2S-XX-XX-RP-D001) states that a Flood Defence Design Philosophy report was produced by WSP in October 2018 to accompany the Strategic Infrastructure Scheme Submission (SIS) reference 18/00768/REM and was approved as part of this permission. This document detailed the requirement to raise the Flood Defence Crest Level for the site to a height of +8.2m ODN and included details of the Buffer Zones agreed with the Environment Agency to meet the requirements of Condition 23.

2.67. Whilst the proposals have changed, the Stage 2 South Boulevard SFP Submission fully complies with the approved Flood Defence Philosophy as proposed levels are greater than 8.2m AOD and

agreed buffer distances between the new Development Flood Defence and Built Development have been maintained, as the minimum Buffer distance is now 7.63m, which accords with the previously agreed buffer zone.

- 2.68. Officers have reviewed the submitted FRA. Based on the information submitted, the confirmation of no objection from LBBB as Local Lead Flood Authority and no objections from the EA the proposals based on the information, on balance, are deemed to be sufficient.
- 2.69. Condition 33 – The submitted Biodiversity Statement (ref. RE23/027-05) prepared by Rocket states that Stage 2 South Boulevard currently consists of bare earth, gravel and hardstanding, with very sparse and scattered tall ruderal vegetation which is being kept low to ground regularly so that habitat does not re-establish. There is an area of semi-improved grassland towards the eastern extent of the Project site, along the banks of Ditch B.
- 2.70. To ensure that the new ecological features are protected and maintained post-construction, some management works are likely to be needed. The invertebrate hotel, bat and bird boxes along with the newly created habitat areas, including soft landscaping, are likely to require some maintenance. This will mostly involve cutting back unwanted overgrown vegetation in the new habitat areas and potentially cleaning some of the boxes, depending on the designs chosen. Further details of these requirements are listed in Chapter 6 of the Statement.
- 2.71. Plot Developers will be required to accord with the scheme at RM stage when details for each plot will be provided. This will allow to further scrutiny and ensure all biodiversity enhancement measures are proposed and put in place.
- 2.72. The proposals submitted are therefore considered appropriate, and it is noted that the current condition of the site, coupled with the proposed biodiversity enhancements will safeguard and promote protect species and habitats. All key areas for habitat creation are retained in accordance with the extant permission.
- 2.73. Condition 35 – Stage 2 South Public and Cycle Access document (ref: V.2) provided by BRL which details the proposed approach.
- 2.74. The proposed temporary access arrangements would facilitate construction in an ordered and coherent way. Measures would be in place that would ensure the phased release of key areas of public realm and access routes once construction is completed on a plot-by-plot basis with the wider movement strategy put in place. The matters are therefore sufficient and provide real opportunity to promote sustainable and active travel.
- 2.75. Condition 36 The Design Code (July 2023) has been prepared in broad accordance with the approved Design and Access Statement (2016), it is submitted in support of the SFP for approval. It will guide future RM applications on plots 210A, 210B, 210C, 303A, DC3B and DC3C.
- 2.76. The proposals are therefore in compliance with Condition 36. Officers welcome the proposals and note how the SFP will promote a successful and sustainable place within the heart of the wider Barking Riverside development.

## Conclusions

*Sub-Framework Plan 23/01182/AOD of '18/00940/FUL', Stage 2 South Boulevard.*

The submitted details demonstrate that all matters relating to the sub-framework plan are of a high quality and that the revised SFP would remain within the maximum parameters and relevant agreed strategies of the outline planning consent. Importantly the proposals would facilitate the continued delivery of homes and commercial development in a high-quality and compliant fashion.

The information submitted relating to conditions has been reviewed and has been subject to consultation. It is considered to be of sufficient quality and will facilitate the creation of a highly successful and sustainable new community within the heart of the Barking Riverside development site.

Officers therefore recommend that the details are sufficient and that the partial discharge of Condition 31 (Sub Framework Plan) and 32 (Details of Sub Framework Plan), in addition to the partial discharge of conditions 4 (Phasing and Stages), 5 (Partial Discharge), 23 (Flood Defence Buffer Zones), 33 (Nature Conservation and Landscaping), 35 (Temporary Pedestrian and Cycle Routes) and 36 (Design Code) attached to planning permission 18/00940/FUL dated 26/10/2018 in relation to Stage 2 South Boulevard only should be approved by the Planning Committee.

## Appendix 1

<b>Development Plan Context</b> The Council has carefully considered the relevant provisions of the Council’s adopted development plan and of all other relevant policies and guidance. Of particular relevance to this decision were the following Framework and Development Plan policies and guidance.	
<i>National Planning Policy Framework (NPPF) (2023)</i>	
<i>London Plan (2021)</i>	Policy GG1 - Building strong and inclusive communities Policy GG2 - Making the best use of land Policy GG3 - Creating a healthy city Policy GG4 - Delivering the homes Londoners need Policy D1 - London’s form, character and capacity for growth Policy D2 – Infrastructure requirements for sustainable densities Policy D3 – Optimising site capacity through the design-led approach Policy D4 – Delivering good design Policy D5 – Inclusive design Policy D6 – Housing Quality Standards Policy D7 – Accessible Housing Policy D8 – Public Realm Policy D11 – Safety, security and resilience to emergency Policy D12 – Fire Safety Policy D14 - Noise Policy H1 - Increasing housing supply Policy H4 – Delivering affordable housing Policy 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
<i>Local Development Framework (LDF) Core Strategy (July 2010)</i>	Policy CM1 - General Principles for Development Policy CR2 - Preserving and Enhancing the Natural Environment Policy CR3 - Sustainable Waste Management Policy CP2 - Protecting and Promoting our Historic Environment Policy CP3 - High Quality Built Environment Policy CC2: Social Infrastructure to Meet Community Needs
Local Development Framework (LDF) Borough Wide Development Plan Document (DPD) (March 2011)	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>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: (Submission Version, December 2021) is at an "advanced" stage of preparation. Having regard to NPPF 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: (Submission Version December 2021)</i></p>	<p>Strategic Policy SPDG 1: Delivering growth in Barking and Dagenham  Strategic Policy SPP1: Barking and the River Roding Area  Strategic Policy SP 2: Delivering a well-designed, high-quality and resilient built environment  Policy DMD 1: Securing high-quality design  Policy DMD 2: Tall buildings  Policy DMD 3: Development in town centres  Policy DMD 4: Heritage assets and archaeological remains  Strategic Policy SP 3: Delivering homes that meet peoples' needs  Policy DMH 1: Affordable housing  Policy DMH 2: Housing mix  Strategic Policy SP 4: Delivering social and cultural infrastructure facilities in the right locations  Policy DMS1 – Protecting and enhancing existing facilities.  Policy DME 5: Evening Economy  Policy DME 3: Encouraging vibrant, resilient, and characterful town centres  Policy SP6: Green and blue infrastructure  Policy DMNE 1: Parks, open spaces and play space  Policy DMNE 2: Urban greening  Policy DMNE 3: Nature conservation and biodiversity  Policy DMNE 4: Water Environment  Policy DMNE 5: Trees  Strategic Policy SP7: Securing a clean, green and sustainable borough  Policy DMSI 1: Sustainable design and construction  Policy DMSI 2: Energy, heat and carbon emissions  Policy DMSI 3: Nuisance  Policy DMSI 4: Air quality  Policy DMSI 5: Land contamination  Policy DMSI 6: Flood risk and defences  Policy DMSI 7: Water management  Policy DMSI 9: Demolition, construction and operational waste  Policy DMSI 10: Smart Utilities  Strategic Policy SP8: Planning for integrated and sustainable transport  Policy DMT 1: Making better connected neighbourhoods  Policy DMT 2: Car parking  Policy DMT 3: Cycle parking  Policy DMT 4: Deliveries, servicing and construction  Strategic Policy SP 9: Managing development Policy DMM 1: Planning obligations (Section 106)</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)</p>



	Housing (2016) Play and Informal Recreation (2012) Sustainable Design and Construction (2014)
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### **Additional Reference**

#### *Human Rights Act*

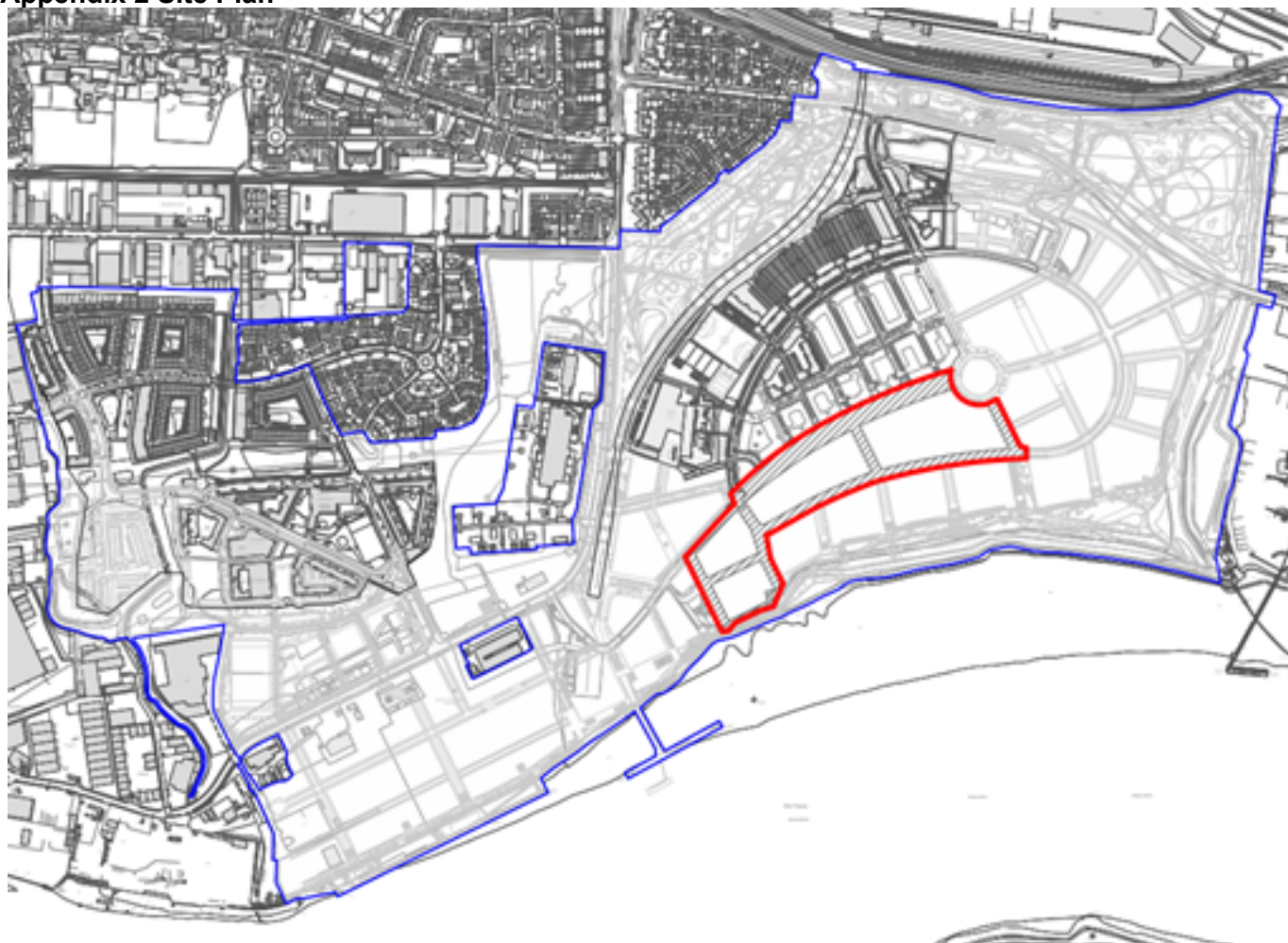
The provisions of the Human Rights Act 1998 have been considered in the processing of the application and the preparation of this report.

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

Appendix 2 Site Plan



### **Appendix 3:**

The following consultations have been undertaken with relevant internal and external stakeholders:

- Cllr Victoria Hornby (Barking Riverside)
- Cllr Josie Channer (Barking Riverside)
- Cllr Cameron Geddes (Barking Riverside)
- TfL Planning
- Be First Affordable Housing
- Be First Transport
- Environment Agency
- Historic England ARCHAEOLOGY
- LBBB - Affordable Workspace/ Skills and Employment
- LBBB - Commissioning Lead Sustainability for sustainability
- LBBB - Parking Enforcement and CPZ
- LBBB Access Officer
- LBBB District Heating / Energy
- LBBB Early Years / Nurseries
- LBBB Education
- LBBB Environmental Health and Trading Standards
- LBBB Environmental Protection
- LBBB Heritage and Culture
- LBBB Highways
- LBBB Housing Strategy
- LBBB Inclusive Growth
- LBBB Lead Local Flood Authority
- LBBB Leisure, Parks and Heritage
- LBBB My Place
- LBBB Parks, Allotments and Cemeteries
- LBBB Public Health
- LBBB Refuse Services
- LBBB Regeneration
- LBBB Reside Housing
- LBBB Social Care
- LBBB Social Care
- LBBB Specialist Services
- LBBB Strategic Refuse and Recycling
- London City Airport
- Met Police - Designing Out Crime Office
- National Grid - Electricity
- Natural England
- NHS Strategic Estates

- Port of London Authority
- TFL London Overground
- Thames Water
- UK Power Networks

**Summary of Consultation responses for applications : 23/01180/S106A & 23/01182/AOD**  
*(Consultation was combined).*

Consultee and date received	Summary of Comments	Officer Comments
Met Police	No objections. Concluded that the applicant/ plot developers should engage early with the Met Police, Secured by Design team prior to the submission of Reserved Matters applications.	Noted.
National Grid	Regarding planning application 23/01182/AOD, there are no National Gas Transmission assets affected in this area.	Noted.
Port of London Authority (PLA)	<p>Thank you for consulting the Port of London Authority (PLA) on the above-mentioned application, for the approval of details in relation to Stage 2 South Boulevard Sub Framework Plan (SFP) pursuant to Condition 31 (Sub Framework Plan) and 32 (Details of Sub Framework Plan), as well as the partial discharge of conditions 4 (Phasing and Stages), 5 (Partial Discharge), 23 (Flood Defence Buffer Zones), 33 (Nature Conservation and Landscaping), 35 (Temporary Pedestrian and Cycle Routes) and 36 (Design Code) attached to planning permission 18/00940/FUL for the Barking Riverside development. I have now had the opportunity to review the submitted documents and can confirm the PLA have no in principle objection to the application but have the following comments to make.</p> <p>Within the submitted 'Explanation and justification document' there is a reference to an updated Travel Plan (2023) in support of the development of stage 2. This doesn't appear to form part of the submitted documents and should be shared when available. As part of the Travel Plan it must be ensured that this includes reference to the river bus services available at Barking Riverside Pier, which is referred to and promoted in section 3.4 (Public Transport Access) of the submitted Transport Statement.</p> <p>With regard to drainage section 9.2.4 of the Flood Risk Assessment highlights that the Stage 2 South Boulevard (S2SB) area is mainly located within Catchment F, which drains southwards ultimately discharging to the Thames via a new outfall referenced as Outfall C6. To highlight any new outfall requires a River Works Licence with the PLA, and the PLA statutory consents and compliance team should be contacted at <a href="mailto:lic.app@pla.co.uk">lic.app@pla.co.uk</a> on this matter.</p> <p>Finally to highlight condition 29 of permission 18/00940/FUL states that prior to any new public access being provided to within 50m of the riverside, provision of riparian life saving equipment shall be made along the river edge to a standard recommended in the Hayes Report on the Inquiry into River Safety. With regard the plot DC3C which is on the riverside it is considered that this condition would likely apply and therefore would need to be partially discharged as part of the development of this stage.</p>	<p>Noted. The Travel Plan (2023) has been submitted to discharge the S106 Obligation as detailed in Schedule 4, Part 1, Para 12.2 and has been validated accordingly. The LPA reference is: 23/01180/S106A. The submitted Travel Plan (2023) does reference the river services provided by Thames Clipper at the Barking Riverside Pier at paragraphs 3.5.19 – 3.5.21 and Table 3-3.</p> <p>The proposed Outfall to the Thames referenced as C6 is part of the consented drainage strategy for the Development. Discussions have previously been carried out between BRL and the PLA regarding the form of this outfall and in advance of its construction the appropriate Licences will be obtained from the PLA, Environment</p>

		<p>Agency and the Marine Management Organisation.</p> <p>With regard to Condition 29 and the requirements in relation to life saving equipment, please note that this area is only included within the SFP submission boundary to provide Emergency Access for Plot DC3C and therefore no new public access will be provided to the river frontage. This area will be fenced off until the final construction of this area is completed, which will include provision of lifesaving equipment. To note the zone to the south of Plot DC3C will be detailed as part of the design of the future Strategic Infrastructure Scheme (SIS). The forthcoming Stage 2 South and District Centre East SIS application provides Illustrative design only, final details will be provided in a future full details SIS submission, which will include details of the provision of life saving equipment for approval under Condition 29.</p>
TfL Spatial Planning	<p>Following discussions internally within TfL Spatial Planning, including Area Managers and bus colleagues, I can confirm that we share your concerns in relation to this proposal opening up the bus only route to servicing. Therefore, TfL would strongly object the approval of this application on operational and safety grounds if this part of the proposal was to be retained.</p>	<p>Noted, officers requested that this element of the strategy and SFP was removed and wording amended to enable further testing for agreement with the LPA (The Council) and TfL.</p>

Environment Agency	We have reviewed the submitted information in 'S2S & DCE SFP Planning Submission', 'Response to EA Planning Objections' and are satisfied that conditions 23, 32 and 33 can be discharged. We have no comment to make on conditions 4, 31, 35 and 36.	Noted.
LBBD Parking Enforcement	<p>Having reviewed the planning application and Transport Statement it is clear that some roads will remain private whilst other roads will be adopted public highway.</p> <p>For us to provide comment regarding the parking arrangements on the adopted land, we need to see a plan or document advising what parking restrictions are being proposed. Are you able to provide me with this information?</p> <p>Residents and businesses of this new development will not be eligible for any permits to park in any existing Controlled Parking Zones (CPZs) that are in place in the surrounding area.</p>	<p>This information was provided to Parking Enforcement.</p> <p>They Provided no further comments.</p> <p>Officers note that the proposals do not alter the agreed strategy, whereby all on-street parking will be subject to permits. The roads to be adopted by LBBD would also have parking restrictions.</p>
LBBD Public Health	<p>Affordable housing</p> <ul style="list-style-type: none"> <li>-Strongly encourage increase of affordable housing from the planned 38.4% given the deprived local population.</li> <li>- Encourage building to meet the London Living Rent target of 5% as a minimum.</li> </ul> <p>Transport SPF</p> <p>4.2.2. It is to be noted that 10% of the accommodation provided within S2SB SFP will be wheelchair accessible dwellings (M4(3)). The details of these dwellings will be secured at the reserved matters stage</p> <ul style="list-style-type: none"> <li>- This is a very small amount of accessible rooms which may not suit the needs of the growing population; many of which have health conditions. We understand the 'lifetime homes' standard has been superseded by optional buildings regulations, but these are important factors in our local population who are likely to have significant accessibility needs and in the growing UK population - <a href="#">Health in 2040: projected patterns of illness in England - The Health Foundation</a>.</li> </ul> <p>Culture and community – what steps will be taken to achieve this within new developments? Particularly given the proportion of 3+ beds and provision for families. Obesity is a key problem in the borough – welcome the focus on active transport and on healthy food environments, are there ways this can be strengthened going forward? Does development take into account all aspects of the healthy streets approach? <a href="#">Healthy Streets   London City Hall</a></p> <p>What steps have been taken to assess the growing health needs and ensure there is adequate health provision locally and access to healthcare for these communities?</p> <p>Does the wider development have a Health Impact assessment in place and what has been addressed in relation to this?</p> <p>What is the status of the proposed implementation of Healthy City guidelines?</p>	<p>The matters raised are noted but Officers consider all points have been comprehensively considered as part of the Extant Permission, the S106 Legal Agreement and the S106 Strategies.</p> <p>The matters raised in regard to accessible homes, all homes will be accessible and adaptable and 10% in total will be fully wheelchair M(4). Details of which are provided at Reserved Matters Stage.</p> <p>Requirements for a proportion of family homes (3 bed +) are stipulated with in the S106 and are complied with.</p> <p>A Health and Leisure Hub is planned.</p> <p>Active and sustainable travel is at the heart of the</p>

		<p>proposals and the extant permission.</p> <p>All matters are considered in the report above.</p>
LBBB Lead Local Flood Authority	Confirmed no comments.	Noted.
LBBB Environmental Protection Team	<p>Condition 32 (g) Noise</p> <p>I have reviewed the Stage 2 South Boulevard Sub Framework Plan Noise Assessment Project Reference No. 70055412-AC1Report by WSP</p> <p>. The report is based on the illustrative masterplan and is sufficient to discharge the condition, in that it demonstrates suitable internal noise levels can be achieved. It should be noted that more detailed assessments will be required in respect of noise break-in , noise mitigation , overheating and building services plant noise at the later design and reserved matters stages when more in depth information is available.</p>	Noted.
London City Airport	Confirmed no objections.	Noted.

## Appendix 4:

<b>Neighbour Notification:</b>	
<b>Site Notices Erected:</b>	4 x Site Notices, 04 August 2023.
<b>Date of Press Advertisement:</b>	09 August 2023.
<b>Number of neighbouring and nearby properties consulted:</b>	568 addresses.
<b>Number of public responses:</b>	2 Individuals. 2 Interest Groups.

<b>Local and nearby residents (summary)</b>		
Comments from x1 Individual. Address not stated.	<p>Too much noise by this company, cannot sleep, before long they will apply to work weekends as well with no care for residents.</p> <p>Not safe to allow these +redacted+ to continue to drive their plant equipment dangerously around a residential area, not enough is done to be safe, they nearly hit cars because they don't look before they exit site on the residential area, more needs to be done to make sure they don't kill a child coming out from school, this company does not care about safety and the council should enforce this as a number one rule, I pay council tax and the area is very unsafe because of the plant equipment in our small community.</p>	<p>This comment is noted. All development is undertaken in accordance with Construction Management Plans, these include details of ensuring construction traffic and works are undertaken in a safe and sensitive way.</p> <p>The matters raised by the resident are not considered as part of this application. The proposed safety of the temporary access arrangements are considered in the report above.</p>
Individual, Address not stated.	<p>The application does not indicate continuation of the public rights of way along Footpath 47 during the development.</p> <p>Buildings should be limited to 18 meters in height. The London Assembly reports and letters to Councillors firmly state that tall buildings are not the solution to London's housing problems.</p> <p><a href="https://www.london.gov.uk/who-we-are/what-london-assembly-does/london-assembly-publications/covid-19-housing-typologies-and-design-london">https://www.london.gov.uk/who-we-are/what-london-assembly-does/london-assembly-publications/covid-19-housing-typologies-and-design-london</a></p> <p><a href="https://www.london.gov.uk/media/79520/download">https://www.london.gov.uk/media/79520/download</a></p>	<p>Footpath 47 is outside of the redline boundary of the Stage 2 South Boulevard Sub Framework Plan, therefore public right of way access is not compromised.</p> <p>The Applicant has confirmed Barking Riverside Limited are fully committed to protecting the footpath and ensuring the footpath is preserved for public use'.</p> <p>The Outline Planning Permission sets a series of parameters that future development on site is required to comply with. One parameter is building heights. The SFP accords with the approved building height parameters as set by the Outline Permission.</p>
Friends of Footpath 47 (Interest Group)	<p>Ground Contamination</p> <p>The presence of Asbestos fibres and Asbestos Containing Materials (ACM), Pulverized Fuel Ash (PFA), and other</p>	<p>These comments are noted. Application 23/01182/AOD or 23/01180/S106A does not consider contamination. A site wide contamination strategy exists for the site.</p>



contaminated ground "hotspots", has been identified on the site. Barking has an unfortunate history of public exposure to, and residents are aware of its toxic and chronic legacy. The site is within close proximity to Riverside Campus school, Barking Riverside DLR, a Public Right of Way "Footpath 47", and the Uber river ferry. All potential places where the public congregate, and therefore greater potential for them to breathe in airborne toxins when construction machinery excavates the contaminated soil.

Wildlife habitat and biodiversity

This application's biodiversity statement does not contain sufficient detail that would allow it to conform to the GLA's London Plan, under Section 24 of the Planning and Compulsory Purchase Act 2004. The associated biodiversity statement is therefore insufficient. This application represents the steady encroachment towards The River Thames Inter-Tidal Mudflat, a habitat for wading birds, the most important wildlife area in London as designated by The Greater London Authority in its "Site of Metropolitan Importance for Nature Conservation" (SMI) (SINC) designation. Development of this type, where it encroaches on London's land of high nature conservation value, should only be presumed where the most stringent mitigation measures are in place, prior to commencement of any excavation works.

Further details are provided at reserved matters stage and by planning condition prior to development of each plot.

The Barking Riverside Outline Planning Permission is supported by an Outline Remediation Strategy. The ORS details the remedial measures required during the works, including how soil won from material in-situ or in existing stockpiles will be re-used, necessary measures to prevent the spread of contamination and release of fugitive emissions, and required mitigation against potential ground gas risks. The ORS includes a watching brief and discovery strategy during groundworks to deal with any unforeseen contamination as the development progresses.

a Construction Environment Management Plan is prepared and submitted with each Reserved Matters planning application. The CEMP includes the techniques and controls required for environment management during the construction of the respective phase of the Barking Riverside project, outlining any significant environmental issues on the site, and the environmental management framework to which contractors and developers must follow when working on the site. The sitewide Environment Management Plan is a live document and updated as site specific information becomes available.

The proposed biodiversity and habit creation matters are considered in paragraphs 3.46 – 3.61 of the report for 23/01182/AOD.

The Biodiversity Statement has been informed by current and historical ornithological survey data. The presence of the River Thames and Tidal Tributaries SINC (and others) is also known and included within the assessment. The assessment details that all works will adhere to best practice & best practice pollution prevention protocols, and the site wide Construction Environmental Management Plan (CEMP). The works will also be addressed through the Ecological Permit process ensuring all necessary mitigation measures are adhered to. As committed within the Biodiversity Statement. Further mitigation is secured through the landscaping design which will incorporate natural screening to hide/break up the human silhouette when the development is operational. This screening can be combined with hard landscaping features such as, fencing to further

		<p>minimise visual disturbance. With the mitigation during construction and operation, no adverse effect is envisioned on the SINC or its ecological/ornithological interest features</p> <p>Footpath 47 is outside of the redline boundary of the Stage 2 South Boulevard Sub Framework Plan.</p> <p>LBBD's Environmental Protection Team and The Environment Agency have both reviewed the proposals and state that They have no objections to the proposals.</p>
<p>Thames Life (Interest Group)</p>	<p>The Resident Planning Forum which is comprised of local residents would like to comment with regards to the biodiversity statement:</p> <p>The animals that are using the Thames as their home will be disturbed by all the humans on the future promenade along the riverfront.</p> <p>Your biodiversity document states that light, noise and the silhouettes of humans can scare off wildlife. After construction is completed and once the estate is built there appears to be no plan for a physical barrier that would screen human footfall from the rare wading birds and seals that use the mudflats. Animals are scared by humans and if they can see humans they will not return to the site. The mudflats is a major migratory site for migrating birds and seals.</p> <p>The residents note that the path along the riverfront is a registered public footbath number 47. Historically it has been a treasured local footpath for the enjoyment of locals for many years. What is going to happen to the public footpath, is there going to be a nature reserve along the foreshore?</p> <p>The residents note the vast amount of concrete that is being laid on the waterfront, there will be no lizards or water voles able to live on the waterfront. Can you consider installing a physical barrier that would screen human footfall from wading birds and seals that use the mudflats? Doing this would increase the financial value of these flats once potential buyers are aware of the nature on their doorstep.</p>	<p>The proposals have been developed in line with the parameters and ecological strategies previously considered and approved as part of the extant permission. This includes where hard surfacing and access will be provided and where soft landscaping, biodiversity creation and areas of no access for the public will be provided.</p> <p>The matters raised are comprehensively considered in the report above for the S106 strategies and the SFP.</p> <p>The EA have also been consulted and raise no objections.</p>

**Officer Summary:**

The material planning considerations are addressed within the planning assessment.




## Appendix 5 – Approved Plans/ Documents

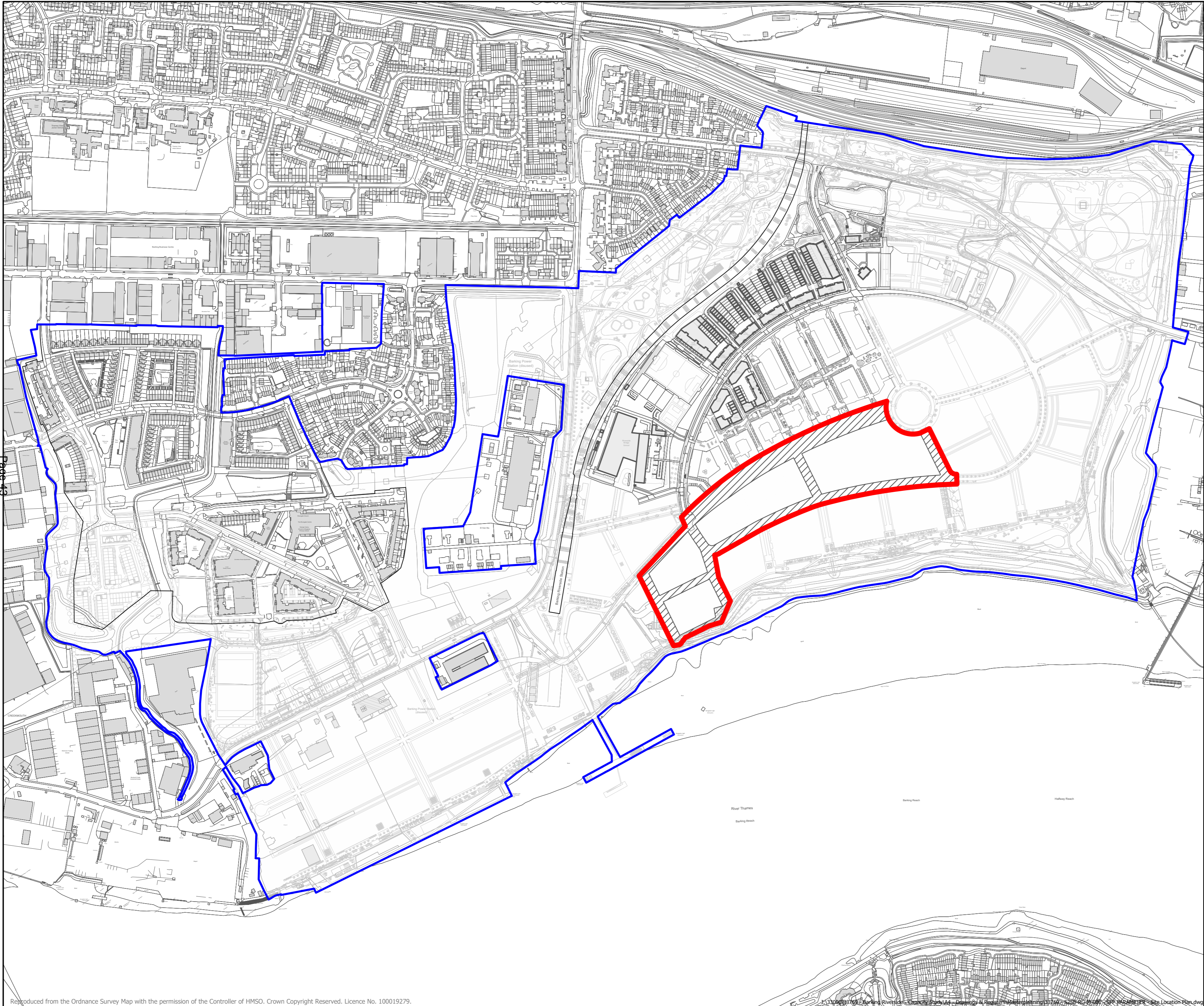
23/01182/AOD - S2SB SFP Submission Documents - For Approval			
	Title	Submission 1: Reference / Date	Submission 2: Reference / Date
1	Cover Letter	Dated 28 July 2023	
2	Application Form	Dated 28 July 2023	
3	Explanation and Justification Statement	Dated July 2023 (superseded)	Dated September 2023
4	Written Parameters	Dated July 2023 (superseded)	Dated September 2023
5	Site Wide Phasing Plan	(BRL Sub-Framework Plan), dated 08-06-2023, Rev 1)	
6	Temporary Access Strategy	(Public and Construction Access details)	
7	Design Code, including Design and Landscape Rationale Document	Dated July 2023 (superseded)	Dated September 2023
8	Biodiversity Statement	Dated July 2023, ref: RE23/027-05	
9	Flood Report & Drainage Strategy including: - Flood Management Plan - Flood Defense		
10	Water Framework Directive	Dated 28 July 2023	
11	Noise Assessment	Dated July 2023, Rev 2	
12	Transport Statement	S2SB SFP-SIS-TS -001 rev.2, dated July 2023 (superseded)	S2SB SFP-SIS-TS -001 rev 3, dated September 2023,
13	Delivery and Servicing Note	Dated 23 August 2023	
14	WSP Response to EA Planning Objections	Dated 27 September 2023	

23/01182/AOD - S2SB SFP Submission Drawings - For Approval			
	Title	Submission 1: Reference /Date	Submission 2: Reference / Date
1	Site Location Plan	ref: S2SB-RG-M-08E	
2	Parameter Plan Development Zones	ref: S2SB-RG-M-09F	
3	Parameter Plan Land Use Plan	ref: S2SB-RG-M-10E	
4	Parameter Plan Access Plan	ref: S2SB-RG-M-11G (superseded)	ref: S2SB-SFP-RG-M-11H
5	Parameter Plan Amenity Space	ref: S2SB-RG-M-12G	
6	Parameter Plan Framework Plan	ref: S2SB-RG-M-14F (superseded)	ref: S2SB-SFP-RG-M-14G
7	Parameter Plan Adoption Zones	ref: S2SB-RG-M-20C	
8	Temporary Access Plan	ref: BRL-WSP-S2S-XX-XX-DR-D-0009 P01 Page 41	

9	Habitats Area Plan	ref: S2SB-RG-M-21	
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23/01182/AOD - S2SB SFP Submission Drawings - In Support			
	Title	Submission 1: Reference / Date	Submission 2: Reference / Date
10	Utilities Coordination Plans	BRL-WSP-S2S-XX-XX-DR-Y-1101 P02, BRL-WSP-S2S-XX-XX-DR-Y-1102 P02, and BRL-WSP-S2S-XX-XX-DR-Y-1103 P02.	
11	Stage 2 South and District Centre East SIS – Context Plan	ref: BRL-WSP-S2S-DC-XX-DR-D-0011 P02	

-  SFP Boundary
-  OPP Boundary
-  SIS Area

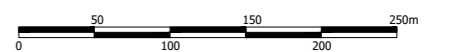


Page 49

Project  
**BARKING RIVERSIDE  
 STAGE 2 SOUTH BOULEVARD (S2SB)**

Drawing Title  
**SFP PARAMETER PLAN  
 - SITE LOCATION PLAN**

Date	Scale	Drawn by	Check by
08.03.23	1:5000@A2 1:10,000@A0	M.D.	S.G.
Project No	Drawing No	Revision	
33769	S2SB-RG-M-08	E	









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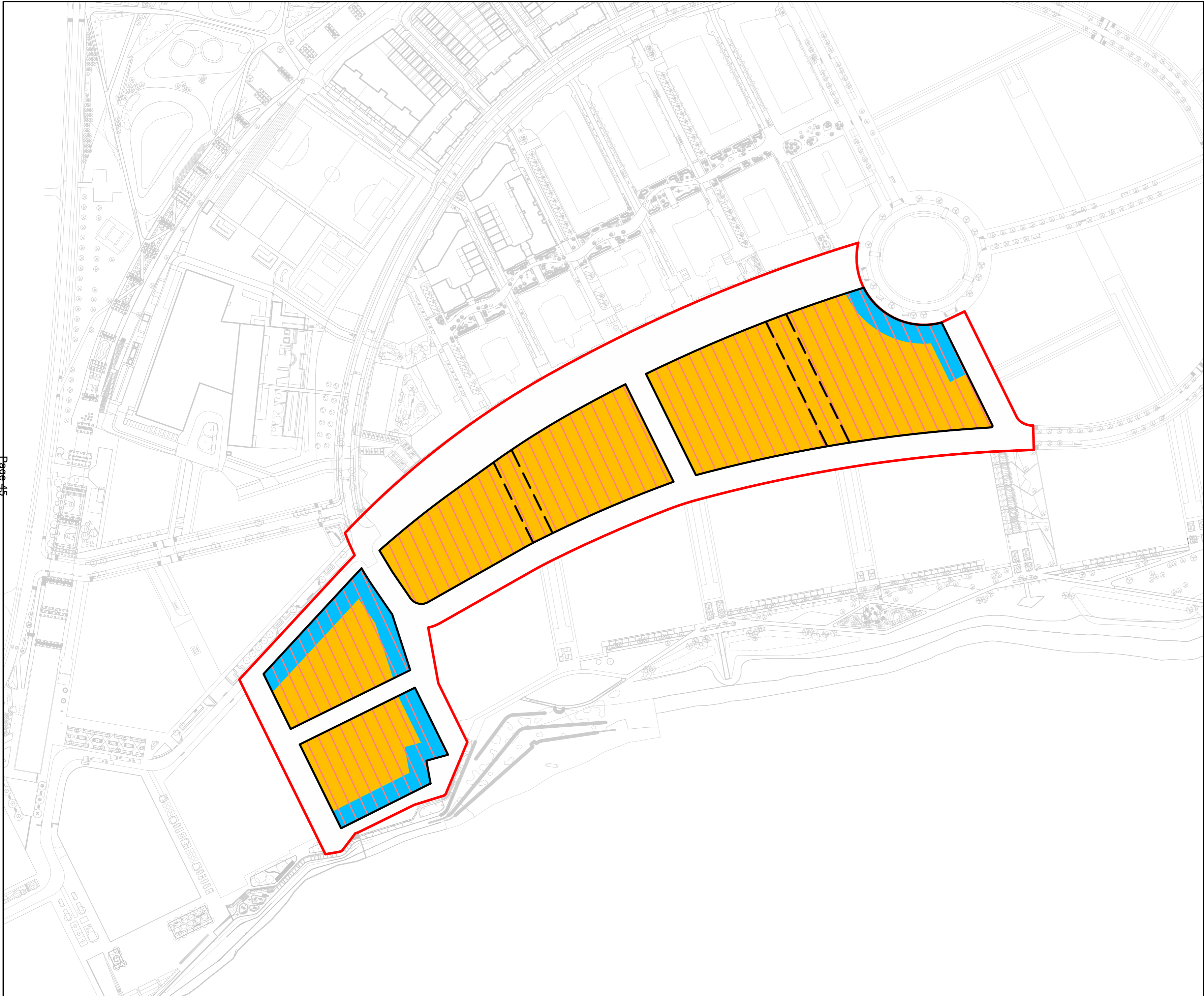


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-  SFP Boundary
-  Parcel Boundary (Fixed)
-  Illustrative alignment of publicly accessible north-south direct route. Exact location flexible, minimum of one route to be provided through fixed parcel boundaries

- LAND USE AT GROUND FLOOR
-  Residential, or Commercial, or Leisure, or Residential Amenity
  -  Residential
- LAND USE AT UPPER FLOORS
-  Residential



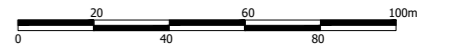
Page 45



Project  
**BARKING RIVERSIDE  
 STAGE 2 SOUTH BOULEVARD (S2SB)**

Drawing Title  
**SFP PARAMETER PLAN  
 - LAND USE**

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Project No	Drawing No	Revision	
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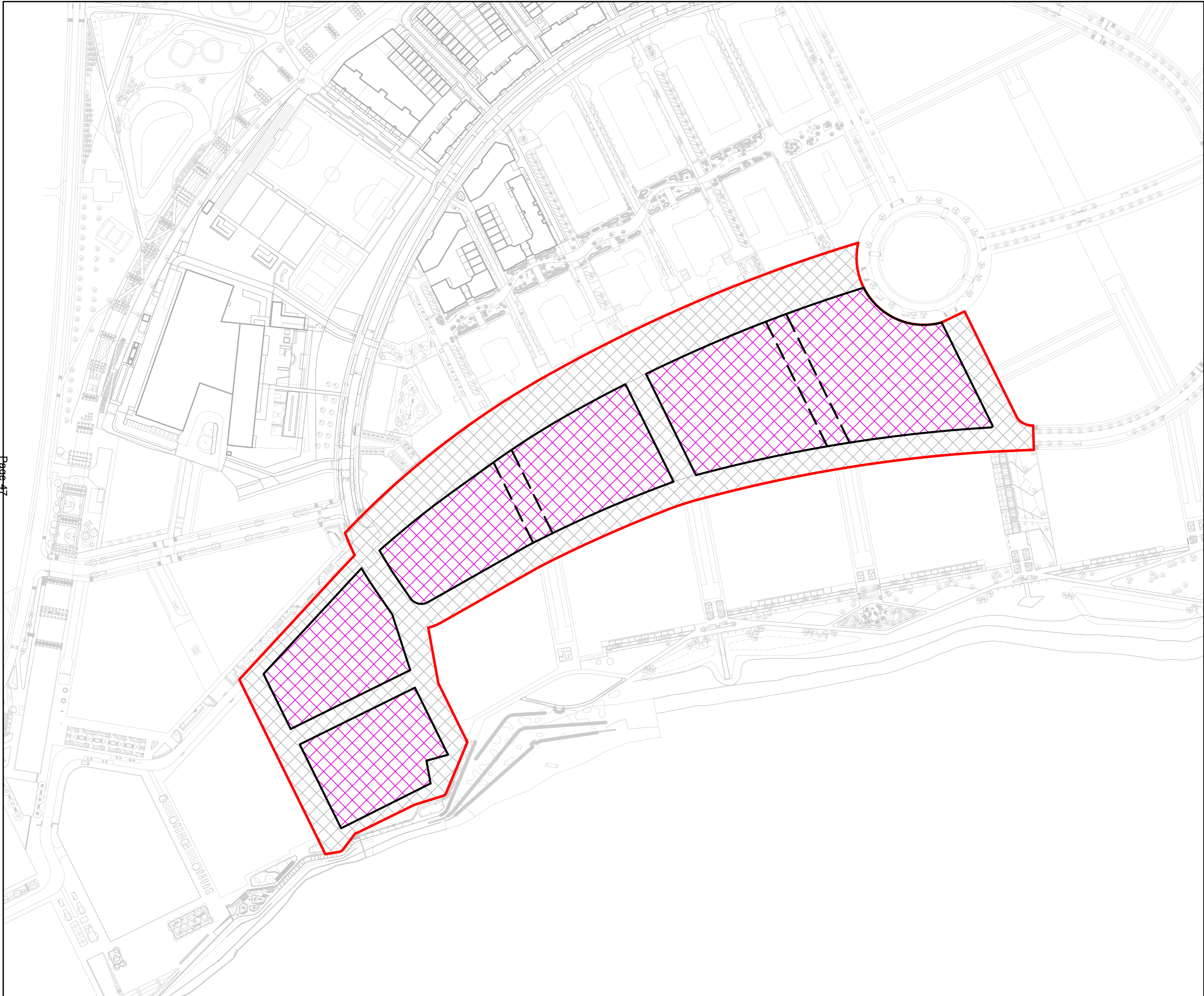






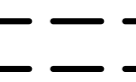
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-  SFP Boundary
-  Parcel Boundary (Fixed)
-  SIS Area
-  Zone within which development is allowed.
-  Illustrative alignment of publicly accessible north-south direct route. Exact location flexible, minimum of one route to be provided through fixed parcel boundaries.

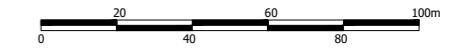
Page 47



Project  
**BARKING RIVERSIDE**  
**STAGE 2 SOUTH BOULEVARD (S2SB)**

Drawing Title  
**SFP PARAMETER PLAN**  
**- EXTENT OF DEVELOPMENT**

Date	Scale	Drawn by	Check by
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Project No	Drawing No	Revision	
33769	S2SB-RG-M-09	F	

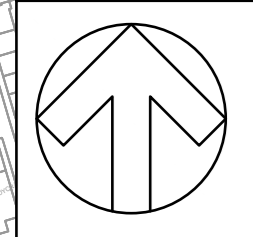



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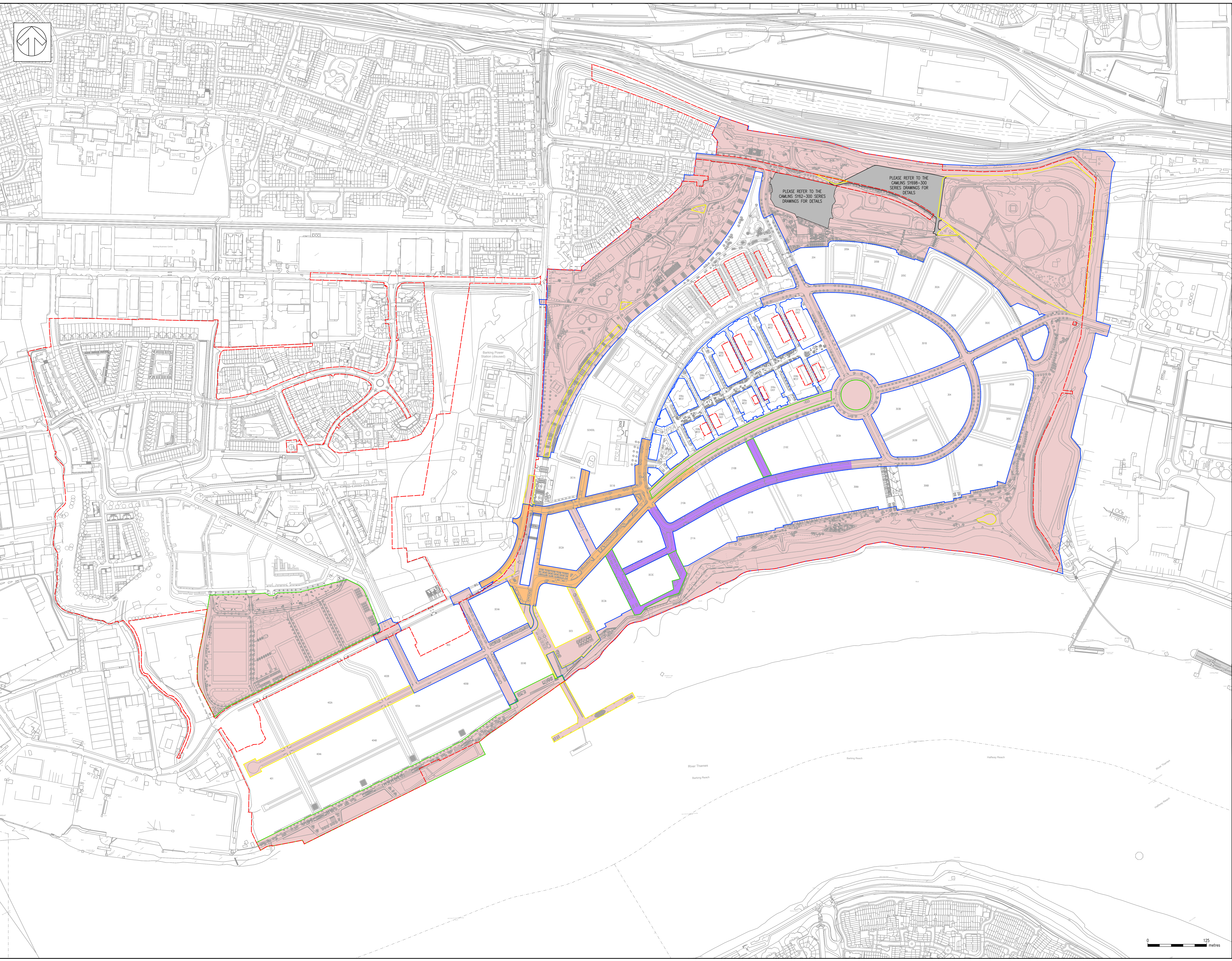
DO NOT SCALE

- KEY**
- REDLINE BOUNDARY
  - AREA WITHIN SCOPE OF ORIGINAL SIS SUBMISSION  
REF: 18/00768/REM
  - REVISION OF ORIGINAL SIS SUBMISSION --  
AREA WITHIN SCOPE OF DISTRICT CENTRE SIS  
SUBMISSION  
REF: 22/00413/REM
  - REVISION OF ORIGINAL SIS SUBMISSION --  
AREA WITHIN SCOPE OF STAGE 2 SOUTH &  
DISTRICT CENTRE EAST SIS SUBMISSION
  - SIS SUBMISSION FULL DETAILS
  - SIS SUBMISSION REFERENCE DESIGN
  - SIS SUBMISSION ILLUSTRATIVE

- NOTES**
1. THIS DRAWING SHOWS THE GENERAL LEVEL OF DESIGN SUBMITTED FOR ANY GIVEN AREA AS PART OF THE SIS SUBMISSION.
  2. WITHIN THESE AREAS SPECIFIC ELEMENTS MAY BE SUBMITTED TO A HIGHER OR LOWER LEVEL OF DETAIL. THIS IS TYPICALLY CAPTURED IN GENERAL ARRANGEMENT DRAWINGS.

PLEASE REFER TO THE  
CAMLINS SY62-300 SERIES  
DRAWINGS FOR DETAILS

PLEASE REFER TO THE  
CAMLINS SY698-300  
SERIES DRAWINGS FOR  
DETAILS



APP	DATE	BY	DESCRIPTION	CHK	APP
APP	14/07/2023	SDC	APPLICATION BOUNDARY UPDATED		
REV	04/07/2023	SDC	FIRST ISSUE		
REV	DATE	BY	DESCRIPTION	CHK	APP

DRAWING STATUS: **PLANNING APPLICATION**



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Foxhollow Business Park, Hertford SG13 7NN  
Tel: +44 (0)1992 526000 Fax: +44 (0)1992 526001  
www.wsp-uk.co.uk



PROJECT: **BARKING RIVERSIDE LONDON**

TITLE: **STAGE 2 SOUTH & DISTRICT CENTRE EAST  
SIS CONTEXT PLAN**

SCALE	NO	CHECKED	DATE	APPROVED	DATE
1:2500		LJM		LJM	
PROJECT NO:	70018976	DESIGN/ISSUED	SDC	DATE:	July 23

DRAWING NO: **BRL-WSP-S2S-DC-XX-DR-D-0011** REV: **P02**

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Working in partnership


**Barking &  
Dagenham**
**LONDON BOROUGH OF BARKING & DAGENHAM**
**PLANNING COMMITTEE**
**Monday 16 October 2023**
**Application for the Discharge of Obligations required by Section 106 Legal Agreement**

<b>Case Officer:</b>	Lewis Goodley	<b>Valid Date:</b>	-
<b>Applicant:</b>	Barking Riverside Limited.	<b>Expiry Date:</b>	<b>Subject to PPA</b>
<b>Application Numbers:</b>	<b>23/01180/S106A</b>	<b>Ward:</b>	Barking Riverside 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 and discharge of planning conditions relating to the proposal below at Barking Riverside Area, Renwick Road, Barking.

**Proposals**
**23/01180/S106A**

*Application to discharge: 1. Schedule 4, Part 3 Para 27.1.2 (Housing Strategy July 2023); 2. Schedule 4, Part 3, Para 28.1 and Para 32.1 (Build to Rent Strategy Plot DC3B July 2023); 3. Schedule 4, Part 2, Para 10.1 and 10.2 (Transport Strategy July 2023); 4. Schedule 4, Part 2, Para 25.2 (Car Parking Strategy July 2023); 5. Schedule 4, Part 1, Para 12.2 (Travel Plan July 2023); 6. Schedule 3, Part 1, Para 1.2 (Retail and Non-Residential Use Strategy July 2023); 7. Schedule 3, Part 3, Para 7.2 (Health Strategy July 2023); 8. Schedule 3, Part 4, Para 10.2 (Placemaking Strategy July 2023); 9. Schedule 3, Part 5, Para 12.2 (Open Space and Recreation Strategy July 2023 with the Open Space and Recreation Strategy, 02 May 2018); 10. Schedule 3, Part 7, Para 16.2 (Energy Strategy July 2023); 11. Schedule 3, Part 13, Para 13.1 (Employment, Skills & Training Strategy July 2023); 12. Schedule 3, Part 8, Para 17.2 (Waste Strategy July 2023); 13. Schedule 4, Part 2, Para 8.1 (Transport Monitoring Report May 2023) of the Section 106 Legal Agreement dated 08 March 2019 (as varied 15 July 2021) of planning permission reference 18/00940/FUL (as amended).*

**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 Strategic Director of Inclusive Growth (or authorised Officer), to approve the Revised Section 106 (S106) Legal Strategies (23/01182/AOD) for Barking Riverside.

## OFFICER REPORT

### Planning Constraints

- Air Quality Management Area
- London Riverside Opportunity Area
- Key Regeneration Area
- Archaeological Priority Area
- Site of Importance for Nature Conservation (adjacent).

### 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.

To date, some 3,500 new homes benefit from detailed planning approval. In addition, four schools have been provided. Stage 1, which lies to the west of Renwick Road and north of River Road is largely complete (or consented to reserved matters stage) which includes the Rivergate Local Centre.

BRL are now building out Stage 2, which lies to the north of the Boulevard. A temporary Co-op is open and will relocate to a permanent store as the development proceeds and the community develops. The London Overground is now operational from the new station. River boat services (Thames Clipper) are now operational from the new pier. A frequent bus-based service organised around East London Transit (ELT) is also long-established and operational.

The S106 Legal Agreement requires the submission of revised Strategies, triggered by the submission of the Sub Framework Plan (SFP) for Stage 2 South Boulevard. Reference '23/01182/AOD'.

Plots 210A, 210B, 210C and 303A fall within 'Stage 2 South' on the Phasing Strategy. Plots DC3B and DC3C fall within 'District Centre'. Together these form the proposed SFP area named Stage 2 South, Boulevard.

#### Proposal

All the strategies save for the Biodiversity Strategy fall for review under the terms of the s106. The site-wide Biodiversity Strategy and subsequent addendum were approved in 2018 with compliance secured through condition 33 Nature Conservation & Landscape. In addition, the Travel Plan and Transport Monitoring Report fall for review as per the s106 Agreement. The Bus Service Strategy (BSS) also falls for review by TFL. Through the preparation of the Transport Monitoring Report (TMR), TFL advised that the BSS does not need to be amended.

A total of 13 strategies/documents have been prepared to support the above submissions. The schedule below lists the relevant S106 obligation for discharge.

S106 Obligation for discharge	Strategy	Update Proposed
Schedule 4, Part 3, Para 27.1.2	Housing Strategy (June 2018)	Housing Strategy July 2023
Schedule 4, Part 3, Para 28.1 and Para 32.1	n/a (as the last strategy was plot specific)	Build to Rent Strategy Plot DC3B July 2023
Schedule 4, Part 2, Para 10.1 and 10.2	Transport Strategy – 2018 Section 73 Application (May 2018)	Transport Strategy July 2023
Schedule 4, Part 2, Para 25.2	Parking Strategy (September 2018)	Car Parking Strategy July 2023
Schedule 4, Part 1, Para 12.2	Framework Travel Plan (January 2016) (appended to Transport Assessment 2016, note Transport Strategy – 2018 Section 73 Application (May 2018) identified no changes to the Travel Plan).	Travel Plan July 2023
Schedule 3, Part 1, Para 1.2	Retail and Non-Residential Use Strategy (June 2018)	Retail and Non- Residential Use Strategy July 2023
Schedule 3, Part 3, Para 7.2	Health Strategy (June 2018)	Health Strategy July 2023
Schedule 3, Part 4, Para 10.2	Placemaking and Cultural Strategy (March 2017)	Placemaking Strategy July 2023
Schedule 3, Part 5, Para 12.2	Open Space and Recreation Strategy (2 May 2018) and Open Space and Recreation Strategy July 2023 appended	Open Space and Recreation Strategy (2 May 2018)
Schedule 3, Part 7, Para 16.2	S106 Energy Strategy Update (2 May 2018)	Energy Strategy July 2023
Schedule 3, Part 13, Para 13.1	Employment and Skills Training Strategy (August 2017)	Employment, Skills & Training Strategy July 2023
Schedule 3, Part 8, Para 17.2	Waste Strategy (2018)	Waste Strategy July 2023
Schedule 4, Part 2, Para 8.1	Transport Monitoring Report May 2020	Transport Monitoring Report May 2023

### Relevant Background Information

The application site which forms part of the Barking Riverside site has an extensive planning history and the most relevant planning applications are summarised below.

Barking Riverside received site-wide outline planning permission on 7 August 2007 (ref. 04/01230/OUT) which provided for, inter alia, the development of the site for up to 10,800 new homes, including the provision of an extension to the Docklands Light Railway (DLR). This was subsequently amended through a section 73 application (ref. 08/00887/FUL), for which permission was granted on 23rd July 2009 ('the

2009 OPP’).

This is a three-tier permission which introduces a requirement for Sub Framework Plans (‘SFP’) in advance of Reserved Matters (‘RMs’). The SFP and RMs for Stage 1 were approved by the Council on 20 August 2009, pursuant to the 2009 OPP (LPA ref. 08/00895/CDN and 08/00896/REM).

Following cancellation of the DLR, Barking Riverside has been subject to two further section 73 applications to accommodate the replacement of the DLR with an extension to the London overground (refs. 16/00131/OUT and 18/00940/FUL (‘the 2018 OPP’). This latest outline permission was granted on 26 October 2018.

This includes the requirement for the submission of details for site wide infrastructure as a reserved matter (see condition 16), to enable BRL to service the site, create development parcels for the provision of new homes by others.

The terms of the s106 agreements which accompanied the 2009 OPP and 2018 OPP were rationalised in a composite s106 agreement in 2019, drawing the provisions of earlier agreements into a single deed, with the obligations updated (‘the 2019 s106’). These include the requirement for the submission and approval of a number of strategies. These strategies guide the preparation of the SFPs and the RMs.

A Deed of Variation to the 2019 s106 agreement was approved in 15th July 2021.

This allows for, inter alia, the affordable housing definition to be updated to reflect the introduction of London Affordable Rent and London Shared Ownership, as well as updates to the provisions related to private rented housing and market housing. The SFP and S106 Strategies have been prepared on this basis, utilising these definitions.

### **Section 106 Legal Agreement (S106) Strategies**

The 2019 s106 agreement requires the submission and approval of various site wide strategies on submission of the first Sub Framework Plan (SFP) relating to a stage provided that the strategy had not been reviewed in the preceding 12-month period.

The SFP is submitted under LBBD planning reference ‘23/01182/AOD’. This is considered as a separate agenda item for the committee.

The strategies submitted under this reference are:

- Car Parking Strategy July 2023
- Transport Strategy July 2023
- Travel Plan July 2023
- Transport Monitoring Report July 2023
- Housing Strategy July 2023
- Build to Rent Strategy July 2023
- Retail and Non-Residential Use Strategy July 2023
- Health Strategy July 2023
- Placemaking and Cultural Strategy July 2023
- Open Space and Recreation Strategy (2 May 2018) and Cover Statement July 2023
- Energy Strategy July 2023
- Employment and Skills Strategy July 2023
- Waste Strategy July 2023
- Financial Viability Note and Summary, August 2023

### **Key Issues**

1. Environmental Impact Assessment (EIA)
2. Assessment of S106 Legal Strategy Update



## Planning Assessment

### 1. EIA (Environmental Impact Assessment)

- 1.1 The Environmental Impact Assessment (EIA) process is the mechanism by which the likely significant effects of a development on the environment are assessed. It identifies likely effects and the residual effects once mitigated, as well as the cumulative effects with other developments in the surrounding area.
- 1.2 The matters considered are those relating to 106 Legal Strategies. The application would be considered a 'Subsequent Application' and the EIA Regulations require that all Subsequent Applications to an EIA Development (i.e. the original outline permission), are screened as to the need for further EIA. On such occasions, EIA will be required if the Proposed Development to which the subsequent Application relates is considered to result in likely significant effects on the environment that were not identified and or were not identifiable at the time of the principal decision.
- 1.3 Given the limited extent of the proposal, Officers consider that the proposals do not exceed the parameters of the outline consent and thus do not create any additional likely significant impacts not assessed as part of the original Environmental Statement (ES). Officers note that this approach has been applied to 'subsequent applications' including other SFP applications historically at Barking Riverside, whereby screening opinions for subsequent development have not previously been requested by Officers or the Local Planning Authority.

### 2. Assessment of S106 Legal Strategy Update

#### *Housing Strategy July 2023*

- 2.1. The Housing Strategy has been updated from its June 2018 version to provide an update to reflect progress to date and to reflect the housing proposals as per Stage 2 South Boulevard and Station Quarter. This is the second version ever published, triggered by the submission of the SFP for Stage 2 South.
- 2.2. The purpose of the Housing Strategy is to guide the response of BRL and hence Plot Developers to the form, tenure and marketing of the housing to be provided pursuant to the 2018 OPP across the entire Site, and specifically, as applied to the next SFP, in response to the s106.
- 2.3. This review of the strategy should also be read in the context of the AMR through which BRL reports annually to the Council and TfL as to progress in implementing the OPP, the strategies and issues that arise.
- 2.4. The s106 defines the content of the Housing Strategy at Schedule 4, Part 3, paragraph 28.1 as follows:
  - The proposed quantum of Affordable Housing and the Open Market Housing (including the Built to Rent Market Housing);
  - The proposed tenure and mix for the Affordable Housing and the Open Market Housing (including the Built to Rent Market Housing);
  - The proposed distribution of the Affordable Housing and Open Market Housing (including the Built to Rent Market Housing) across the Plots;
  - The proposed phasing delivery and construction of the Affordable Housing and Open Market Housing (including the Built to Rent Market Housing) across the Plots;

- The proposed distribution and tenure of the minimum 25% of Residential Units in the Barking Riverside Development on the Land to be 3 bed Residential Units or more and a review of whether the target to attain 30% of Residential Units in the Barking Riverside Development on the Land to be 3 bed or more Residential Units can be achieved (Note: This we say having regard to the market demand, form of development proposed and viability);
- A review of the viability and suitability of providing a mixed tenure extra care village or other residential institution under use class C2 within Stage 2 subject to this being in accordance with the 2018 OPP;
- Proposals for at least 10% (ten per cent) of the Residential Units to be built to be Wheelchair Accessible in accordance with the process outlined under paragraph 34 in Part 3 of Schedule 4;
- Proposals for the nomination rights for the Affordable Housing Units;
- Proposals for the marketing of the Open Market Housing that is not Built to Rent Market Housing in accordance with paragraph 33.3 in Part 3 of Schedule 4; and
- Proposals for the marketing, letting and management of the Built to Rent Market Housing in accordance with paragraph 32.2 in Part 3 of Schedule 4 and
- A phasing scheme confirming the current provision of Affordable Housing at the time of submission of the Housing Strategy and a programme for the delivery of the remainder of the Affordable Housing in accordance with paragraph 26.2 in Part 3 of Schedule 4.

2.5. In terms of housing provision, the SFPs will identify:

- The total quantum of homes to be provided per plot within the SFP area;
- The target mix of each plot within the SFP area;
- The distribution of tenure across the plots the subject of the SFP;
- The provision of 10% M4(3) (wheelchair user dwellings) units.

2.6. Further control of unit mix, tenure and marketing and management is set out in the s106, as follows:

- The provision of the baseline level of 35% affordable housing across the development as a whole;
- 5% of units to be London Affordable Rent, which includes 35 units for Young People Leaving Care and 25 units as Homes for People with Mental Health Needs, both within Stage 2 and 3;
- 5% of the units to be London Living Rent Housing;
- 5% of units to be Discounted Market Sale (unless the GLA ceases to support this tenure or the developer elects not to provide it, where upon it would be provided at London Shared Ownership or London Living Rent instead); and,
- 20% of the Affordable units shall be London Shared Ownership (in addition to any provided in place of DMR);
- The provision of a minimum of 25% 3 bed units.

2.7. A financial model was agreed between LBBD, GLA and BRL at the outline stage and informed the grant of permission, and now forms the basis of the review at each submission of the SFP.

2.8. The s106 requires the update of the model, with any loss from a preceding stage or phase of the development being reflected as a cost to be applied to the next phase, and likewise, any surplus

profit being reflected as a subsidy. The premise of the model is to maintain an IRR of not less than 12%. In terms of the financial model, the 2016 model takes the scheme at that time as day one i.e. from first implementation the financial position arising from the preceding phases (costs and revenues) flows through and informs the baseline position.

- 2.9. In the event that the IRR falls below 12%, then the affordable housing tenure shall be adjusted, subject to the baseline level and 5% minimum Affordable Rent provision. If IRR exceeds 15%, then 50% of the revenue shall be used by BRL to increase affordable provision up to the 50% maximum level. It is of course open to BRL to provide a level of affordable housing above that required under the terms of the s106 and in doing so, may provide additional tenures.
- 2.10. The terms of the s106 in so far as they relate to housing matters are applied across the development as a whole (i.e. including that part of the Barking Riverside development delivered pursuant to earlier phases of development), with the requirements in terms of tenure and mix applying cumulatively across the site. The s106 also requires the parties to seek to secure additional grant where possible.
- 2.11. The Financial Model has been independently reviewed on behalf of Be First/ LBBB and a public summary made available online. This is a supporting document to this application and has been made public at the request of officers.
- 2.12. The Housing Strategy acknowledges that BRL continues to deliver affordable housing above its minimum requirements, close to its 50% target. The Housing Strategy in combination with the Financial Model, which is summarised in the public document. It identifies that the Barking Riverside development runs at a financial deficit. Whilst facing many headwinds also faced by the development industry nationally the Housing Strategy identifies how the delivery of the next phase of homes will take place, building upon the 3,504 delivered to date across the site.
- 2.13. Officers note that the development is running at a deficit and welcome that the Applicant still seeks to provide affordable housing in a compliant manner. The historic rates of delivery above the 35% minimum and future opportunities to explore grant funding are noted.
- 2.14. The proposed phasing is logical and appropriate. Focusing delivery near to the Boulevard and District Centre in the short/ medium term is supported, with homes contributing to a critical mass within the heart of the development. The delivery of affordable housing and its location to date is noted. Further details will be provided as reserved matters application are submitted by Plot Developers.
- 2.15. Specialist Housing is not proposed as part of this Strategy or within the live SFP area. Officers have worked with LBBB to establish what the need for older persons housing is. The Applicant is aware that there is a Borough wide need for a more conventional care home, accommodating those with acute care needs associated with ageing. BRL under this application through the financial model have identified that the scheme is at a deficit and at this time cannot deliver this type of facility. Work to find a suitable site for such a facility within the development within a later stage will continue between LBBB, BeFirst and the Applicant.
- 2.16. The proposed 10% provision of fully wheelchair accessible housing is compliant. The proposed marketing of these properties is noted as being compliant with the obligations of the S106 Legal Agreement.
- 2.17. The approach to Build to Rent (BtR) is noted. Officers note the importance of BtR in delivering a mixed and balanced community within the development. The proposed approach accords with the established requirements of the S106 Legal Agreement.
- 2.18. In conclusion the Housing Strategy is considered to appropriately guide development and any future SFP applications. The strategy is therefore recommended for approval in accordance with Schedule 4, Part 3, Para 27.1.2.

- 2.19. The Applicant proposes a specific BtR Strategy for Plot DC3B within Stage 2 South Boulevard. This is proposed to accommodate BtR within this Plot.
- 2.20. Officers have reviewed this BtR Strategy and consider that it delivers more than the requirements of the original extant planning consent. The strategy captures the requirements of Policy H11 'Build to Rent' of London Plan (2021). Importantly this confirms that potential future occupants would have access to long leases, early break-clauses and clear upfront fees. This secures some of the important opportunities BtR can offer, providing certainty in the rental sector and enabling those who cannot afford to buy to have long leases from a reputable landlord/ organisation.
- 2.21. The proposed strategy is therefore supported and recommended for approval in accordance with Schedule 4, Part 3, Para 28.1 and Para 32.1.

#### Transport Strategy

- 2.22. The transport strategy outlines the approach to transport for the SFP area and provides a general update for the wider site. The transport strategy broadly aligns with the extant permission, namely a strategy that adopts best practices to deliver a sustainable community, where sustainable and active travel is at the heart of the proposals.
- 2.23. During the application it became clear to officers that the S106 scheme sought to seek approval to open the Boulevard to servicing vehicles potentially for latter phases, principally the District Centre. This represents a significant departure from previous strategies. Officers requested an amendment to ensure that this proposal was not indefinitely agreed.
- 2.24. Instead it was agreed with the Applicant that wording which allows future exploration and testing of this instead. This wording provides an opportunity for officers in collaboration with TfL to test and explore the suitability of such an approach. The wording allows future testing and in the absence of any information does not commit the Council as Local Planning Authority to this change in the absence of any testing.
- 2.25. The strategy is supported and will offer many benefits, placing sustainable transport at the heart of the development maximising the opportunities for active travel along the Boulevard and the network of streets and public realm. The transport strategy provides a strong basis for future reserved matter applications to be determined on. The proposals can therefore be approved in line with Schedule 4, Part 2, Para 10.1 and 10.2 of the signed S106 Legal Agreement.

#### Car Parking Strategy

- 2.26. The Car Parking Strategy has been updated in light of changes to policy including the London Plan 2021 and implementation to date, including changes to the approach to wheelchair car parking.
- 2.27. The key changes that have occurred since the CPS which was approved in 2018 are as follows:
- Development in local public transport provision and cycling and walking networks (including the opening of the Overground Station and the Thames Clipper)
  - Increase in provision of local facilities and services across the site
  - Changes to planning policy and Building Regulations
  - Reductions in car ownership levels amongst residents
  - The provision of car club vehicles across the site;
  - Improved cycle connection to Barking; and
  - The occurrence of the Covid-19 Pandemic.
- 2.28. Officers consider that the changes acknowledge the changes and capture the opportunities to promote a modal shift through a balanced car parking strategy. Officers note that the site is now

much better connected with good train, bus and boat access. Improvements to cycling connectivity has also occurred since the last CPS was approved and access to car club vehicles now available.

- 2.29. Officers welcome the improvements to the car parking strategy which places a greater onus on plot developers and their successors for the management/ allocation policy for car parking. This coupled with the review of on plot parking proposals at reserved matters stage ensure there is greater scrutiny to ensure the car parking provision as proposed is safeguarded. On balance the proposals accord with the aspirations of the London Plan and the proposals can be discharged in line with Schedule 4, Part 2, Para 25.2 of the S106 Legal Agreement.

#### Travel Plan

- 2.30. The Applicant seeks to update the travel plan to Reviewed in consultation with the Travel Plan Co-Ordinator and updated into a full Travel Plan.
- 2.31. The review takes into account measures and initiatives implemented to date and identifies targets for further improvements to achieve aspirational modal shares.
- 2.32. Officers have reviewed the proposals and identify that the travel plan is amended. Principally this amendment includes the clearer roles and responsibilities for the travel plan coordinator and the relevant stakeholders. The travel plan can therefore be approved in accordance with Schedule 4, Part 1, Para 12.2 of the S106 Legal Agreement.

#### Retail and Non-Residential Uses Strategy

- 2.33. This strategy has been reviewed in light of progress and success to date and market conditions, with the emphasis on meeting the needs of the community in the short term as it develops and creating the platform for the longer-term development of the district centre. Aligning the implementation with the Health and Placemaking and Cultural Strategy.
- 2.34. The review takes into account that the district centre will be the heart of the development but that economic challenges remain. Officers remain confident that as the development is built out and the population increases the district centre will be viable, accommodating local residents and being a destination, complimented by the Health and Leisure Hub and attractive open space. The strategy enables flexibility within the retail and non-retail elements and proposes a proportionate strategy that will complement other relevant strategies, including placemaking, culture and health.
- 2.35. The retail and non-residential strategy can therefore be approved in accordance with Schedule 3, Part 1, Para 1.2 of the S106 Legal Agreement.

#### Health Strategy

- 2.36. Barking Riverside is identified as a 'Healthy New Town'. Healthy New Towns was a strategy to achieve improvements in health and wellbeing inequalities and outcomes through the comprehensive planning and development of new communities, bringing together health care providers with community development professionals and developers, working in partnership with the communities that they serve.
- 2.37. Specifically for Barking Riverside, the identified vision was to create "healthier lives for a Thames Ward of inspired and empowered citizens, supported by innovation". The aims and objectives of Healthy New Towns were enshrined in a series of principles, which were carried forward into the terms of the planning permission through the s106 agreement.
- 2.38. This requires BRL to prepare a Health Strategy which shall: "State how the [development] is addressing (where relevant) the Planning for Health Principles in order for the [development] to contribute to the fulfilment of the Government's initiatives for Healthy New Towns." The Health Strategy was approved by the Council in 2018 and now falls for review in tandem with the submission of the next sub framework plan. The Government's HNT initiative was time limited and has now concluded. Nonetheless, the s106 remains.

- 2.39. The Health Strategy clearly outlines how the development seeks to meet its obligations in delivering the NHS Healthy Town Principles. It is clear that the delivery of the Health and Leisure Hub remains a priority and this is noted. In the interim the recommendations in the updated Health Strategy identify how, working with partners such as Thames Futures, the Applicant will instil positive health outcomes for this growing new community. BRL reaffirm their commitment to delivering this facility in the planned district centre.
- 2.40. The Health Strategy is therefore recommended for approval in accordance with Schedule 3, Part 3, Para 7.2.

#### Placemaking Strategy

- 2.41. The first and current Placemaking Strategy was published in March 2017. The progress is reported on in the Annual Monitoring Report (AMR). The focus of the strategy is to cover "...Both formal and informal opportunities to attract and retain people to the Barking Riverside Development..".
- 2.42. The Applicant notes the many successes to date of the strategy. The Applicant therefore doesn't seek to make substantial wholesale changes to the strategy, instead identify ways forward in a currently more challenging economic climate. These are:
- 2.43. These are:
- 2.44. Continuing to fund, support and promote a range of initiatives and events focused on the key themes of the strategy, to build a sense of community and place; • Review and adapt the 'initiatives' signposted in the original strategy;
- Continuing and expanding the 'pop up', temporary and meanwhile uses and events to support and encourage community development and placemaking.
  - Revisit the operation of multi-function community spaces, including faith by listening and working with the community and faith groups.
  - Encourage active leisure including the attraction of a cycle hire scheme and provision of exercise/wellbeing trails
  - Continue to support the Wilds and enhance the spaces available to ensure they are used to their maximum potential.
  - Promote the health and leisure hub within the District Centre.
  - To continue to work with the Young Foundation and to commission ongoing engagement through Thames Futures, with a 3 year full review and annual updates.

- 2.45. Officers acknowledge the good work to date and the many strands delivered under the existing Placemaking Strategy. Within the context of the continued economic headwinds the proposed update is considered appropriate. The proposed Strategy is therefore recommended for approval in accordance with Schedule 3, Part 4, Para 10.2.

#### Open Space and Recreation Strategy

- 2.46. The Applicant does not propose to alter the Open Space and Recreation Strategy. Instead they continue to work with interested parties, communities, community groups and stakeholders. Progress will continue to be reported within the Annual Monitoring Report.
- 2.47. Officers consider this approach to be acceptable. The proposed approach is therefore recommended for approval in accordance with Schedule 3, Part 5, Para 12.2.

#### Energy Strategy

- 2.48. The Applicant has reviewed the Energy Strategy within the context of changes to Building Regulations, planning policy and available technology. Identification of the intention to explore use

of secondary heat recovery from the Energy from Waste Plant to Dagenham Dock, which benefit from an extant planning consent. The applicant also seeks to remove reference to BREEAM Communities, an initiative which is no longer active/ supported by BREEAM.

- 2.49. The approved energy strategy update (May 2018) ('Energy Strategy 2018') is principally based upon using a district-wide heating network, primarily supplied by a natural gas-fired Combined Heat and Power (CHP) generator and gas-fired boilers.
- 2.50. The Applicant states that due to recent changes in Building Regulations Part L ('Part L 2021') and the decarbonisation of the electrical grid, the carbon savings from using CHP are significantly reduced. Moving forward, BRL is at an advanced stage of exploring secondary heat recovery from the consented 'Energy from Waste' (EfW) plant at Dagenham Dock, subject to viability and deliverability. The change would achieve the core target set out in the s106 agreement of at least 35% reduction in CO2 emissions against Building Regulations Part L 2010 (as amended). The plant is planned to be operational from winter 2026 and in the interim, BRL seek to continue to provide heat through the temporary energy centre (TEC) via the district-wide network strategy. Officers note that the EfW plant benefits from extant planning consent.
- 2.51. The Energy Strategy confirms that the applicant team will continue to explore and pursue other sources of on-site and offsite secondary heat, such as from non-residential heat-rejecting uses, data centres, and the Consolidated Markets site; which will be progressed in the event that Energy from Waste is not viable to pursue in whole or part.
- 2.52. Officers note that the London Plan supports use of emerging and existing sources of heat to deliver carbon reductions. As identified in the Energy Strategy there is an existing facility within close proximity to the development. The use of heat from this facility will result in a real-world reduction in the reliance on natural gas boilers as previously intended.
- 2.53. Given the requirements of the S106 Legal Agreement and the support offered by the London Plan in this instance an updated Energy Strategy that pivots more towards connecting to an EfW plant seems appropriate to deliver the required 35% reductions in carbon emissions (Part L 2021 Building Regulations).
- 2.54. Officers acknowledge that BREEAM Communities are now outdated and that the establishment has given no clear indication that the guidance will be updated. Therefore the removal of reference to this is acceptable.
- 2.55. Officers note that strategy seeks to explore other sources of heat locally and its commitments to providing renewable generation on-site or use of low carbon technologies on site to provide a 35% reduction. The use of PV solar to generate low carbon renewable energy on site is supported. A minimum saving of 35% will still be targeted but non-residential building are likely to need to consider a district heating connection to other standalone heating systems.
- 2.56. The use of an existing heat source to establish a local heat network is therefore, on balance, considered acceptable and officers consider based on the information provided that it represents a significant opportunity to, alongside opportunities for onsite Solar PV generation, reduce reliance on natural gas. The Strategy should be approved to ensure that the necessary 35% reductions in carbon emissions associated with the Barking Riverside development are secured in accordance with Schedule 3, Part 7, Para 16.2.

#### Employment, Skills and Training Strategy

- 2.57. The Employment and Training Strategy has been updated reviewed in light of success or otherwise to date. The s106 agreement requires the submission of the review and whilst it falls for consideration by the Council, approval is not required before the S2S Boulevard SFP can be approved: the strategy does not contain or relate to any matters that fall for determination through the SFP.

- 2.58. BRL have confirmed that they are keen to reach agreement with the Council and refine the strategy to deliver more positive outcomes for the community.
- 2.59. The ES&T Strategy Delivery Plan paragraph 5.3 states 'BRL will be responsible for allocating responsibility for delivering employment and skills outputs to the respective plot developers.
- 2.60. Officers consider that BRL have used reasonable endeavours to achieve this through continuous engagement by way of monthly Development Agreement meetings between plot developers and the ES&T Coordinator, as well as separate meetings with both parties at an officer and senior level.
- 2.61. Comments from LBB Employment and Skills points out an option to include the requirement in sale contracts and require a financial contribution. BRL have in writing stated that they "...do not agree that this in itself result in a greater level of success requiring enforcement through the terms of the contract and the procedural delays that would inevitably arise: it would not in BRL's view result in greater employment opportunities and skills development for local residents. A planning condition would likewise not be effective."
- 2.62. Officers consider this request and note the obligations of the S106. Here a penalty is not specified and no condition attached to the extant permission. Whilst this matter should be revisited if ever appropriate officers agree, on balance, that success is best secured through collaboration and joint working, on a flexible basis where changes in the market and funding opportunities can be responded to positively. For example, since the signing of the s106 in 2017, many developers have now adopted their own apprenticeship programmes and will be reluctant to run an additional, parallel programmes. Graduate programmes are also generally very competitive nationally based schemes.
- 2.63. Officers note that BRL work closely with the Barking Riverside Employment & Skills Coordinator and already contribute an annual sum towards the role.
- 2.64. BRL have confirmed that they will introduce a quarterly Employment & Skills Forum to improve coordination across plot developers and contractors and hold them accountable. This will then feed into the quarterly 'principals' meeting of the Steering Group'.
- 2.65. Based on the information provided and the stipulations of the S106 Legal Agreement and the relevant conditions attached to the extant permission officers at this time consider that proposal and the strategy provide the best opportunity at this time to capitalise on opportunities for employment, skills and training. The continued funded dedicated site-specific resource, reporting to the Steering Group, the Annual Monitoring Report and the proposed Employment and Skills Forum all represent positive steps forward and are welcomed.
- 2.66. The proposals are therefore acceptable in accordance with Schedule 3, Part 13, Para 13.1 of the signed S106 Legal Agreement.

#### Waste Strategy

- 2.67. The Applicant has reviewed the Waste Strategy in the context of changes to policy and government targets, updated household waste data, estimated waste arisings and arrangements for waste collection.
- 2.68. The waste strategy submitted is comprehensive in nature. The Applicant seeks to use the ENVAC system for residential homes within the Stage 2 South and District Centre. This aligns with the approach taken to Stage 2 North. Commercial refuse would be collected in a conventional way.
- 2.69. The Waste Strategy identifies the benefits of the ENVAC system and notes comparatively high recycling rates to date at Barking Riverside. Officers also note the benefits of ENVAC which include no requirement for general refuse/waste stores or a requirement for refuse vehicles having to traverse the site.



- 2.70. The strategy notes that progress will be reported through the Annual Monitoring Report. The strategy notes a fail-safe in the event of system downtime, an approach to bulky waste and the efforts of dealing with food waste.
- 2.71. Based on the information provided the Waste Strategy provides a good level of detail and is considered appropriate. The strategy will ensure that the successes of the ENVAC, which include high recycling rates are continued and built upon. It is therefore recommended that the strategy is approved in accordance with Schedule 3, Part 8, Para 17.2.

#### Transport Monitoring

- 2.72. The Transport Monitoring Strategy was updated to identify changes to ATC traffic data; congestion and traffic flow records; queue length data; accident records; public transport patronage; trip generation, distribution and modal split; parking provision and demand, construction vehicle movement; and committed development.
- 2.73. BRL in partnership with TfL have been publishing key elements of the monitoring data through the annual monitoring report. This has been successful and the update to the strategy will continue this good work. Officers consider that the changes are proportionate and capture the changes which have occurred onsite in the face of changed travel habits after the Covid Pandemic, the rise of online shopping and a growing population on-site.
- 2.74. Officers note the findings of the monitoring report. These will be used by Officers to monitor the approach to planned development, building on successes and learning from less successful elements of the transport approach.
- 2.75. Based on the robust and detailed information provided the strategy can be approved. Schedule 4, Part 2, Para 8.1 of the S106 Legal Agreement.

### **Conclusions**

*Section 106 Strategies 23/01180/S106A of the Section 106 Legal Agreement dated 08 March 2019 (as varied 15 July 2021) of planning permission reference 18/00940/FUL (as amended).*

The submitted details demonstrate that all matters relating to the strategies are of a high quality and continue to pursue and raise the standard of the approach envisaged by the extant outline consent and the signed Section 106 Legal Agreement.

The proposals would facilitate the continued delivery of homes, commercial development and associated infrastructure in a compliant and innovative way.

The information submitted has been reviewed and has been subject to consultation.

Officers therefore recommend that the following details are sufficient to discharge:

1. Schedule 4, Part 3 Para 27.1.2 (Housing Strategy July 2023); 2. Schedule 4, Part 3, Para 28.1 and Para 32.1 (Build to Rent Strategy Plot DC3B July 2023); 3. Schedule 4, Part 2, Para 10.1 and 10.2 (Transport Strategy July 2023); 4. Schedule 4, Part 2, Para 25.2 (Car Parking Strategy July 2023); 5. Schedule 4, Part 1, Para 12.2 (Travel Plan July 2023); 6. Schedule 3, Part 1, Para 1.2 (Retail and Non-Residential Use Strategy July 2023); 7. Schedule 3, Part 3, Para 7.2 (Health Strategy July 2023); 8. Schedule 3, Part 4, Para 10.2 (Placemaking Strategy July 2023); 9. Schedule 3, Part 5, Para 12.2 (Open Space and Recreation Strategy July 2023 with the Open Space and Recreation Strategy, 02 May 2018); 10. Schedule 3, Part 7, Para 16.2 (Energy Strategy July 2023); 11. Schedule 3, Part 13, Para 13.1 (Employment, Skills & Training Strategy July 2023); 12. Schedule 3, Part 8, Para 17.2 (Waste Strategy July 2023); 13. Schedule 4, Part 2, Para 8.1 (Transport Monitoring Report May 2023) of the Section 106 Legal Agreement dated 08 March 2019 (as varied 15 July 2021) of planning permission reference 18/00940/FUL (as amended).

## Appendix 1

<b>Development Plan Context</b> The Council has carefully considered the relevant provisions of the Council’s adopted development plan and of all other relevant policies and guidance. Of particular relevance to this decision were the following Framework and Development Plan policies and guidance.	
<i>National Planning Policy Framework (NPPF) (2023)</i>	
<i>London Plan (2021)</i>	Policy GG1 - Building strong and inclusive communities Policy GG2 - Making the best use of land Policy GG3 - Creating a healthy city Policy GG4 - Delivering the homes Londoners need Policy D1 - London’s form, character and capacity for growth Policy D2 – Infrastructure requirements for sustainable densities Policy D3 – Optimising site capacity through the design-led approach Policy D4 – Delivering good design Policy D5 – Inclusive design Policy D6 – Housing Quality Standards Policy D7 – Accessible Housing Policy D8 – Public Realm Policy D11 – Safety, security and resilience to emergency Policy D12 – Fire Safety Policy D14 - Noise Policy H1 - Increasing housing supply Policy H4 – Delivering affordable housing Policy 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
<i>Local Development Framework (LDF) Core Strategy (July 2010)</i>	Policy CM1 - General Principles for Development Policy CR2 - Preserving and Enhancing the Natural Environment Policy CR3 - Sustainable Waste Management Policy CP2 - Protecting and Promoting our Historic Environment Policy CP3 - High Quality Built Environment Policy CC2: Social Infrastructure to Meet Community Needs
Local Development Framework (LDF) Borough Wide Development Plan Document (DPD) (March 2011)	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>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: (Submission Version, December 2021) is at an "advanced" stage of preparation. Having regard to NPPF 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: (Submission Version December 2021)</i></p>	<p>Strategic Policy SPDG 1: Delivering growth in Barking and Dagenham  Strategic Policy SPP1: Barking and the River Roding Area  Strategic Policy SP 2: Delivering a well-designed, high-quality and resilient built environment  Policy DMD 1: Securing high-quality design  Policy DMD 2: Tall buildings  Policy DMD 3: Development in town centres  Policy DMD 4: Heritage assets and archaeological remains  Strategic Policy SP 3: Delivering homes that meet peoples' needs  Policy DMH 1: Affordable housing  Policy DMH 2: Housing mix  Strategic Policy SP 4: Delivering social and cultural infrastructure facilities in the right locations  Policy DMS1 – Protecting and enhancing existing facilities.  Policy DME 5: Evening Economy  Policy DME 3: Encouraging vibrant, resilient, and characterful town centres  Policy SP6: Green and blue infrastructure  Policy DMNE 1: Parks, open spaces and play space  Policy DMNE 2: Urban greening  Policy DMNE 3: Nature conservation and biodiversity  Policy DMNE 4: Water Environment  Policy DMNE 5: Trees  Strategic Policy SP7: Securing a clean, green and sustainable borough  Policy DMSI 1: Sustainable design and construction  Policy DMSI 2: Energy, heat and carbon emissions  Policy DMSI 3: Nuisance  Policy DMSI 4: Air quality  Policy DMSI 5: Land contamination  Policy DMSI 6: Flood risk and defences  Policy DMSI 7: Water management  Policy DMSI 9: Demolition, construction and operational waste  Policy DMSI 10: Smart Utilities  Strategic Policy SP8: Planning for integrated and sustainable transport  Policy DMT 1: Making better connected neighbourhoods  Policy DMT 2: Car parking  Policy DMT 3: Cycle parking  Policy DMT 4: Deliveries, servicing and construction  Strategic Policy SP 9: Managing development Policy DMM 1: Planning obligations (Section 106)</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)</p>

	Housing (2016) Play and Informal Recreation (2012) Sustainable Design and Construction (2014)
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### **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. Be First is the Council's urban regeneration vehicle and undertakes planning statutory services on its behalf, including development management. LBBB remains the decision-maker. For major schemes Members determine planning applications at Planning Committee, and for smaller schemes, typically householder, decision-making powers are delegated to LBBB's Head of Planning Assurance. Appropriate governance procedures are followed to ensure there are no conflicts of interest

## Appendix 2:

The following consultations have been undertaken with relevant internal and external stakeholders:

- Cllr Victoria Hornby (Barking Riverside)
- Cllr Josie Channer (Barking Riverside)
- Cllr Cameron Geddes (Barking Riverside)
- TfL Planning
- Be First Affordable Housing
- Be First Transport
- Environment Agency
- Historic England ARCHAEOLOGY
- LBBB - Affordable Workspace/ Skills and Employment
- LBBB - Commissioning Lead Sustainability for sustainability
- LBBB - Parking Enforcement and CPZ
- LBBB Access Officer
- LBBB District Heating / Energy
- LBBB Early Years / Nurseries
- LBBB Education
- LBBB Environmental Health and Trading Standards
- LBBB Environmental Protection
- LBBB Heritage and Culture
- LBBB Highways
- LBBB Housing Strategy
- LBBB Inclusive Growth
- LBBB Lead Local Flood Authority
- LBBB Leisure, Parks and Heritage
- LBBB My Place
- LBBB Parks, Allotments and Cemeteries
- LBBB Public Health
- LBBB Refuse Services
- LBBB Regeneration
- LBBB Reside Housing
- LBBB Social Care
- LBBB Social Care
- LBBB Specialist Services
- LBBB Strategic Refuse and Recycling
- London City Airport
- Met Police - Designing Out Crime Office
- National Grid - Electricity
- Natural England
- NHS Strategic Estates

- Port of London Authority
- TFL London Overground
- Thames Water
- UK Power Networks

<b>Summary of Consultation responses for applications : 23/01180/S106A &amp; 23/01182/AOD</b> <i>(Consultation was combined).</i>		
<b>Consultee and date received</b>	<b>Summary of Comments</b>	<b>Officer Comments</b>
Met Police	No objections. Concluded that the applicant/ plot developers should engage early with the Met Police, Secured by Design team prior to the submission of Reserved Matters applications.	Noted.
National Grid	Regarding planning application 23/01182/AOD, there are no National Gas Transmission assets affected in this area.	Noted.
Port of London Authority (PLA)	<p>Thank you for consulting the Port of London Authority (PLA) on the above-mentioned application, for the approval of details in relation to Stage 2 South Boulevard Sub Framework Plan (SFP) pursuant to Condition 31 (Sub Framework Plan) and 32 (Details of Sub Framework Plan), as well as the partial discharge of conditions 4 (Phasing and Stages), 5 (Partial Discharge), 23 (Flood Defence Buffer Zones), 33 (Nature Conservation and Landscaping), 35 (Temporary Pedestrian and Cycle Routes) and 36 (Design Code) attached to planning permission 18/00940/FUL for the Barking Riverside development. I have now had the opportunity to review the submitted documents and can confirm the PLA have no in principle objection to the application but have the following comments to make.</p> <p>Within the submitted 'Explanation and justification document' there is a reference to an updated Travel Plan (2023) in support of the development of stage 2. This doesn't appear to form part of the submitted documents and should be shared when available. As part of the Travel Plan it must be ensured that this includes reference to the river bus services available at Barking Riverside Pier, which is referred to and promoted in section 3.4 (Public Transport Access) of the submitted Transport Statement.</p> <p>With regard to drainage section 9.2.4 of the Flood Risk Assessment highlights that the Stage 2 South Boulevard (S2SB) area is mainly located within Catchment F, which drains southwards ultimately discharging to the Thames via a new outfall referenced as Outfall C6. To highlight any new outfall requires a River Works Licence with the PLA, and the PLA statutory consents and compliance team should be contacted at <a href="mailto:lic.app@pla.co.uk">lic.app@pla.co.uk</a> on this matter.</p> <p>Finally to highlight condition 29 of permission 18/00940/FUL states that prior to any new public access being provided to within 50m of the riverside, provision of riparian life saving</p>	<p>Noted. The Travel Plan (2023) has been submitted to discharge the S106 Obligation as detailed in Schedule 4, Part 1, Para 12.2 and has been validated accordingly. The LPA reference is: 23/01180/S106A. The submitted Travel Plan (2023) does reference the river services provided by Thames Clipper at the Barking Riverside Pier at paragraphs 3.5.19 – 3.5.21 and Table 3-3.</p> <p>The proposed Outfall to the Thames referenced as C6 is part of the consented drainage strategy for the Development. Discussions have previously been carried out between BRL and the PLA regarding the form of this outfall and in advance of its construction the appropriate Licences will be obtained from the PLA, Environment Agency and the Marine Management</p>

	<p>equipment shall be made along the river edge to a standard recommended in the Hayes Report on the Inquiry into River Safety. With regard the plot DC3C which is on the riverside it is considered that this condition would likely apply and therefore would need to be partially discharged as part of the development of this stage.</p>	<p>Organisation.</p> <p>With regard to Condition 29 and the requirements in relation to life saving equipment, please note that this area is only included within the SFP submission boundary to provide Emergency Access for Plot DC3C and therefore no new public access will be provided to the river frontage. This area will be fenced off until the final construction of this area is completed, which will include provision of lifesaving equipment. To note the zone to the south of Plot DC3C will be detailed as part of the design of the future Strategic Infrastructure Scheme (SIS). The forthcoming Stage 2 South and District Centre East SIS application provides illustrative design only, final details will be provided in a future full details SIS submission, which will include details of the provision of life saving equipment for approval under Condition 29.</p>
<p>TfL Spatial Planning</p>	<p>Following discussions internally within TfL Spatial Planning, including Area Managers and bus colleagues, I can confirm that we share your concerns in relation to this proposal opening up the bus only route to servicing. Therefore, TfL would strongly object the approval of this application on operational and safety grounds if this part of the proposal was to be retained.</p>	<p>Noted, officers requested that this element of the strategy and SFP was removed and wording amended to enable further testing for agreement with the LPA (The Council) and TfL.</p>
<p>Environment Agency</p>	<p>We have reviewed the submitted information in 'S2S &amp; DCE SFP Planning Submission', 'Response to EA Planning Objections' and are satisfied that conditions 23, 32 and 33 can be discharged. We have no comment to make on conditions 4, 31, 35 and 36.</p>	<p>Noted.</p>

<p>LBBB Parking Enforcement</p>	<p>Having reviewed the planning application and Transport Statement it is clear that some roads will remain private whilst other roads will be adopted public highway.</p> <p>Residents and businesses of this new development will not be eligible for any permits to park in any existing Controlled Parking Zones (CPZs) that are in place in the surrounding area.</p>	<p>Officers note that the proposals do not alter the agreed strategy, whereby all on-street parking will be subject to permits. The roads to be adopted by LBBB would also have parking restrictions.</p>
<p>LBBB Public Health</p>	<p>Affordable housing  -Strongly encourage increase of affordable housing from the planned 38.4% given the deprived local population  - Encourage building to meet the London Living Rent target of 5% as a minimum.</p> <p>Transport SPF  4.2.2. It is to be noted that 10% of the accommodation provided within S2SB SFP will be wheelchair accessible dwellings (M4(3)). The details of these dwellings will be secured at the reserved matters stage  - This is a very small amount of accessible rooms which may not suit the needs of the growing population; many of which have health conditions. We understand the 'lifetime homes' standard has been superseded by optional buildings regulations, but these are important factors in our local population who are likely to have significant accessibility needs and in the growing UK population - <a href="#">Health in 2040: projected patterns of illness in England - The Health Foundation</a>.</p> <p>Culture and community – what steps will be taken to achieve this within new developments? Particularly given the proportion of 3+ beds and provision for families. Obesity is a key problem in the borough – welcome the focus on active transport and on healthy food environments, are there ways this can be strengthened going forward? Does development take into account all aspects of the healthy streets approach? <a href="#">Healthy Streets   London City Hall</a></p> <p>What steps have been taken to assess the growing health needs and ensure there is adequate health provision locally and access to healthcare for these communities?  Does the wider development have a Health Impact assessment in place and what has been addressed in relation to this?  What is the status of the proposed implementation of Healthy City guidelines?</p>	<p>The matters raised are noted but Officers consider all points have been comprehensively considered as part of the Extant Permission, the S106 Legal Agreement and the S106 Strategies.</p> <p>The matters raised in regard to accessible homes, all homes will be accessible and adaptable and 10% in total will be fully wheelchair M(4). Details of which are provided at Reserved Matters Stage.</p> <p>Requirements for a proportion of family homes (3 bed +) are stipulated with in the S106 and are complied with.</p> <p>A Health and Leisure Hub is planned.</p> <p>Active and sustainable travel is at the heart of the proposals and the extant permission.</p> <p>All matters are considered in the report above.</p>



LBBD Lead Local Flood Authority	Confirmed no comments.	Noted.
LBBD Environmental Protection Team	<p>Condition 32 (g) Noise</p> <p>I have reviewed the Stage 2 South Boulevard Sub Framework Plan Noise Assessment Project Reference No. 70055412-AC1Report by WSP . The report is based on the illustrative masterplan and is sufficient to discharge the condition, in that it demonstrates suitable internal noise levels can be achieved. It should be noted that more detailed assessments will be required in respect of noise break-in , noise mitigation , overheating and building services plant noise at the later design and reserved matters stages when more in depth information is available.</p>	Noted.
London City Airport	Confirmed no objections.	Noted.

### Appendix 3:

Neighbour Notification:	
Site Notices Erected:	4 x Site Notices, 04 August 2023.
Date of Press Advertisement:	09 August 2023.
Number of neighbouring and nearby properties consulted:	568 addresses.
Number of public responses:	2 Individuals. 2 Interest Group 'Thames Life'.

### Local and nearby residents (summary)

Comments from x1 property received.	<p>Too much noise by this company, cannot sleep, before long they will apply to work weekends as well with no care for residents.</p> <p>Not safe to allow these +redacted+ to continue to drive their plant equipment dangerously around a residential area, not enough is done to be safe, they nearly hit cars because they don't look before they exit site on the residential area, more needs to be done to make sure they don't kill a child coming out from school, this company does not care about safety and the council should enforce this as a number one rule, I pay council tax and the area is very unsafe because of the plant equipment in our small community.</p>	<p>This comment is noted. All development is undertaken in accordance with Construction Management Plans, these include details of ensuring construction traffic and works are undertaken in a safe and sensitive way.</p> <p>The matters raised by the resident are not considered as part of this application. The proposed safety of the temporary access arrangements are considered in the report above.</p>
Individual, Address not stated.	<p>The application does not indicate continuation of the public rights of way along Footpath 47 during the development.</p> <p>Buildings should be limited to 18 meters in height. The London Assembly reports and letters to Councillors firmly state that tall buildings are not the solution to London's housing problems.</p> <p><a href="https://www.london.gov.uk/who-we-are/what-london-assembly-does/london-assembly-publications/covid-19-housing-typologies-and-design-london">https://www.london.gov.uk/who-we-are/what-london-assembly-does/london-assembly-publications/covid-19-housing-typologies-and-design-london</a></p> <p><a href="https://www.london.gov.uk/media/79520/download">https://www.london.gov.uk/media/79520/download</a></p>	<p>Footpath 47 is outside of the redline boundary of the Stage 2 South Boulevard Sub Framework Plan, therefore public right of way access is not compromised.</p> <p>The Applicant has confirmed Barking Riverside Limited are fully committed to protecting the footpath and ensuring the footpath is preserved for public use'.</p> <p>The Outline Planning Permission sets a series of parameters that future development on site is required to comply with. One parameter is building heights. The SFP accords with the approved building height parameters as set by the Outline Permission.</p>
Friends of Footpath 47 (Interest Group)	<p>Ground Contamination</p> <p>The presence of Asbestos fibres and Asbestos Containing Materials (ACM), Pulverized Fuel Ash (PFA), and other contaminated ground "hotspots", has been identified on the site. Barking has an unfortunate history of public exposure to, and residents are aware of its toxic and chronic legacy. The site is within close proximity to Riverside Campus school, Barking Riverside</p>	<p>These comments are noted. Application 23/01182/AOD or 23/01180/S106A does not consider contamination. A site wide contamination strategy exists for the site. Further details are provided at reserved matters stage and by planning condition prior to development of each plot.</p> <p>The Barking Riverside Outline Planning Permission is supported by an Outline</p>

DLR, a Public Right of Way "Footpath 47", and the Uber river ferry. All potential places were the public congregate, and therefore greater potential for them to breathe in airborne toxins when construction machinery excavates the contaminated soil.

#### Wildlife habitat and biodiversity

This application's biodiversity statement does not contain sufficient detail that would allow it to conform to the GLA's London Plan, under Section 24 of the Planning and Compulsory Purchase Act 2004. The associated biodiversity statement is therefore insufficient. This application represents the steady encroachment towards The River Thames Inter-Tidal Mudflat, a habitat for wading birds, the most important wildlife area in London as designated by The Greater London Authority in its "Site of Metropolitan Importance for Nature Conservation" (SMI) (SINC) designation. Development of this type, where it encroaches on London's land of high nature conservation value, should only be presumed where the most stringent mitigation measures are in place, prior to commencement of any excavation works.

Remediation Strategy. The ORS details the remedial measures required during the works, including how soil won from material in-situ or in existing stockpiles will be re-used, necessary measures to prevent the spread of contamination and release of fugitive emissions, and required mitigation against potential ground gas risks. The ORS includes a watching brief and discovery strategy during groundworks to deal with any unforeseen contamination as the development progresses.

a Construction Environment Management Plan is prepared and submitted with each Reserved Matters planning application. The CEMP includes the techniques and controls required for environment management during the construction of the respective phase of the Barking Riverside project, outlining any significant environmental issues on the site, and the environmental management framework to which contractors and developers must follow when working on the site. The sitewide Environment Management Plan is a live document and updated as site specific information becomes available.

The proposed biodiversity and habit creation matters are considered in paragraphs 3.46 – 3.61 of the report for 23/01182/AOD.

The Biodiversity Statement has been informed by current and historical ornithological survey data. The presence of the River Thames and Tidal Tributaries SINC (and others) is also known and included within the assessment. The assessment details that all works will adhere to best practice & best practice pollution prevention protocols, and the site wide Construction Environmental Management Plan (CEMP). The works will also be addressed through the Ecological Permit process ensuring all necessary mitigation measures are adhered to. As committed within the Biodiversity Statement. Further mitigation is secured through the landscaping design which will incorporate natural screening to hide/break up the human silhouette when the development is operational. This screening can be combined with hard landscaping features such as, fencing to further minimise visual disturbance. With the mitigation during construction and operation, no adverse effect is envisioned on the SINC or its ecological/ornithological interest features

		<p>Footpath 47 is outside of the redline boundary of the Stage 2 South Boulevard Sub Framework Plan.</p> <p>LBBD's Environmental Protection Team and The Environment Agency have both reviewed the proposals and state that They have no objections to the proposals.</p>
<p>Thames Life Interest Group</p>	<p>The Resident Planning Forum which is comprised of local residents would like to comment with regards to the biodiversity statement:</p> <p>The animals that are using the Thames as their home will be disturbed by all the humans on the future promenade along the riverfront.</p> <p>Your biodiversity document states that light, noise and the silhouettes of humans can scare off wildlife. After construction is completed and once the estate is built there appears to be no plan for a physical barrier that would screen human footfall from the rare wading birds and seals that use the mudflats. Animals are scared by humans and if they can see humans they will not return to the site. The mudflats is a major migratory site for migrating birds and seals.</p> <p>The residents note that the path along the riverfront is a registered public footbath number 47. Historically it has been a treasured local footpath for the enjoyment of locals for many years. What is going to happen to the public footpath, is there going to be a nature reserve along the foreshore?</p> <p>The residents note the vast amount of concrete that is being laid on the waterfront, there will be no lizards or water voles able to live on the waterfront.</p> <p>Can you consider installing a physical barrier that would screen human footfall from wading birds and seals that use the mudflats? Doing this would increase the financial value of these flats once potential buyers are aware of the nature on their doorstep.</p>	<p>The proposals have been developed in line with the parameters and ecological strategies previously considered and approved as part of the extant permission. This includes where hard surfacing and access will be provided and where soft landscaping, biodiversity creation and areas of no access for the public will be provided.</p> <p>The matters raised are comprehensively considered in the report above for the S106 strategies and the SFP.</p> <p>The EA have also been consulted and raise no objections.</p>

**Officer Summary:**

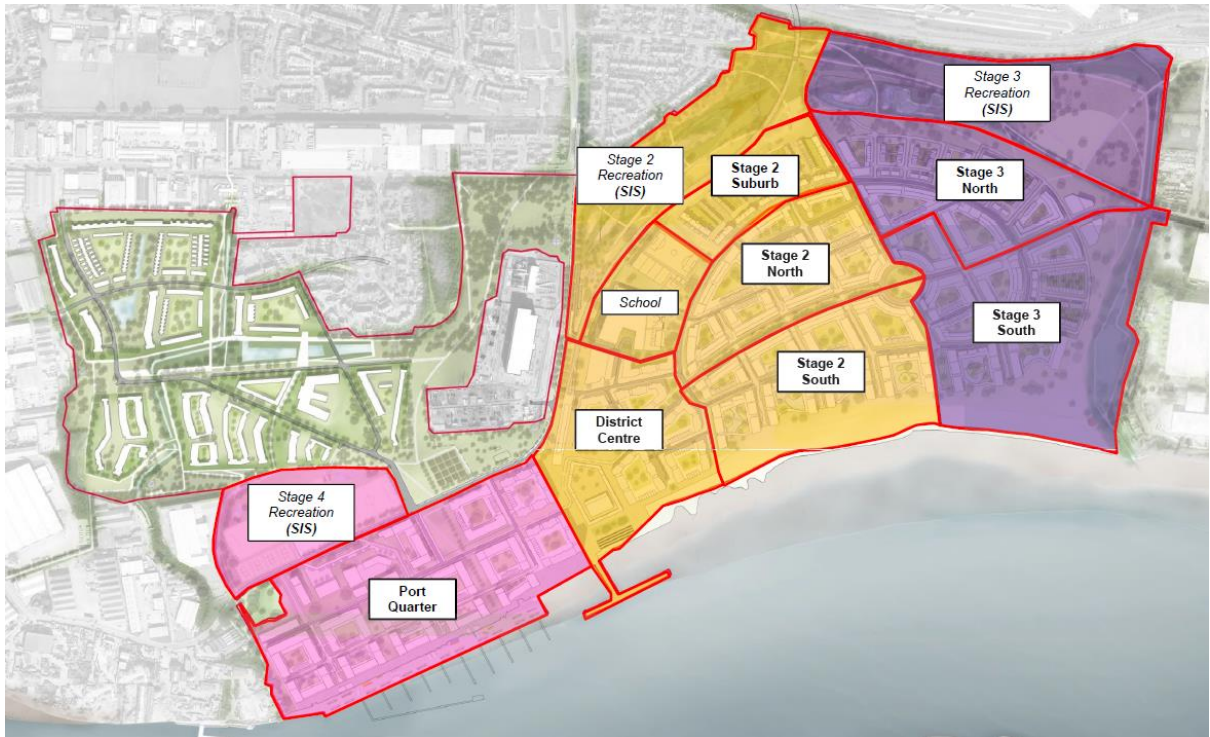
The material planning considerations are addressed within the planning assessment for 23/01180/S106A & 23/01182/AOD.

## Appendix 4 – Approved plans

23/01180/S106A - S2SB SFP S106 Strategies Submission Documents - For formal discharge of s106 obligations

	Title	Submission 1: Reference / Date	Submission 2: Reference / Date
1	Housing Strategy	Dated July 2023	
2	Build to Rent Strategy	Dated July 2023	
3	Transport Strategy	Dated July 2023 (Superseded)	Dated September 2023
4	Car Parking Strategy	Dated July 2023 (Superseded)	Dated September 2023
5	Travel Plan	Dated July 2023	
6	Retail and Non-Residential Use Strategy	Dated July 2023	
7	Health Strategy	Dated July 2023	
8	Placemaking Strategy	Dated July 2023	
9	Open Space and Recreation Strategy	Dated 2 May 2018	
10	Open Space and Recreation Strategy	Dated July 2023 appended to document 9	
11	Energy Strategy	Dated July 2023	
12	Employment, Skills and Training Strategy	Dated July 2023	
13	Waste Strategy	Dated July 2023	
14	Transport Monitoring Report	Dated May 2023	

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