

Application No. 18/00940/FUL

**TOWN AND COUNTRY PLANNING ACT 1990  
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT  
PROCEDURE) (England) ORDER 2015**

To: Barking Riverside Ltd  
c/o Barton Willmore Planning  
7 Soho Square  
London  
W1D 3QB  
FAO: Mr E Hanson

In pursuance of the powers exercised by them as Local Planning Authority, the Council of the London Borough of Barking and Dagenham, having considered your application to carry out the following development:-

Application for variation of conditions 2 (drawing numbers), 14 (transport strategy), 15 (road adoption), 16 (strategic infrastructure scheme), 12 and 33 (nature conservation and landscape), following grant of planning permission 16/00131/OUT for the redevelopment of the site known as Barking Riverside.

At Barking Riverside Area Renwick Road Barking Essex

In accordance with the drawing(s) accompanying the said application, do hereby give notice of their decision to **GRANT PERMISSION** for the said development.

### **Procedural Matters**

1) Application for approval of all other Reserved Matters must be made to the Local Planning Authority before 7 August 2024.

Reason:

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

### **General Layout and Framework**

2) The development hereby permitted pursuant to this permission shall be carried out in accordance with the following approved plans:

0947A 108F000 Rev H - Application Boundary  
0947A 108F011 Rev R - Average Housing Density Plan  
0947A 108F013 Rev T - Maximum Building Heights  
0947A 108F100 Rev W - Framework Plan  
0947A 108F201 Rev Q - Road Infrastructure Diagram  
0947A 108F910 Rev W - Finished Ground Level Plan  
Description of Development and Parameters - Rev 05

Reason:

For the avoidance of doubt and in the interests of proper planning.

3) Within each Stage, a range of densities shall be provided with the highest densities reflecting levels of public transport accessibility.

Reason:

To ensure a sustainable pattern of development in accordance with Policy CM1 of the Core Strategy (July 2010).

#### Phasing and Stages

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.

Reason:

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

#### Partial Discharge

5) Where any application is made to discharge a condition on a partial basis (i.e. in relation to a Stage, Plot or part of), the submission shall be accompanied by a statement setting out the relationship of such details to previous Stages or Plots, or part of, the details of which have already been determined, and subsequent Stages or Plots as appropriate. The statement shall demonstrate compliance and compatibility with the various details, strategies, drawings and other documents approved pursuant to this planning permission. The statement shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the relevant Stage, Plot or part thereof.

Reason:

To ensure that the scheme is implemented on a comprehensive and sustainable basis in accordance with Policy CM1 of the Core Strategy (July 2010).

#### Residential units

6) The total amount of residential development within Use Class C3 (Dwelling Houses) shall not exceed 10,800 units.

Reason:

To ensure that the scheme implemented is in accordance with the principles established by this permission and to accord with Policy CM1 of the Core Strategy (July 2010).

#### Floorspace

7) The total floorspace for uses other than those falling within Use Class C3 (excluding

Car Parks and Schools, but including Retail Uses in classes A1-A5) shall not exceed 65,600 sq.m.

Reason:

To ensure that the scheme implemented is in accordance with the principles established by this permission and that an acceptable mix of uses are provided in accordance with Policy CM1 of the Core Strategy (July 2010).

### Remediation

8) The site shall be remediated in accordance with the principles as set out in the Ground Conditions Assessment and Outline Remediation Strategy and planning permission (LPA Ref. TP/43/93) dated 4 January 1994 and Barking Riverside Development, Baseline Desk Study, Data Review, Outline Remediation Strategy, January 2016 (Ref: CG/08322AB) and any remediation works undertaken to date shall be retained as implemented.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy BR5 of the Borough Wide Development Policies DPD (March 2011).

9) An investigation and risk assessment for Stage 4, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- a) a survey of the extent, scale and nature of contamination;
- b) an assessment of the potential risks to:
  - i. human health,
  - ii. property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - iii. adjoining land,
  - iv. groundwaters and surface waters,
  - v. ecological systems,
  - vi. archaeological sites and ancient monuments;
- c) an appraisal of remedial options, and proposal of the preferred option(s).
- d) This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in

accordance with Policy BR5 of the Borough Wide Development Policies DPD (March 2011).

10) A detailed remediation scheme for Stage 4 to bring that part of the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria including a method statement for disused culverts, tunnels and sumps, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy BR5 of the Borough Wide Development Policies DPD (March 2011).

11) No buildings or spaces proposed as part of this application, within any particular Stage of the remediation programme as identified in the Ground Conditions Assessment and Outline Remediation Strategy and Barking Riverside Development, Baseline Desk Study, Data Review and Outline Remediation Strategy, January 2016 (Ref: CG/08322AB), shall be occupied until the remediation of the relevant part of that Stage has been completed to the satisfaction of the Local Planning Authority in accordance with the Remediation Strategy. A verification report (or validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy BR5 of the Borough Wide Development Policies DPD (March 2011).

#### Nature Conservation & Landscape

12) No development of Stages 3 and 4 approved by this permission shall be commenced until an ecological monitoring scheme has been submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency. The monitoring scheme shall be carried out as approved, with feedback provided to the Local Authority as per the approved site wide Biodiversity Strategy (Ref. DFCP 3404 ISSUE) as amended by the Biodiversity Strategy addendum (Ref. DFCP 3404) dated 29 May 2018.

Reason:

To demonstrate successful translocation of flora or fauna, mitigation and/or

compensation measures in accordance with Policy CR2 of the Core Strategy (July 2010) and Policy BR3 of the Borough Wide Development Policies DPD (March 2011).

13) In the event of any tree or shrub on the site, or provided as part of the approved planting scheme, dying or being removed during or within five years of planting, it shall, unless the Local Planning Authority has agreed to its removal, be replaced during the next available planting season by a tree of the same species or an alternative species approved by the Local Planning Authority, provided that the maintenance of that tree or shrub is still the responsibility of the developer or Community Interest Company (CIC). Or such other similar agency/entity that may be established with the agreement of the Local Planning Authority to manage and maintain public open space.

Reason:

To safeguard the appearance of the development and the character of the area and to protect the amenities of the immediate neighbourhood in accordance with Policy CP3 of the Core Strategy (July 2010) and Policy BR3 of the Borough Wide Development Policies DPD (March 2011).

### Transport

14) The development hereby permitted pursuant to this permission shall be carried out in accordance with approved Arup Transport Strategy Final Document 17th June 2016, as amended by the WSP Transport Strategy Addendum (Project No. 70018976) dated September 2018, unless otherwise amended, varied or updated through a review under any subsequent approval.

Reason:

In order to encourage the use of sustainable modes of transport in accordance with Policy BR10 of the Borough Wide Development Policies DPD (March 2011).

15) All roads shown on drawing 0947A 108F201 Rev Q - Road Infrastructure Diagram shall be constructed to an adoptable construction specification to be agreed with the Local Highway Authority and all designs for roads will be subject to safety audits and must meet the requirements of these audits.

Reason:

To ensure that the approved development does not prejudice the free flow of the traffic or conditions of general safety along the neighbouring highway, or the safety of future occupiers, and in accordance with Policy BR10 of the Borough Wide Development Policies DPD (March 2011).

### **Conditions relating to the Strategic Infrastructure Scheme**

16) Prior to the submission of the first Sub Framework Plan pursuant to this permission details of the Strategic Infrastructure Scheme (SIS) shall be submitted to the Local Planning Authority ("the Reserved Matters"). The form and content of the SIS shall address the Reserved Matters in condition 16 a - e; and for the avoidance of doubt shall address the matters in condition 16 f - w. The SIS shall be implemented as approved by the Council in writing.

### *Reserved Matters to be addressed*

- a) The layout of the SIS or part thereof;
- b) The siting, scale, design, landscaping and external appearance of the infrastructure including materials to be used on external surfaces;
- c) The means of permanent access across the site and to the Plot(s) or part thereof;
- d) The use of any part of the site not subject to 'Reserved Matters' under condition 38 and 39 not proposed to be covered by buildings and the treatment of these uses including roadways, paving, gates, walls and fences (off-Plot);
- e) That part of the site that is intended to be subject to 'Reserved Matters' approval under condition 38 and 39 (on-Plot);

### *Matters to be addressed*

- f) To identify the spatial and temporal phasing of key infrastructure and services;
- g) To confirm the land raising/site levels that will be implemented;
- h) To review the remediation strategy and to update in line with the requirements of the designs of the SIS;
- i) To identify and set out details for the laying out of the roads and strategic bus, walking and cycling routes and design thereof: including the indicative location of bus stops, junction works, traffic signs, pedestrian crossings, traffic control measures (excluding final signal design) and turnarounds;
- j) To set out a scheme for the routing of bus services through the development, to include all necessary layover, driver facilities, future proofed ducting and temporary routings. Such routes to provide for the integration with existing public transport services provided;
- k) To identify and set out details for the broadband infrastructure routing;
- l) To identify and set out details for the Stage 2 and 3 open space
- m) To identify and set out details for the flood defence works and surface and foul waste attenuation, management and servicing, including a surface water drainage scheme for the site, based on sustainable drainage principles;
- n) To identify and set out details for the onsite drainage works;
- o) To identify and set out details for the provision of Flood Defence Buffer Zones (as defined under Condition 23) alongside the watercourses known as the River Thames, Ship and Shovel Sewer, Goresbrook, Buzzards Mouth Creek, ordinary watercourses and constructed wetlands;
- p) To identify and set out details for the design and treatment of the riverside and wetland buffer zones in Stages 2 and 3 (as defined on drawing 0947A 108F100 Rev W - Framework Plan), to include design of the flood defences. Details must include the indicative engineering design and method of construction, landscape/urban realm design, dimensions, elevations, profile, materials, lighting and planting lists. Planting should be limited to appropriate native species only;
- q) To identify and set out details for the design code of street furniture, highway, street trees;
- r) To identify and set out details for the design code for streets;
- s) To identify and set out details for the areas for adoption and retention;
- t) To identify and set out details for the District Centre/Station Square public realm and the waterfront hard landscape;
- u) To identify and set out details for the Stage 4 sports open space;
- v) To identify and set out details for the design and treatment of the riverside and

wetland buffer zones in Stage 4 (as defined on drawing 0947A 108F100 Rev W - Framework Plan) to include design of the flood defences and enhancements to the river wharf and jetty. Details must include the design, method of construction, dimensions, elevations, profile, materials, lighting and planting lists. Planting should be limited to appropriate native species only;

- w) To identify and set out details for the potable water scheme.

Reason:

To ensure that the scheme is implemented on a comprehensive and sustainable basis in accordance with Policy CM1 of the Core Strategy (July 2010).

#### Code of Construction Practice for the SIS

17) Prior to the commencement of development pursuant to the SIS, a Code of Construction Practice shall be submitted for approval in writing by the Local Planning Authority in relation to that part of the development. The relevant part of the development shall not commence on that element of the development until the relevant Code has been approved. That part of the development must be developed out in accordance with the approved Code of Construction Practice.

Reason:

In the interest of pollution and residential amenity, in accordance with Policy BP8 of the Borough Development Policies DPD (March 2011).

18) Prior to the commencement of development pursuant to the SIS, including any works of demolition, a Construction Environmental Management Plan (CEMP) and a Site Waste Management Plan (SWMP) have been submitted to and approved in writing by the Local Planning Authority. These plans shall incorporate details of:

- a. Construction traffic management and Construction Logistics Plan;
- b. The parking of vehicles of site operatives and visitors;
- c. Loading and unloading of plant and materials;
- d. Storage of plant and materials used in constructing the development;
- e. The erection and maintenance of security hoarding(s) including decorative displays and facilities for public viewing, where appropriate;
- f. Wheel washing facilities;
- g. Measures to control the emission of dust, dirt and emissions to air during construction; such measures to accord with the guidance provided in the document "The Control of Dust and Emissions during construction and demolition", Mayor of London, July 2014; including but not confined to, non-road mobile machinery (NRMM) requirements;
- h. A scheme for recycling/disposing of waste resulting from demolition and construction works;
- i. The use of efficient construction materials;
- j. Methods to minimise waste, to encourage re-use, recovery and recycling, and sourcing of materials; and a nominated Developer/Resident Liaison Representative with an address and contact telephone number to be circulated to those residents consulted on the application by the developer's representatives. This person will act as first point of contact for residents who have any problems or questions related to the ongoing development.

Demolition and construction work and associated activities are to be carried out in

accordance with the recommendations contained within British Standard 5228:2009, "Code of practice for noise and vibration control on construction and open sites". Parts 1 and 2.

The Construction Management Plan shall be implemented for the entire period of the works at the site, to the satisfaction of the Local Planning Authority.

Reason:

The CEMP is required prior to commencement of development in order to minimise the impact of the construction phase on the environment and on the amenities of neighbouring residents, in accordance with Policy BP8 of the Borough Development Policies DPD (March 2011).

### Demolition

19) Demolition and construction work and associated activities with the SIS are only to be carried out between the hours of 08:00 and 18:00 Monday to Friday and 08:00-13:00 Saturday with no work on Sundays or public holidays. Driven piling or ground improvement work which will generate perceptible off-site ground borne vibration is only to be carried out between the hours of 08:00 and 18:00 Monday to Friday.

Reason:

In the interest of pollution and residential amenity, in accordance with Policy BP8 of the Borough Development Policies DPD (March 2011).

20) No demolition of a building or structure that is suitable as bat habitat shall take place until a bat survey and mitigation strategy to protect any bats has been submitted to and approved in writing by the Local Planning Authority. Any actions arising from the survey shall be implemented prior to commencement of any works.

Reason:

To ensure that protected species are surveyed and mitigation measures proposed in accordance with Policy CR2 of the Core Strategy (July 2010).

### Safeguarding Surfaces - London City Airport

21) Prior to the commencement of the SIS or part thereof pursuant to this permission, the method of construction, including details of the use, location and height of cranes and other plant and equipment or temporary structures in that Stage or part thereof, shall be submitted to and approved in writing by the Local Planning Authority in consultation with the operator of London City Airport.

Reason:

To ensure that safeguarded surfaces for London City Airport are not infringed in accordance with Policy BP4 of the Borough Wide Development Policies DPD (March 2011).

22) Any buildings or structures (including temporary structures such as cranes, scaffolding or other plant) over 95m AOD (above ordnance datum) will require the prior written approval of the Local Planning Authority in consultation with the operator of London City Airport.



Reason:

To ensure that safeguarded surfaces for London City Airport are not infringed in accordance with Policy BP4 of the Borough Wide Development Policies DPD (March 2011).

### Flood Risk

23) 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

Prior to the 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.

Reason:

To retain access to the watercourse for the Environment Agency and prevent the increased risk of flooding in accordance with Policy CR4 of the Core Strategy (July 2010).

24) Prior to commencement of the SIS and Plots any storage of materials that would impact the River Thames, main of a main watercourse (being the Goresbrook, Ship and Shovel Sewer and Buzzards Mouth) within the Flood Defence Buffer Zones defined under Condition 23 shall be submitted to and approved in writing with the Local Planning Authority, in consultation with the Environment Agency.

The details submitted for approval will show how these areas will be suitably marked and protected during development and how except for the purpose of implementing works within the Flood Defence Buffer Zones in accordance with the terms of this permission and the details approved pursuant to conditions attached hereto there shall be no access within this area during development, no fires, and no dumping or tracking of machinery within this area.

Reason:

In order to preserve and enhance the Borough's natural environment and to comply with Policy CR2 of the Core Strategy (July 2010) and Policy BR3 of the Borough Wide Development Policies DPD (March 2011).

### Flood Defence

25) The implementation of each Stage of the development shall ensure that at no time does the Stage in question result in any unacceptable increased risk of flooding as assessed either as at the date of this planning permission or as proposed in the Flood

## Risk Assessment.

### Reason:

To prevent the increased risk of flooding in accordance with Policy CR4 of the Core Strategy (July 2010).

26) Flood defence works shall be repaired or otherwise altered as necessary to protect the development for its lifetime and to meet the requirements of the Thames Estuary 2100 plan. Tidal Flood Defence crest levels should be set no lower than 8.2m AOD.

### Reason:

To ensure adequate flood defences and prevent the increased risk of flooding in accordance with Policy CR4 of the Core Strategy (July 2010).

27) Designs of surface water outfalls to the River Thames shall be agreed in writing with the Environment Agency prior to commencement of the relevant phase of development. The surface water outfalls shall be constructed to minimise impacts arising from the scheme.

### Reason:

To prevent the increased risk of flooding and impact on intertidal habitat in accordance with Policy CR4 of the Core Strategy (July 2010).

## Wharves/Slipway

28) Prior to provision of the new riverside walkway or part thereof, a scheme detailing the location, dimensions, content, maintenance and programme for the display of public information signs detailing the operation of safeguarded wharves adjacent to the site shall be submitted to and approved in writing by the Local Planning Authority. The approved signs shall be installed in accordance with the programme agreed pursuant to this condition.

### Reason:

In order to publicise the operation and nature of the adjacent safeguarded wharves to prospective residential occupiers in accordance with Policy BP8 of the Borough Development Policies DPD (March 2011).

29) 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. The details shall be submitted to and approved in writing by the Local Planning Authority and provided in accordance with the approved details prior to the public opening of the riverside.

### Reason:

In the interests of public safety and to accord with Policy BP9 of the Borough Wide Development Policies DPD (March 2011).

30) Sub Framework Plans for Stages 3 and 4 shall be accompanied with an assessment of potential noise effects (including cumulative noise impacts) from activities at and associated with Docklands, Victoria Stone, Depass, Dagenham, No 1 Western Extension and East Jetty safeguarded wharves on the proposed residential

properties and external amenity areas of the development. Prior to the commencement of the assessment, the scope of the assessment shall be submitted to and approved in writing with the Local Planning Authority in consultation with the Port of London Authority.

The assessment shall include mitigation measures (where necessary) which shall be incorporated into the design of buildings and subsequently evidenced and tested through submissions pursuant to conditions 32 and 39 to ensure that internal noise levels satisfy the requirements of condition 41.

Reason:

To protect the amenity of future adjoining occupiers, in accordance with Policies BR13, BR14 and BP8 of the Borough Wide Development Policies DPD (March 2011).

### **Conditions relating to a Stage**

#### Sub-Framework Plans

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.

Reason:

To ensure that the relevant details are submitted in advance of the formal Reserved Matters Stage and to accord with Policy CM1 of the Core Strategy (July 2010).

32) 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);

Reason:

To ensure that the details of the development are acceptable to the Local Planning Authority and that the subsequent Reserved Matters submission are appropriately considered and to accord with Policy CM1 of the Core Strategy (July 2010).

Nature Conservation & Landscape

33) 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.

Reason:

In order to preserve and enhance the Borough's natural environment and to comply with Policy CR2 of the Core Strategy (July 2010) and Policy BR3 of the Borough Wide Development Policies DPD (March 2011).

### Flood Defence

34) All details submitted pursuant to condition 32(n) shall be designed to ensure, so far as is practicable continued operation of infrastructure during a flood event.

Reason:

To ensure adequate flood defences and prevent the increased risk of flooding in accordance with Policy CR4 of the Core Strategy (July 2010).

### Access

35) 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.

Reason:

To ensure an inclusive environment in accordance with Policy CP3 of the Core Strategy (July 2010) and Policy BP11 of the Borough Wide Development Policies DPD (March 2011).

### Design Code

36) 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.

Reason:

To ensure a satisfactory standard of external appearance, in accordance with Policy CP3 of the Core Strategy (July 2010) and Policy BP11 of the Borough Wide Development Policies DPD (March 2011).

### **Conditions relating to Plot Developers**

#### Procedural Matters

37) The Reserved Matters pursuant to this permission, shall be in conformity with the approved Strategic Infrastructure Scheme (SIS) and approved relevant Sub Framework Plan (SFP) and approved Section 106 Strategies.

Reason:

To ensure that the details of the development are acceptable to the Local Planning Authority in accordance with Policy CM1 of the Core Strategy (July 2010).

#### Plot Details

38) Prior to the commencement of development of each Plot or part thereof pursuant to this permission, full details of the development of that Plot or part shall be submitted to and approved in writing by the Local Planning Authority ("the Reserved Matters") together with a statement indicating how the application for that Plot or part thereof complies with all of the strategies approved pursuant to the Section 106 Agreement. Development shall not be carried out otherwise than in accordance with the particulars and drawings so approved, such particulars and drawings to show:

- a. The layout of the development on the Plot or part thereof;
- b. The siting, scale, design, landscaping and external appearance of the buildings including materials to be used on external surfaces;
- c. The means of access to the Plot or part thereof;
- d. The use of any part of the Plot not proposed to be covered by buildings and the treatment of these uses (including roadways, paving, gates, walls and fences and waterfront safety measures);
- e. The extent, location and position of the floorspace to be devoted to each use hereby

permitted;

Reason:

To ensure that the details of the development are acceptable to the Local Planning Authority in accordance with Policy CM1 of the Core Strategy (July 2010).

39) Prior to the commencement of development of each Plot or part thereof pursuant to this permission, full details of the following shall be submitted to and approved in writing by the Local Planning Authority:

- a. The accommodation for car, coach, motorcycle and cycle parking, where relevant including the number of spaces, their location, layout, allocation, management, along with signage taking account of disabled persons needs, electric vehicle charging points (including both 'active' and 'passive' provision in accordance with the London Plan (as amended 2016));
- b. The accommodation for the loading and unloading of vehicles including tracking plans indicating that vehicles may enter and leave the servicing area in a forward gear;
- c. The layout of Tertiary Roads for the circulation of vehicles within the Plot or part thereof including the location of services media, junction works, traffic signs, directional signs, pedestrian crossings, traffic control measures and turnarounds and the details of the construction standards and timetable;
- d. The layout of public footways, cycleways and other means of public access within the Plot or part thereof;
- e. The scheme for lighting roads, footpaths, cycleways, the river frontage and all other areas accessible to the public (where appropriate), including the height of lighting columns and the types, colour and brightness of proposed lights;
- f. Measures taken to protect and enhance areas of importance for their nature conservation value, particularly the Ripple Nature Reserve, the inter-tidal mud flats and relict areas of riverside marshland;
- g. Details of play, formal and informal open space per Plot or part thereof and how Reserved Matters have been designed in accordance with the principles of the Play, Sport and Recreation Strategy;
- h. Where the Plot or part thereof includes land that would comprise or form part of the proposed Thames-side path, full details of the provision of access for servicing and maintaining the river defences and associated structures, access for emergency vehicles and access for recreation of that part where appropriate;
- i. Details of the measures (including design solutions) to address the effects of operations outside the site upon the future occupation and employment of residents, occupiers and visitors;
- j. A further access statement illustrating how the Access Strategy submitted under Condition 35 will be delivered;
- k. Demonstrate how buildings can be constructed so as to mitigate noise disturbance arising from existing and proposed noise sources both outside (including the operation of adjoining safeguarded wharves) and within a building and how consideration has been given to the siting of noise sensitive buildings;
- l. Details of pollution control measures for all car parking, servicing and loading areas;
- m. Details of the appearance of any extract system and associated equipment (which shall include measures to alleviate fumes and odour and incorporating activated carbon filters where necessary) and any other plant or equipment on the roof;
- n. Demonstrate compliance with the Mayor of London Housing SPG March 2016 (or equivalent document superseding the 2016 SPG);
- o. Demonstrate that Plots are capable of being able to deliver a minimum of 10% of the

residential units constructed to Building Regulations Optional Requirement Approved Document M4 (3) Category 3: (Wheelchair user dwellings) (2015 edition); and  
p. Demonstrate how the Plot is addressing private amenity space, including garden sizes across the Plot.

q. Details of any gas protection measures necessary to mitigate the impacts of ground gas.

Reason:

To ensure that the details of the development are acceptable to the Local Planning Authority in accordance with Policy CM1 of the Core Strategy (July 2010).

### Remediation

40) Prior to the occupation of a Plot, a verification report (or validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy BR5 of the Borough Wide Development Policies DPD (March 2011).

### Acoustics

41) The Plot developer shall ensure that the acoustic performance of the residential units meets the requirements of 'desirable' as set out in Table 4 of BS8233 2014 or such similar standard that may be revised from time to time.

Reason:

To protect the amenity of future adjoining occupiers, in accordance with Policies BR13 and BP8 of the Borough Wide Development Policies DPD (March 2011).

### Nature Conservation & Landscape

42) Prior to the commencement of development of a Plot or part thereof pursuant to this permission, a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned domestic gardens relating to that Plot or part thereof, shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan should include a planting scheme for the site. The approved scheme shall be carried out in accordance with a programme for planting and maintenance related to Stages of completion of the development and be in accordance with the nature conservation and landscape strategy within the relevant SFP.

Reason:

In order to preserve and enhance the Borough's natural environment and to comply with Policy CR2 of the Core Strategy (July 2010) and Policy BR3 of the Borough Wide Development Policies DPD (March 2011).



### Parking and Servicing

43) Where the detailed design of buildings approved pursuant to conditions 38 and 39 includes provision of accommodation for car parking and for loading and unloading of vehicles to the development such provision for car parking and loading and unloading of vehicles shall be provided before the commencement of the use of the buildings to which it relates and shall be retained permanently for the accommodation of the vehicles of the occupiers or persons calling at the premises only and shall not be used for any other purpose.

#### Reason:

To ensure that the approved development does not prejudice the free flow of the traffic or conditions of general safety along the neighbouring highway, or the safety of future occupiers, and in accordance with Policy BR10 of the Borough Wide Development Policies DPD (March 2011).

44) Prior to the occupation of a Plot or part thereof pursuant to this permission, involving non-residential uses, a Deliveries and Servicing Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall be designed to minimise deliveries and export of materials within the times of peak traffic congestion on the local road network and minimise the impact on the amenity of existing and future adjoining occupiers. The Plan shall be implemented in accordance with the approved details and thereafter maintained.

#### Reason:

In order to minimise the impact of the development on the free flow of traffic on the local highway network during peak periods in the interests of highway safety and to protect the amenity of existing and future occupiers in accordance with Policies BR10 and BP8 of the Borough Wide Development Policies DPD (March 2011).

### Safeguarding Surfaces - London City Airport

45) Prior to the commencement of each Plot or part thereof pursuant to this permission, the method of construction, including details of the use, location and height of cranes and other plant and equipment or temporary structures in that Plot or part thereof, shall be submitted to and approved in writing by the Local Planning Authority in consultation with the operator of London City Airport.

#### Reason:

To ensure that safeguarded surfaces for London City Airport are not infringed in accordance with Policy BP4 of the Borough Wide Development Policies DPD (March 2011).

46) Any buildings or structures (including temporary structures such as cranes, scaffolding or other plant) over 95m AOD (above ordnance datum) will require the prior written approval of the Local Planning Authority in consultation with the operator of London City Airport.

#### Reason:

To ensure that safeguarded surfaces for London City Airport are not infringed in accordance with Policy BP4 of the Borough Wide Development Policies DPD (March

2011).

### Drainage

47) No development of a Plot or part thereof pursuant to this permission shall commence until details of onsite drainage works relating to that Plot or part thereof have been submitted to and approved in writing by the Local Planning Authority in consultation with the sewerage undertaker. No works or uses which result in the discharge of foul or surface water from the site shall be commenced until the on-site drainage works referred to above to service those works or uses have been completed. Such scheme shall be in accordance with the strategic infrastructure scheme.

Reason:

To improve and protect water quality in accordance with Policy BR4 of the Borough Wide Development Policies DPD (March 2011).

### Access

48) The Plot developer shall not commence any Plot pursuant to this permission, until the Plot Level Access Statement relevant to that Stage has been approved by the Local Planning Authority.

Reason:

To ensure an inclusive environment in accordance with Policy CP3 of the Core Strategy (July 2010) and Policy BP11 of the Borough Wide Development Policies DPD (March 2011).

### Air Quality

49) Each Plot shall be designed to satisfy the relevant air quality neutral benchmarks set out in the Greater London Authority Document "Sustainable Design and Construction - Supplementary Planning Guidance -London Plan 2011-Implementation Framework", April 2014; Appendix 5 - emission benchmarks for buildings and Appendix 6 - emission benchmarks for transport.

Reason:

To protect the amenity of future adjoining occupiers, in accordance with Policies BR14 and BP8 of the Borough Wide Development Policies DPD (March 2011).

### Code of Construction Practice for Plots

50) Prior to the commencement of a Plot pursuant to this permission, a Code of Construction Practice shall be submitted for approval in writing by the Local Planning Authority. No development shall commence on that Plot until the relevant Code has been approved. The Stage must be developed out in accordance with the approved Code of Construction Practice.

Reason:

In the interest of pollution and residential amenity, in accordance with Policy BP8 of the Borough Development Policies DPD (March 2011).

51) No development of a Plot pursuant to this permission shall commence, including any works of demolition, until a Construction Environmental Management Plan (CEMP) and a Site Waste Management Plan (SWMP) have been submitted to and approved in writing by the Local Planning Authority. These plans shall incorporate details of:

- a. Construction traffic management and Construction Logistics Plan;
- b. The parking of vehicles of site operatives and visitors;
- c. Loading and unloading of plant and materials;
- d. Storage of plant and materials used in constructing the development;
- e. The erection and maintenance of security hoarding(s) including decorative displays and facilities for public viewing, where appropriate;
- f. Wheel washing facilities;
- g. Measures to control the emission of dust, dirt and emissions to air during construction; such measures to accord with the guidance provided in the document "The Control of Dust and Emissions during construction and demolition", Mayor of London, July 2014; including but not confined to, non road mobile machinery (NRMM) requirements.
- h. A scheme for recycling/disposing of waste resulting from demolition and construction works;
- i. The use of efficient construction materials;
- j. Methods to minimise waste, to encourage re-use, recovery and recycling, and sourcing of materials; and a nominated Developer/Resident Liaison Representative with an address and contact telephone number to be circulated to those residents consulted on the application by the developer's representatives. This person will act as first point of contact for residents who have any problems or questions related to the ongoing development.

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

The Construction Management Plan shall be implemented for the entire period of the works at the site, to the satisfaction of the Local Planning Authority.

Reason:

The CEMP is required prior to commencement of development in order to minimise the impact of the construction phase on the environment and on the amenities of neighbouring residents, in accordance with Policy BP8 of the Borough Development Policies DPD (March 2011).

52) Demolition and construction work and associated activities of a Plot are only to be carried out between the hours of 08:00 and 18:00 Monday to Friday and 08:00-13:00 Saturday with no work on Sundays or public holidays. Driven piling or ground improvement work which will generate perceptible off-site ground borne vibration is only to be carried out between the hours of 08:00 and 18:00 Monday to Friday.

Reason:

In order to minimise the impact of the construction phase on the environment and on the amenities of neighbouring residents, in accordance with Policy BP8 of the Borough

Development Policies DPD (March 2011).

**Conditions relating to Plot Developers and Occupiers**

Hours of Use

53) Other than with the prior written approval of the Local Planning Authority the Classes A1, A3, A4, A5, B1 and D1 (non-residential uses) uses hereby permitted are to be permitted to trade between the hours of 07:00 and 23:00 on any day and at no other time.

Reason:

To protect the amenity of future adjoining occupiers, in accordance with Policies BR13 and BP8 of the Borough Wide Development Policies DPD (March 2011).

**APPROACH TO DECISION-TAKING:**

The council has adopted the approach detailed in paragraphs 186 and 187 of the National Planning Policy Framework in dealing with this application.

**Dated 26th October 2018  
London Borough Of Barking & Dagenham  
Barking Town Hall  
1, Town Square  
Barking IG11 7LU**



**Graeme Cooke, Director Of Inclusive Growth**

**IMPORTANT - ATTENTION IS DRAWN TO THE NOTES OVERLEAF**

## NOTES

### Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice (except in the case of applications subject to an Enforcement Notice where appeals must be lodged within 28 DAYS).
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

## PURCHASE NOTICES

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its present state nor can render the land capable of a reasonable beneficial use by carrying out any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council. His notice will require the Council to purchase his interest in the land in accordance with the provisions of Part IV of the Town and Country Planning Act 1990.

## NOTES

- (1) The attention of developers is drawn to the fact that any failure to adhere to the details of the approved plans, or failure to comply with conditions attached to a planning permission, constitutes a contravention of the provisions of the Town and Country Planning Acts in respect of which enforcement action may be taken.
- (2) The decision overleaf is for planning permission only, but it may be necessary for your plans to be passed under BUILDING REGULATIONS (unless this has already been done). Nor does this consent relieve the applicant of any duties or obligations to obtain the necessary consent of any other interested party under Common Law or any other Statute other than the Town and Country Planning Acts.