

LONDON BOROUGH OF BARKING & DAGENHAM

PLANNING COMMITTEE

30th November 2020

Application for Planning Permission

Case Officer:	Nathaniel Soneye-Thomas	Valid Date:	28.0.2020
Applicant:	LBBB	Expiry Date:	27.11.20 (subject to a PEA)
Application Number:	20/01686/FULL	Ward:	Chadwell Heath
Address:	Padnall Lake, Padnall Road, Romford, RM6 5ER		

The purpose of this report is to set out the Officer recommendations to Planning Committee regarding an application for planning permission relating to the proposal below at Padnall Lake, Padnall Road, Romford, RM6 5ER.

Proposal:

'Hybrid' planning application seeking detailed planning permission for Phase 1 and outline planning permission for Phase 2, comprising: Outline Planning Permission (all matters reserved) for erection of buildings comprising up to 219 residential units (Use Class C3), up to 300 square metres (GEA) of flexible floorspace for residential use (Use Class C3) or non-residential use (Use Class D1), open space and public realm, means of pedestrian and vehicular access and circulation, car parking and cycle parking, and associated works; and Detailed planning permission for erection of buildings ranging between 3 and 6 storeys (Plots 1, 2 and 3) comprising 81 residential units (Use Class C3) and 181 sqm (GEA) of non-residential floorspace (Use Class D1), open space and public realm, parking and cycle parking, plant, other associated works; and associated infrastructure (Plot 4).

Officer Recommendations:

Planning Committee is asked to resolve to:

1. agree the reasons for approval as set out in this report; and
2. delegate authority to the London Borough of Barking & Dagenham's Director of Inclusive Growth in consultation with LBBB Legal Services to grant planning permission subject to any direction from the Mayor of London, the completion of a Unilateral Undertaking under S106 of the Town and Country Planning Act 1990 (as amended) based on the Heads of Terms identified at Appendix 7 of this report and the Conditions listed at Appendix 6 of this report; and
3. that, if by 30 May 2021 the legal agreement has not been completed, the London Borough of Barking & Dagenham's Director of Inclusive Growth is delegated authority to refuse planning permission or extend this timeframe to grant approval.

Conditions Summary:

Outline Planning conditions

- Time
- Approved Drawings & Documents
- Maximum Quantum of floorspace

Detailed Application

- Time
- Approved Drawings & Documents

Site Wide conditions

Prior to all works/commencement Conditions

- Contaminated Land
- Phasing
- Construction Management
- Archaeology (WSI)
- Materials and Balcony Details
- Electric vehicle charging points
- Trees
- Hard/Soft Landscaping Details
- Tree Protection
- Landscape and Ecological Management Plan
- Piling Method Statement

Prior to first occupation and/or use Conditions

- Play space implementation
- Parking Management Plan
- Car Parking Implementation
- Cycle Parking Implementation
- Sustainable Drainage
- Community facility management plan
- Crime Prevention Scheme
- External Lighting
- Renewable Energy Infrastructure
- Details of Kitchen Extract Ventilation System
- Air Quality

Monitoring & Management Conditions

- Building Regulations M4(2)
- Building Regulations M4(3)
- Control of community uses
- Removal of Permitted Development Rights
- Hours of operation
- Control of dust and emissions
- Noise Mitigation
- Circular Economy
- Non-Road mobile vehicles and air quality

S106 – Summary of Heads of Terms:

Administrative:

1. Payment of the Council's professional and legal costs, whether or not the deed completes;
 2. Payment of the Council's fees of minimum £3,500 in monitoring and implementing the Section 106 and payable on completion of the deed; and,
 3. Indexing – all payments are to be index linked from the date of the decision to grant planning permission to the date on which payment is made, using BCIS index.
- Provision of on-site affordable housing offer at 59% on a unit basis comprising the following, unless otherwise agreed in writing with the Local Planning Authority:

- Block 01 – 44 units – Affordable Rent
- Block 02 – 11 units – Affordable Rent
- Houses – 26 Homes – London Affordable Rent

Remaining *maximum* 219 residential units comprising 30% London Affordable rent and 70% Affordable Rent unless otherwise agreed in writing by the Local Planning Authority.

- An early-stage affordable housing review is to occur in the event that the development is not implemented within two years of approval Payment of the Council's reasonable costs associated with scrutiny of the viability submissions.

Transport

- Prior to above ground works of the development the developer shall submit to the council a detailed highway design and enter into a s278 agreement to undertake highway improvements to existing public highway forming a new bellmouth junction for access to the development with Padnall Road, comprising raised junction formation with associated drainage, lighting and markings.
- Car Parking permit free development, with one car club vehicle to be supplied and operated in specified car club space to be operational prior to first occupation of Phase 2. Provision of car club for initial 3 years whereupon it should become self-financing. Commitment to provide one-year free car club membership to all residents.
- Contribution of £23,000 to the implementation of Controlled Park Zone within existing roads of Marks Gate locality to be paid prior to first residential occupation
- Provision of additional bus shelters to create 4 no. double bus shelters to bus stops along A12 adjacent to development boundary prior to first residential occupation
- Contribution of £50,000 to be paid prior to first residential occupation to subway improvements to the 3 subways under the A12 including but not limited to improved lighting within and at the entrance to each subway, nominal non-structural repairs to walls and soffits of subways where spalling has occurred, cleaning/re-painting of the eastern and central subway.
- Contribution of £50,000 to be paid prior to first residential occupation for 9 Active Travel Zone Routes as defined with Transport Assessment (August 2020) and Transport Assessment Addendum (November 2020). Improvements include but not limited to wayfinding, seating, greening, lighting and artwork.
- Contribution towards local bus services payable upon implementation of Phase 2 of the development and in consultation with TFL and the Local Highways Authority.

Employment and Skills

- Secure an Employment, Skills and Suppliers Plan 6 months prior to commencement of development, ensuring that a minimum of 25% of labour and suppliers required for the construction of the development are drawn from within the Borough, to maximise opportunities for local residents and businesses

Sustainability

- The development shall achieve a minimum 61% reduction in carbon dioxide emissions over Part L of the Building Regulations 2013 (when applying updated SAP 10 emission factors) through on-site provision, and a monetary contribution shall be made to the Local Authority's carbon offset fund for each phase of the proposed development to offset the remaining carbon emissions to net zero-carbon.
- A sum of £45, 207.00 shall be paid to the council prior to the commencement of the proposed development to achieve air quality neutrality.

Off-Site Play Space Contribution

- A sum of £50,000 to be paid and to go towards child play space at Marks Gate recreation ground and St Chads Park.

OFFICER REPORT

Planning Constraints:

Open Space
Site of importance for nature conservation (Sinc- Core strategy)

Site, Situation and relevant background information:

The site covers an area of approximately 5.17 hectares and is located to the North of the borough in Chadwell Heath. The site is currently vacant and is identified as protected open space however there is an aspiration to designate the land for housing as part of the local plan review process which is now at the regulation 19 stage. The existing green space is located to the immediate North of A12 which serves a main arterial route through the borough. The site surroundings are predominantly residential in character comprising a number of 3 storey residential blocks with the exception of a 17 storey block adjacent to the eastern edge of the development site.

The proposed development in this instance has been sought as a hybrid application which comprises a detailed element to the submission seeking 81 residential units with associated community floorspace and phase 2 consisting of 219 residential units. The outline component has been submitted with all matters reserved and as such it is expected that the reserved matters application would be submitted at a later date.

Key issues:

- Principle of the proposed development
- Dwelling mix and Quality of accommodation
- Design and quality of materials
- Impacts to neighbouring amenity
- Sustainable Transport
- Employment
- Impact to existing Education Provision
- Waste management
- Delivering Sustainable Development (Energy / CO₂ reduction / Water efficiency)
- Biodiversity & Sustainable drainage

Planning Assessment:

Principle of the development:

<i>Existing use(s) of the site</i>	Public Open space (Sinc)
<i>Proposed use(s) of the site</i>	C3, D1

- 1.1 Residential Floorspace
- 1.2 The National Planning Policy Framework (NPPF) (MHCLG, February 2019) seeks to promote delivery of a wide choice of high quality homes which meet identified local needs (in accordance with the evidence base) and widen opportunities for home ownership, and which create sustainable, inclusive and mixed communities
- 1.3 The London Plan - The Spatial Development Strategy for London (GLA, consolidated with alterations since 2011 and published March 2016) (LP) Policy 3.3 which outlines that there is a pressing need for more homes in London to meet need, allocating a strategic target of 19,945 homes in Newham between 2015 and 2025. Policies 3.5 and 3.8 also require that a genuine choice of new homes should be supported which are of the highest quality and of varying sizes and tenures in accordance with Local Development Frameworks. Residential developments should enhance the quality of local places and take account of the physical context, character, density, tenure and mix of the neighbouring environment and incorporate as a minimum the space standards outlined within table 3.3 and the more detailed requirements as outlined within the London Housing Supplementary Planning Guidance (SPG, GLA March 2016). Draft London Plan: The Spatial Development Strategy for Greater London (Draft for Consultation December

2017 with minor consolidated changes July 2019) (Draft London Plan) aims to deliver 'good growth', while significantly increasing housing delivery within its boundaries, with a renewed focus on delivery of affordable housing.

- 1.4 On a local level, Policy CM1 of the Core Strategy DPD that development should meet the needs of new and existing communities and deliver a sustainable balance between housing, jobs and social infrastructure, with Policy CM2 further emphasising the specifying housing growth targets of the Borough. Policy BP10 of the Borough Wide DPD further supports this by emphasising the need to optimise suitable sites to help deliver suitable housing for the Borough's high levels of identified housing need.
- 1.5 The proposed development seeks to demolish the existing car wash and operations at the site and erect a three-storey building comprising 12 residential units (Use Class C3) with associated amenities. Officers acknowledge that the site has a site designation within the draft local plan which recognises the potential for the delivery of residential development. Officers therefore also consider the proposed development to accord with the wider strategic vision for this location in delivering a housing led development.

Loss of Open Space

- 1.6 The NPPF through paragraph 96 outlines that Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.
- 1.7 Policy 7.18 of the adopted local plan states that the loss of protected open spaces must be resisted unless equivalent or better-quality provision is made within the local catchment area. Replacement of one type of open space with another is unacceptable unless an up to date needs assessment shows that this would be appropriate. This is supported by Policy G4 of the intend to publish London Plan which states that Open spaces, particularly those planned, designed and managed as green infrastructure – provide a wide range of social, health and environmental benefits, and are a vital component of London's infrastructure. All types of open space, regardless of their function, are valuable in their ability to connect Londoners to open spaces at the neighbourhood level. On a local scale this is supported through Policy DMNE1 within the draft Local Plan ref 19 version.
- 1.8 The site currently benefits from a lake and a large proportion of green land. The protected open space covers a total area of approximately 3.77hectares. The proposed development would seek to build on a large proportion of this site which would in turn result in a total reduction in the open space by 51%. It is noted in the above mentioned policies that development that results in the loss of open space should generally be resisted unless an equivalent quantum is re-provided on site; development should otherwise seek to improve open spaces especially in places of deficiency.
- 1.9 Officers give regard to local plan policy and designations which have outlined the potential for the location as a housing site. Whilst officers accept that the principle of bringing forwards housing is not contested; there must be consideration of the loss of the open space to accord with the relevant overarching policies outlined above. The applicant has submitted an open space assessment in support of the application. Officers consider the existing green space that sits to the south of the Marks Gate estate to be of low amenity value which currently provides a reasonable buffer between the A12 and the existing houses.
- 1.10 The redline boundary for the application also extends to the West of the site to the existing lake which comprises a number of trees and a high volume of vegetation. Through the local plan process and in preparation for the submission of the proposed development, the council have reviewed the previous SINC status of the site attached to the core strategy and conducted ecological surveys to ascertain whether any specific species reside in this location that would be at risk as a result of the development. It has been concluded that there would be little to no adverse risk as a result of the development. Additionally, offices have apportioned weight to the wider benefits of the scheme which have sought to address the current amenity value of the site

and bring forwards high quality landscaping improvements across the site including a 530% increase in biodiverse planting, 18% in biodiverse wetland, increase in meadow planting with new bat and bird boxes. These improvements are also reflected through the urban greening factor which has been calculated as 0.6 which comfortably exceeds the 0.4 requirement set out within the London Plan. Officers note the above measures would benefit the new residents of the proposed homes and the existing occupants of the surrounding residential blocks which weigh in favour of the proposal to development on this land. Furthermore, due regard has been given to the high proportion of family sized units and provision of up to 300 affordable homes, officers consider the development would provide high quality affordable homes for residents of the London Borough of Barking and Dagenham.

- 1.11 Moreover, officers accept the findings of the open space assessment which concludes that within the 400m catchment area of the site there are no other open spaces that could provide a compensatory capacity. Notwithstanding this, officers accept that even with the loss of the open space on site this would not result in a deficiency within the area. The proposal also seeks to introduce an additional local park to the North of the site for the benefit of existing and future residents.
- 1.12 Officers consider on balance, that the proposed development with respect to the loss of the protected open space would be considered acceptable when assessing the cumulative benefits of the development. Including the commitment to improving landscaping site-wide through an intense biodiverse planting schedule, increased walking routes to contribute to the accessibility of the site as well as the social benefits of the scheme providing a high quantum of affordable and family housing. Significant weight has been placed on the conclusions of the open space assessment also which has found that there would be no capacity for increased open space provision within a 400m catchment. However it is noted that there has been a commitment to provide a financial contribution of £50,000 for improvements to St Chads Park and Marks Gate recreation ground. Officers have secured the landscape management plan by way of a condition which must also have regard to the phasing of the landscaping which should seek to deliver improvements on site prior to the loss of any of the existing open space.

Community floorspace

- 1.13 London Plan Policy 3.16 and the Mayor intend to publish London Plan Policy S1 seek to protect and enhance social infrastructure provision. The policies further state that development proposals that provide high quality social infrastructure will be supported and support inclusive access to such facilities.
- 1.14 The proposed development seeks to provide a maximum of 481 sqm of community floorspace. Officers note that this is considered acceptable. This has also been identified within the Draft Local Plan which outlines the suitability of major development on this site to provide flexible community facilities.
- 1.15 Officers note that there is not an identified end user for the occupation of the community floorspace. Appropriate conditions have been recommended to control any loss of amenity that would be experienced with respect to hours of operation, noise insulation, ventilation details and a community facility management plan. These are considered appropriate in safeguarding any potential future occupation of this space.
- 1.16 Having regard to the abovementioned conditions, the proposed flexible community floorspace is considered acceptable.

Dwelling mix and Quality of accommodation:			
<i>Proposed Density u/ph:</i>	57u/ha	<i>Overall % of Affordable Housing:</i>	100%
<i>LP Density Range:</i>	35-95 u/ha.	<i>Comply with London Housing SPG?</i>	Yes
<i>Acceptable Density?</i>	Yes	<i>Appropriate Dwelling Mix?</i>	Yes

Density

- 1.17 London Plan Policy 3.4 seeks to optimise housing output for different types of locations within the relevant density range as indicated within Table 3.2. This policy also acknowledges that the density matrix should not be applied mechanistically, and that other factors such as context, layout, residential quality and impact to amenity need to be taken into account in concluding whether the density is appropriate. The site is characterised as sub-urban for the purposes of calculating density and benefits from a PTAL of 1b-2; as such, the London Plan requirements for the site would be a density range between 35-95 u/ha.
- 1.18 Draft London Plan Policy D6 states that development proposals must make the most efficient use of land and be developed at the optimum density. The optimum density of a development should result from a design-led approach to determine the capacity of the site. The Draft London Plan has not yet been adopted and whilst material and relevant, Officers apportion less weight to these requirements than those within adopted policies outlined above which are accorded full weight. Draft London Plan Policy H12 seeks to ensure schemes deliver an appropriate mix of units to the nature and location of the site.
- 1.19 On the basis of the site being urban in character and having a PTAL rating, Table 3.2 of the London Plan sets out indicative density guidance of between 35/95u/ha. The development proposes a density of 57 u/ha which sits comfortably within the density expected for a site of this nature.
- 1.20 Whilst officers accept that the density matrix does not necessarily need to be applied mechanistically and there can be variance subject to further consideration into the detailed design and overall benefits of the scheme. It is considered in this instance that the proposed development in this instance accords with the abovementioned policies and the sustainable density matrix.

Dwelling Mix

- 1.21 The NPPF seeks “to deliver a wide choice of high-quality homes”. It recognises “Government attaches great importance to the design of the built environment” and that “good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people”. In addition, Policy 3.8 of the London Plan seeks to ensure that new residential developments comprise a mix of unit sizes to address the housing needs of the local area.
- 1.22 Draft London Plan Policy H12 sets out all the issues that applicants and boroughs should take into account when considering the mix of homes on a site. In particular H12C states the following: “Boroughs should not set prescriptive dwelling size mix requirements (in terms of number of bedrooms) for market and intermediate homes.”.
- 1.23 Similarly, Policy CC1 of the Core Strategy seeks to secure the delivery of a mix and balance of housing types, including a significant increase in family housing. The policy requires major housing developments (10 units or more) to provide a minimum of 40% family accommodation (3-bedroom units or larger). Nevertheless, it should be acknowledged that not all sites are suitable for family-sized accommodation. Emerging local plan (at Reg 19 stage) SP4 also supports the delivery of family accommodation but does not specify a particular target.
- 1.24 The application proposes 300 residential units across both phases of development however Phase 1 which is a detailed submission comprising 81 residential units with the following residential mix:
- 13 x 1 Bedroom units (16%)
 - 32 x 2 Bedroom units (40%)
 - 36 x 3 Bedroom units (44%)
- 1.25 Officers are satisfied with the proposed residential housing mix which has outlined a balanced mix of 1,2 and 3 bedroom units. Moreover, the proposed development has achieved a high proportion of family units which exceeds the 40% aspiration set out within the local plan. Officers note that only indicative information has been provided with respect to Phase 2 of the development and

housing mix will be subject to additional consideration of the housing mix set out within the development plan.

Affordable Housing

- 1.26 Chapter 5 of the NPPF requires local authorities to identify affordable housing need and set policies for meeting this need. Paragraph 57 states: “Where up to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.”
- 1.27 Policy 3.12 of London Plan (Negotiating affordable housing should be sought when negotiating on individual private residential and mixed-use schemes) states that:
- A) The maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential and mixed-use schemes, having regard to:
- a) Current and future requirements for affordable housing at local and regional levels identified in line with Policies 3.8, 3.10 and 3.11 and having particular regard to the guidance provided by the Mayor through the London housing Strategy, supplementary guidance and the London Plan Annual Monitoring Report;
 - b) Affordable housing targets adopted in line with Policy 3.11;
 - c) The need to encourage rather than restrain residential development (Policy 3.3);
 - d) The need to promote mixed and balanced communities (Policy 3.9);
 - e) The size and type of affordable housing needed in particular locations;
 - f) The specific circumstances of individual sites;
 - g) Resources available to fund affordable housing, to maximise affordable housing delivery output and the investment criteria set by the Mayor;
 - h) The priority to be accorded to provision of affordable family housing in policies 3.8 and 3.11.
- B) Negotiations on sites should take account of their individual circumstances including development viability, the availability of public subsidy, the implications of phased development including provisions for re-appraising the viability of schemes prior to implementation (‘contingent obligations’) and other scheme requirements.
- C) Affordable housing should normally be provided on-site. In exceptional cases where it can be demonstrated robustly that this is not appropriate in terms of the policies in this Plan, it may be provided offsite. A payment in lieu contribution should only be accepted where this would have demonstrable benefits in furthering the affordable housing and other policies in this Plan and should be ring-fenced and, if appropriate, pooled to secure additional affordable housing either identified sites elsewhere or as part of an agreed programme for provision of affordable housing.
- 1.28 Officers note that the development has been proposed as 100% affordable which significantly exceeds the Mayor’s 50% target set out within the London Plan. The development seeks to provide the affordable units on a tenure split between London affordable rent and affordable rent. More specifically the London affordable rent would make up 30% of the units and the remaining 70 would be affordable rent. Whilst officers note that Policy DMH1
- 1.29 It is accepted that the proposed development has been submitted as a hybrid application and as such phase 2 of the development will be subject to additional consideration as part of reserved matters submissions. Notwithstanding this, the commitment to the tenure split is site wide relating to both Phase 1 and 2 of the development and as such will be included as a head of term.

- 1.30 In addition to the above, as outlined within the Mayors Affordable Housing SPG a review mechanism has been recommended for the proposed development. Given that the scheme is entirely affordable and does not achieve the 50% aspiration for low cost rent or social housing within Policy DMH1 of the Draft Local Plan. Officers overall accept that the proposed development would still provide a high quantum of London affordable rent at 30%. Additionally, officers note that the proposed development has been progressed through the pre-application process to which officers have continually maintained a positive response to the above tenure split.
- 1.31 Further to the above however, in line with the Mayors Viability SPG an early stage review mechanism is to be included. It is recommended that the early stage review will trigger if substantial implementation is not achieved within two years of the date of the permission, i.e. following the completion of all ground preparation works and the foundations for the core of the development. If the agreed level of progress has been made, the early stage review will not be triggered. This will relate specifically to Phase 1 of the development as Phase 2 will still require detailed consideration of reserved matters applications.
- 1.32 In conclusion, the affordable housing proposal represent the maximum reasonable provision that the scheme can deliver with a tenure split which has been deemed acceptable by officers. The proposed development would make an important contribution towards the provision of new housing within the Borough and London, and it is considered the affordable housing proposal is considered acceptable.

Quality of Accommodation

- 1.33 The MHCLG Technical Housing Standards – nationally described space standard specifies the space standards required for new dwellings. The London Plan, Policy 3.5 and supporting Housing SPG require new housing development to meet these standards as a minimum and provides further criteria to ensure an acceptable quality of accommodation is provided for users. The Council’s Local Plan reiterates the need for housing development to conform to these requirements. The Technical Housing Standards stipulate minimum gross internal floor areas (GIAs) for dwellings/units based on the number of bedrooms, intended occupants and storeys, minimum bedroom sizes of 7.5m² for single occupancy and 11.5m² for double/twin occupancy, plus further dimension criteria for such spaces. Built in storage is required for all units with minimum sizes depending on the number of bedrooms and occupants, and minimum floor to ceiling heights are stipulated as at least 2.3m for at least 75% of the GIA.
- 1.34 Officers give further regard to adopted London Plan Policy 3.5 which outlines that “Housing developments should be of the highest quality internally and externally in relation to their context and to the wider environment”. In addition to the space standards above the SPG also specifies standards in relation to access to outlook, daylight and sunlight.
- 1.35 London Plan Policy 3.8 (Housing choice) requires ninety percent of new housing meets Building Regulation requirement M4 (2) ‘accessible and adaptable dwellings’ and ten per cent of new housing meets Building Regulation requirement M4 (3) ‘wheelchair user dwellings’. The Council may impose a condition in respect of the quantum of housing that must meet Category M4(2) and M4(3) of the Building Regulations, however the applicant is required to conform to building regulation requirements and ensure the development is deliverable.
- 1.36 Policy D6 of the Draft London Plan seeks minimum standards in relation to private internal space and private outdoor space. Draft London Plan Policy D5 seeks to ensure that at least 10 per cent of new build dwellings meet Building Regulation requirement M4(3) ‘wheelchair user dwellings’ and that all other new build dwellings meet Building Regulation requirement M4(2) ‘accessible and adaptable dwellings’.
- 1.37 The London Housing SPG requires all dwellings to be accompanied by adequate private open space (i.e. outdoor amenity area). Standard 26 of the Housing SPG sets a minimum space requirement of 5 sq. m per 1-2 person dwelling with an extra 1 sq. m for each additional occupant.
- 1.38 The draft London Plan specifically through Policies GG4, D1, D2, D4 and D6 all emphasise the importance of high-quality design in development. Policy D4 reiterates and includes further requirements of the Technical Housing Standards within the policy itself and the minimum 2.5m floor to ceiling height is stipulated as a requirement rather than merely strongly encouraged.

- 1.39 The space standards outlined in the London Plan are expressed as minimums and should be exceeded where possible. They should be a basis to promote innovative thinking about designing space and how it is to be used within the home. Additionally, the Mayor's Housing SPG stipulates developments should avoid single aspect dwellings that are north facing.
- 1.40 It is noted that all of the 81 residential units accord with the minimum internal space standards set out above; additionally, adequate private amenity space has been provided in accordance with the Housing SPG and London Plan standards. The submitted plans have also indicated that the floor plans would allow efficient use of the internal space without creating undue additional effort, contributing positively to the fitness for purpose of the internal spaces. Furthermore, the stacking of units is generally acceptable and consistent throughout the development.
- 1.41 The proposed development has also only reflected 1 single aspect unit. Notwithstanding this, it is considered that this is a 1-bedroom unit which significantly exceeds the minimum space standards with a generous terrace. It is considered overall that the proposed units in Phase 1 benefit from adequate levels of positive outlook, and sunlight.
- 1.42 London Plan Policy 3.6 and Policy S4 of the Mayor's intend to publish London Plan seek to ensure that development proposals include suitable provision for play and recreation, and incorporate good-quality, accessible play provision for all ages, of at least 10 sq/m. per child. As per the GLA's Play and Informal Recreation SPG, based on the type and number of units provided within the development, the scheme is required to provide child's play space. The applicant has given referenced to the required quantum of play space required for this development which has been stated as 2690sq/m. The submitted strategy outlines that there is a commitment to provide 3038sq/m of play space.
- 1.43 Officers consider that the proposed development would require 640sq/m within phase 1 of the development for play space for all ages. Due consideration must be had to the delivery of this phase prior to the consideration of a detailed application for phase 2. As such, a play space implementation condition has been recommended relating to the phasing of the play space to ensure the minimum requirement is achieved prior to the occupation of the residential units within phase 1. It has outlined however that for 12+ year olds play space that 570 sq/m would seek to be provided offsite due to a maximum amount being provided on site. This has been offset through a financial contribution of £50,000 for the improvement of St Chads Park to the South of the site. Whilst this is considered essential, officers consider that this would be payable upon implementation of Phase 2 of the development.
- 1.44 10% of units have been designed to be fully wheelchair accessible, adhering to Building Regulations M4(3). All the remaining units have been designed to be fully wheelchair adaptable, adhering to Building Regulations M4(2). The plans have demonstrated accordance with these standards however, officers consider it necessary to recommend a compliance condition to ensure that these units are designed to this standard upon occupation of the residential units.
- 1.45 Taking into consideration the above and imposition of relevant conditions. Officers consider the proposed development in respect of the quality of accommodation to be acceptable

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

- 1.46 Objective 124 of the NPPF states that "good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities".
- 1.47 Objective 125 states "plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable".

- 1.48 Objective 127 details that planning policies and decisions should aim to ensure that developments:
- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
 - establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
 - optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
 - create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 1.49 Objective 129 states: “Local planning authorities should ensure that they have access to, and make appropriate use of, tools and processes for assessing and improving the design of development. These include workshops to engage the local community, design advice and review arrangements, and assessment frameworks such as Building for Life”.
- 1.50 Further, objective 130 states: “Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used)”.
- 1.51 Policy 7.1 of the London Plan states that the design of new buildings and the spaces they create should help reinforce the character and accessibility of the neighbourhood.
- 1.52 Policy 7.2 of the London Plan details that the Mayor will require all new development in London to achieve the highest standards of accessible and inclusive design and will support the principles of inclusive design which seek to ensure that developments can be used by all, regardless of disability, age, gender, ethnicity or economic circumstances
- 1.53 Policy 7.4 of the London Plan additionally requires development to have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It is also required that in areas of poor or ill-defined character, new development should build on the positive elements that can contribute to establishing an enhanced character for the future function of the area.
- 1.54 Policy 7.5 stipulates that the quality of the public realm has a significant influence on quality of life and can affect people’s sense of place, security and belonging, as well as having an influence on a range of health and social factors. For this reason, public and private open spaces, and the buildings that frame those spaces, should contribute to the highest standards of comfort, security and ease of movement possible. Moreover, it is considered that places should be distinctive, attractive, vital and of the highest quality. Policy 7.6 of the London Plan outlines that the architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape. It should incorporate the highest quality materials and design appropriate to its context. It also advises that buildings and structures should be of the highest architectural quality and comprise details and materials that complement, not necessarily replicate, the local architectural character.

- 1.55 Policy D1 of the Draft London Plan states that development design should respond to local context by delivering buildings and spaces that are positioned and of a scale, appearance and be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan, through appropriate construction methods and the use of attractive, robust materials which weather and mature well. This is also reiterated in Policy D2 of the Draft London Plan which seeks good design.
- 1.56 Policy D3 outlines the need for development to take a design led approach that optimises the capacity of sites. This accordingly requires consideration of design options to determine the most appropriate forms of development that responds to the site's context and capacity for growth. Proposals should enhance the local context delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape with due regard to existing and emerging street hierarchy, building types, forms and proportions.
- 1.57 Policy D4 has regard to securing sufficient level of detail at application stage to ensure clarity over what design has been approved and to avoid future amendments and value engineering resulting in changes that would be detrimental to the design quality.
- 1.58 Policy D5 of the Draft London Plan seeks to deliver an inclusive environment and meet the needs of all Londoners. Development proposals are required to achieve the highest standards of accessible and inclusive design.
- 1.59 Policy D6 considers the importance of achieving and maintaining a high quality of design through the planning process and into delivery stage.
- 1.60 Tall and large buildings should always be of the highest architectural quality, (especially prominent features such as roof tops for tall buildings) and should not have a negative impact on the amenity of surrounding uses. Additionally adopted and emerging London Plan and states that Tall buildings are generally those that are substantially taller than their surroundings and cause a significant change to the skyline.
- 1.61 Policy D8 of the Draft London Plan states that development proposals should ensure the public realm is safe, accessible inclusive, attractive, well connected, easy to understand and maintain, and that it relates to the local and historic context. Public realm should be engaging for people of all ages, with opportunities for play and social activities during the daytime, evening and at night as well as maximising the contribution that the public realm makes to encourage active travel. This should include identifying opportunities for the meanwhile use of sites in early phases of development to create temporary public realm.
- 1.62 Draft London Plan Policy D9 seeks to ensure tall buildings are sustainably developed in appropriate locations and are of the required design quality having regard to local context as specified in Development Plans. Policy D12 of the Draft London Plan states to development proposals must achieve the highest standards of fire safety. Policy D14 of the Draft London Plan seeks to reduce, manage and mitigate noise to improve health and quality of life
- 1.63 This is further supported by policy BP11 of the Borough Wide DPD, policy CP3 of the Core Strategy DPD and policy DM16, SP4 and DM11 of the Draft Local Plan Regulation 19 which ensures that development is designed in a sensitive and appropriate manner which minimises impact on surrounding neighbours and respects the character of the area.

Scale/Massing

- 1.64 The detailed phase of development proposed building with heights ranging from 3-6 storeys. Officers must give regard to the existing context of the site and the existing housing located to the North of the development site. The site itself is currently greenfield land and does not comprise any buildings and is situated immediately to the North of the A12. The wider housing estate predominantly comprises 3 storey blocks of flats and cover the width of the site. Officers note within phase 1 the development consists a 6-storey block to the West of the site and a 4-storey block to the edge of the boundary of Phase 1. In between these are the 3-storey terraced dwelling houses.
- 1.65 Although Phase 2 is an outline planning permission with all matters, the submission comprises a parameter plan and wider masterplan which is an indication as to the minimum and maximum building heights. Having regard to this masterplan it is considered that Phase 2 would seek to

erect buildings with heights of 3-8 storeys with the tallest element located to the Easternmost portion of the site.

- 1.66 Officers note that the development has undergone a number of iterations through the pre-application process and was presented to the Quality Review Panel for additional design scrutiny. Officers consider that the scale of these blocks would not appear incongruous to the existing blocks given the marginal increase in height with the 4 storey block and a 6 storey block which has been situated in the western edge of the site to reduce its immediate visibility from the neighbouring blocks.
- 1.67 Phase 2 immediately has outlined an aspiration to deliver a higher quantum of taller blocks with 2 blocks that would be 5/6 storeys and a single 8 storey block in the Easternmost portion of the site. Officers nevertheless consider that the maximum and minimum heights which have been set out within the parameter plan would be acceptable in remaining commensurate to their surroundings in townscape terms. Furthermore, the location of the 8-storey element is considered appropriate given the presence of a 17-storey residential block (Highview House).

Design and Materiality

- 1.68 The 6-storey block (Block 01) is an unusual shape with one element being orientated to overlook the lake more directly with an additional element that runs parallel to the existing flats located to the North of the site. The block has used contrasting materials to break up the elevations and provide some visual interest when viewed within its surroundings. The plans have indicated that the building would predominantly consist of a light brick but uses a darker buff brick around windows and balconies. Additionally, a white GRC has been for the entrance points and the top of the building contribute to the overall architectural quality and external appearance of this building.
- 1.69 The 3-storey terraced houses have adopted a similar approach with respect to the use of contrasting materials but have also used different building forms to break up the terrace. More specifically, the scheme comprises a mix of flat roofed and dual pitched dwellings. The plans have reflected a group of flat roofed units that immediately adjoin block 1 with a separate group of dual pitched buildings following this with an occasional break to re-introduce the flat roof profile. The flat roofed buildings are constructed from a light buff brick and the dual pitched buildings comprise a dark red brick.
- 1.70 Block 02 (4 storeys) has adopted a similar design strategy to Block 01 through the use of contrasting materials however is predominantly constructed with a darker red brick with a lighter brick used across the building for variation.
- 1.71 As previously mentioned, the proposed development proposed Phase 1 as a detailed submission with Phase 2 being submitted as an outline. As such detailed consideration will be given to the design and materiality of the buildings that come forward as part of phase 2 of the development.
- 1.72 The scheme is considered high quality and has made a successful attempt to design the blocks taking into consideration the palette of the existing surrounding residential blocks. The external design through the different use of materials appears to be of a high quality however it is considered necessary to recommend conditions requiring samples of materials, in depth 1:20 drawings of the window details and reveals to be submitted and reviewed in detail prior to the commencement of the development. This is to ensure that the built-out quality of the scheme is exemplary and remains in accordance with the above policies which seek high quality sustainable development. This is considered particularly important given the uplift in the built form than presently exists on site.

Landscaping/Layout

- 1.73 The proposal has been designed as a landscape led scheme taking into consideration the existing context of the site as green open space and the situation of the lake within the westernmost part of the site. The scheme has outlined a number of soft and hard landscaping elements to the buildings themselves as well as the spaces in between the buildings to contribute positively to the urban greening factor. In addition, the layout has sought to address any legibility issues to allow residents and visitors of the scheme to move throughout the development with ease.

- 1.74 The masterplan (including Phase 2, albeit indicatively) has sought to enable the efficient connection and integration of the proposed development with the existing housing to the North. This has been outlined through the introduction of additional walking routes and paths through various intersections and spaces between the existing flats. The detailed plans within phase 1 have included a linear park that runs through the development with a footpath that aims to connect this phase with Phase 2. The scheme seeks to provide on-site car parking which does not dominate the landscaped areas situated outside of the residential dwellings and to the South of the linear park which benefits from level access crossing points.
- 1.75 The dwelling houses and ground floor units to the blocks benefit from soft landscaping to increase the legibility of the individual buildings which is essential to the overall sense of arrival for the respective buildings. The hedges that have been design for the ground floor flats are considered essential in providing screening between the street scene and the adjacent community centre and the living spaces.
- 1.76 The proposal also seeks to make landscaping improvements to the area around the lake through a comprehensive planting schedule, play along the way spaces and street furniture to make it easier to enjoy the lake. Additional efforts have been made to remove existing redundant vegetation to improve the overall views of the lake and allow people within the community to use this space effectively.
- 1.77 It is noted that the site currently benefits from a green edge that acts as a buffer between the A12 and the current open space. The proposal has recognised this element as a positive feature and therefore seeks to reinforce this through additional boundary treatments and planting schedules to help screen the residential development from the busy nature of the A12. This will also be addressed through the tree retention plan which seeks to ensure that no quality trees are lost on site and that there is increased planting throughout the development. This will be expanded upon in more detail within the biodiversity section of the report however.
- 1.78 Officers are satisfied with the proposal from a landscaping and layout perspective, however, consider it beneficial to include a condition requiring a full scheme of hard and soft landscaping, boundary details and a landscaping and ecological management plan. This would be produced to describe the long-term management and monitoring of habitats and features suitable for use by wildlife, including Padnall Lake potential SINC and the biodiverse roofs.

Crime and Safety

- 1.79 Officers have received a consultation response from the Metropolitan Police regarding the proposed development. In response to the consultation received, conditions have been recommended by Metropolitan Police requiring each part of the building to achieve the secured by design accreditation prior to the first occupation of the development.

Summary

- 1.80 Officers concluded that the architecture and overall design of the building has the potential to be successful and related successfully to the emerging vernacular in the vicinity of the site. However further specific details in relation to the materials and appearance would be necessary in order to ensure that an exemplar design quality was achieved, to justify the increased building heights. These have therefore been secured by way of a condition requiring these details prior to the commencement of the development. Officers therefore consider that the external design of the proposed development subject to the imposition of relevant conditions and heads of terms is acceptable.

Impacts to neighbouring amenity:

- 1.81 NPPF Objective 170 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of noise pollution.
- 1.82 Policy 5.3 of the London Plan requires development proposals to demonstrate that sustainable design standards are integral to the proposal and should minimise carbon dioxide emissions across the site. London Plan Policy 7.1 requires, amongst other things, that the design of new buildings and the space they create should help reinforce or enhance the character, legibility,

permeability and accessibility of the development. Policy 7.4 states that development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. Policy 7.6 outlines that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. Policy 7.14 seeks to protect people in areas of poor air quality (such as AQMAs). Policy 7.15 seeks to avoid significant adverse noise impacts on health and quality of life as a result of new development.

- 1.83 Policy D1 of the Draft London Plan states that development design should deliver appropriate outlook, privacy and amenity. Policy D14 of the Draft London Plan seeks to reduce, manage and mitigate noise to improve health and quality of life. The Draft London Plan is at an early stage of public consultation and whilst material and relevant, Officers apportion lesser weight to these requirements than those within adopted policies outlined above which are accorded full weight.
- 1.84 Policy BP8 of the Borough Wide DPD seeks to protect residential amenity, by ensuring new developments including conversions, do not expose existing and proposed occupiers to unacceptable levels of pollution that may arise. This includes noise, smoke, fumes, refuse, comings and goings and/ or lighting during construction and occupation. This is supported by policies DM11, DM16 and DM25 of the Draft Local Plan.
- 1.85 In relation to standards for privacy, daylight and sunlight the London Plan Housing SPG states that “An appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets. This should take into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time. The degree of harm on adjacent properties and the daylight targets within a proposed scheme should be assessed drawing on broadly comparable residential typologies within the area and of a similar nature across London. Decision makers should recognise that fully optimising housing potential on large sites may necessitate standards which depart from those presently experienced, but which still achieve satisfactory levels of residential amenity and avoid unacceptable harm.”

Daylight and Sunlight

- 1.86 The application has been accompanied by a Daylight and Sunlight Assessment prepared by HTA, dated August 2020. The applicant has conducted an assessment which has taken into consideration the vertical sky component (Vsc) and Average Daylight Factor (ADF) for the surrounding residential properties. A total number of 450 windows were surveyed within the following properties were considered in the supporting daylight and sunlight report
- 13 to 24 Padnall Road
 - 25 to 35 Padnall Road
 - 37 to 42 Padnall Road
 - 118 to 138 and 142 to 164 Padnall Road
 - 166 to 188 and 190 to 212 Padnall Road
 - 214 - 236 Padnall Road
 - 238 - 260 Padnall Road
 - 262 - 284 Padnall Road
 - 286 - 308 Padnall Road
 - 6 - 28 Padnall Road
 - 5, 17 and 27 Padnall Road
- 1.87 The report concluded the following with respect to VSC calculations:

13-24 Padnall Road

These units are located north-west of Phase 1. The results of the analysis show that all windows apart from twelve that belong to recessed walls will receive values above the 27% target. Based on the fact that the recessed windows would already fail in the existing situation, all these failures are classified as acceptable.

25 to 35 Padnall Road

These units are located north of Phase 1. Their increased distance to the Proposed Development compared to the properties at 13 to 24 Padnall Road further reduces the likely impact. The numerical results confirm that all windows apart from four recessed ones located in ground floor level achieve VSC levels in line with the BRE recommendations.

37 to 42 Padnall Road

These units are located north of Phase 1. The block is positioned perpendicularly to the Proposed Development and there are no windows directly facing the new buildings. However, the east and west facing windows closest to the new buildings were assessed as they could be impacted by the proposed scheme. The results show that all the assessed windows achieve and exceed the BRE recommendations.

118 to 138 and 142 to 164 Padnall Road

These units are located north-east of Phase 1. The results of the analysis show that the windows will receive values above the 27% target. The initial studies highlighted the need to avoid blocks of flats in front of these properties to avoid any impact.

166 to 188 and 190 to 212 Padnall Road

These units are located north of Phase 2 to the western end of Phase 2. The results are in line with the BRE recommendations as also shown in the initial 25-degree line test. Only one recessed ground floor windows is failing.

214 - 236 Padnall Road

These units are located north of Phase 2. The results of the analysis show that all windows receive values above the 27% target.

238 - 260 Padnall Road

These units are located north of Phase 2. The results of the analysis show that the windows will receive values above the 27% target. The VSC values on two ground floor windows fall less than 5% below the BRE recommendations. Overall, these results are considered acceptable.

262 - 284 Padnall Road

These units are located north of Phase 2 to the east of the site. The results of the analysis show that most of the windows meet the BRE target. Five windows on the ground floor show values below the BRE recommendations. The values are in line with the reductions obtained in the other adjacent properties and the marginal failures are considered acceptable.

286 - 308 Padnall Road

These units are located to the north in front of the Phase 2 buildings. The VSC results are mostly in line with the BRE guidelines. There are some windows which fall below the recommendations. These windows are located to the eastern side of the facade of the building and mostly on the ground floor; lower daylight levels are achieved due to the higher proposed massing developed to the south. The values fall no more than 15% below the recommended value for low rise schemes. It should be noted that the massing used to assess the impact is based on the maximum quantum of parameters as opposed to the illustrative masterplan.

6 - 28 Padnall Road

These units are located north of Phase 2. The block is perpendicular to the longitudinal site and only a few windows directly face the Proposed Development. However, the most representative windows facing east and west were also assessed. The results indicate that most of the windows meet and exceed the BRE targets with four windows falling below the BRE recommendations.

These windows are located on the ground and first floor of the south facing facade. Their VSC value has a reduction of no more than 15% of the recommended value,

5, 17 and 27 Padnall Road

These units are located north of Phase 2 to the eastern end of the site. The results of the analysis indicate that the values all comply with the BRE recommendations.

- 1.88 Of the 450 windows surveyed it was found that 41 do not accord with BRE guidelines with respect to vertical sky component, a large proportion of these are located to the East of the site where Phase 2 will be constructed. Whilst it is accepted that there are no detailed drawings for this phase of the development, the calculation has been made on the maximum building heights set out by the parameter plans. Notwithstanding this however it is noted that the impact will generally be concentrated to a limited number of ground floor units given the increase in the built form. Nevertheless, degree of reduction does not exceed more than 15% of the recommended value in most instances as outlined above. Officers consider on balance, that this would be acceptable given the reasonably low impact to these units.
- 1.89 With respect to Annual Probable Sunlight Hours the following properties were assessed:
- 25 to 35 Padnall Road
 - 118 to 138 and 142 to 164 Padnall Road
 - 166 to 188 and 190 to 212 Padnall Road
 - 214 - 236 Padnall Road
 - 238 - 260 Padnall Road
 - 262 - 284 Padnall Road
 - 286 - 308 Padnall Road
 - 6 - 28 Padnall Road
 - 5, 17 and 27 Padnall Road
- 1.90 The results of the analysis show that all windows apart from five recessed ones, achieve adequate sunlight throughout the year. Positive results are also encountered for the winter period with the exception of only three recessed windows.
- 1.91 With respect to overshadowing on open spaces the existing external spaces have been tested in terms of sunlight provision. The analysis was carried out for both configurations, existing and proposed. The spaces included in this analysis are the private gardens of properties 5, 17 and 27 Padnall Road. The results indicate that these spaces achieve sunlight availability in line with the BRE recommendations. A comparison with the existing configuration has also been provided. Although the BRE requires the test to be undertaken on 21st March, a further analysis was undertaken showing the sunlight conditions on 21st June as this is the time of the year when people are expected to enjoy the outdoor areas more frequently. Overall, the impact on the existing amenity spaces is minimal and is within acceptable parameters.
- 1.92 Having regard to Average Daylight Factor (ADF) within the proposed scheme the results show that the majority of the rooms meet and, in some instances, exceed the BRE targets. All the habitable spaces of the houses meet the daylight criteria. There are a limited number of rooms in Blocks 1 and 2, falling below the BRE guidelines. Officers note however that these spaces have been identified as kitchens and non-habitable spaces and would achieve lower values due to the deck access or balcony located above the main window. As such, the proposed scheme in this regard is considered acceptable.
- 1.93 Officers acknowledge following the review of the submitted daylight report that the scheme is generally in accordance with the BRE guidelines. Officers consider that that the proposed development with respect to daylight/sunlight matters would be acceptable; and would not result in any unacceptable harm upon the quality of the neighbouring residential properties with respect to loss of daylight/sunlight.

Outlook and Privacy

- 1.94 The existing site does not currently benefit from any buildings and as such officers accept that any addition of buildings within this location would alter the existing arrangements with respect to outlook. The proposed daylight and sunlight report took into consideration the 25-degree angle

which would be an indication of material alterations to existing levels of outlook. Officers note that objection comments have been received in relation to the built form in the existing house blocks to the North which are characterised by their generous spaces in between the flatted blocks.

- 1.95 Officers are satisfied however that there are generous separation distances between the respective blocks and the existing residential blocks. Officers note that the separation distances for both Phase 1 and 2 would range between 21.7m and 45.3m. Officers consider these distances to be significant in ensuring that there would be no immediate loss of privacy or overbearingness that would be felt to unacceptable degree. It is accepted that the perception of this may be present given that there are presently no buildings occupying the site however in townscape terms the abovementioned separation distances are considered generous in protecting the residential amenity for the existing properties to the North.

Noise

- 1.96 The proposed development would be considered to be a significant intensification of uses at the application site given the large increase in residential units. This would in-turn result in the increase of comings and goings from the dwellings and by visitors into the site which has aimed to enable people to use the newly landscaped areas as well as the flexible community space. Officers note however that the proposed uses would be commensurate to the existing housing to the North within Marks Gate.
- 1.97 Officers do however give regard to the existing context of the site which is located to the immediate North of the A12. This in the existing form would provide a high level of noise pollution given the regular traffic flow along this main road. As mentioned previously there is existing vegetation between the site and A12 which would provide limited noise attenuation. Officers note that the proposed development would occupy a large proportion of the currently vacant land which would act as a barrier between the existing properties and the A12. Officers note that within the scheme itself attention is given to the noise levels caused by the A12. The noise report provides a number of on-site mitigation measures to continually manage the amount of noise pollution the proposed units would experience. These include, but are not exclusively limited to, the inclusion of enhanced glazing, mechanical whole house ventilation and purge ventilation. The windows to the south elevations are openable but are not essential to reduce overheating. The noise report shall therefore be secured by way of a condition ensuring that the mitigation measures are introduced prior to the first occupation of the development for each respective phase.
- 1.98 Further regard has been given to the construction phase of the development which would give rise to additional noise. It is noted that the construction phase of the development would be temporary and would not be a permanent contributor of noise to the surrounding properties. Furthermore, officers have recommended a robust demolition and construction management plan shall be required to be submitted by way of a condition. Officers note that this must be submitted and agreed by the Local Planning Authority prior to any above ground works being carried out. This is to ensure that the method of demolition and construction is agreed and would be designed to minimise the potential risk of adverse impacts to any of the surrounding neighbouring properties. Additionally, officers have recommended a compliance condition controlling hours of construction given that there are existing residential properties within proximity to the development site. As such, the construction hours shall be limited to: 08:00 and must finish no later than 18:30 Monday to Friday and 09:00 – 13:00 on Saturdays with no construction works taking place on Sundays or public holidays.
- 1.99 Officers therefore consider that the proposed development with respect to noise would be considered acceptable subject to the imposition of the abovementioned conditions.

Air Quality

- 1.100 Policy 7.14 of the London Plan emphasises the importance of tackling air pollution and improving air quality and states that development proposals should minimise increased exposure to existing poor air quality and make provision to address local problems of air quality (particularly within Air Quality Management Areas). Similarly, Policy SI1 of the Draft London Plan also states that all development should be air quality neutral as a minimum.

1.101 Officers note that the proposed development has achieved air quality neutrality in terms of transport emissions however the building emissions were not originally met. The applicant has provided an updated air quality assessment which has considered all the relevant requirements and which has outlined a number of mitigation measures including cycle parking spaces, electric vehicle charging points, two car club bays and a comprehensive travel plan to encourage sustainable alternatives to driving. Moreover, a financial contribution has been calculated at £45,207.00 to contribute towards air quality. Officers have reflected this as a Head of Term to be payable prior to the first occupation of residential units within Phase 1 of the development and to be used on site.

Summary

1.102 Officers note that 1927 letters were sent out to neighbouring properties which has generated a high volume of neighbour responses. In total officers note that 35 comments were received in objection of the proposed development and 2 petitions containing 200+ signatures. Officers note that specific concerns were outlined with respect to transport considerations which have been considered in the sections below. Officers have given regard to the material considerations with respect to outlook, and daylight/sunlight matters and are satisfied that the proposed development has successfully demonstrated that it would accord with the relevant police and guidance that seek to provide sustainable development without giving rise to undue harm to the surrounding properties.

Sustainable Transport:			
<i>Net gain/loss in car parking spaces:</i>	124	<i>PTAL Rating</i>	1b-2
<i>Proposed number of cycle parking spaces:</i>	156(Phase 1)	<i>Closest Rail Station / Distance (m)</i>	Chadwell Heath (1000m+)
<i>Restricted Parking Zone:</i>	No	<i>Parking stress survey submitted?</i>	Yes

1.103 The NPPF recognises that sustainable transport has an important role to play in facilitating sustainable development but also contributing to wider health objectives. In particular it offers encouragement to developments which support reductions in greenhouse gas emissions and those which reduce congestion. The NPPF also outlines that developments which generate significant vehicle movements should be located where the need to travel will be minimised and the use of sustainable transport options can be maximised. It is also expected that new development will not give rise to the creation conflicts between vehicular traffic and pedestrians.

1.104 Policy 6.1 (Strategic Approach) of the London Plan seeks to promote sustainable modes of transport and accessibility and reduce the need to travel by car. Policy 6.3 (Assessing Effects of Development on Transport Capacity) states that development proposals should ensure that impacts on transport capacity and the transport network, at both a corridor and local level, are fully assessed. Development should not adversely affect safety on the transport network. London Plan Policy 6.13 (Parking) seeks to ensure a balance is struck to prevent excessive car parking provision that can undermine cycling, walking and public transport use and through the use of well-considered travel plans aim to reduce reliance on private means of transport

1.105 This is also echoed by Policies BR9, BR10 and BR11 of the Borough Wide policies and Policy DMT1 of the emerging local plan (Reg 19 stage), which require proposals to have consideration to the local environment and accessibility of the site, on-street parking availability, access and amenity impacts and road network capacity constraints while supporting the Council's commitment to reduce the need to travel and encourage modal shift away from the private car towards healthy and sustainable transport initiatives and choices, notably walking and cycling.

1.106 The application site has a PTAL level ranging from 1b-2, which represents poor access to public transport. There are 3 bus stops (362, 296, 62) located within approximately 500m of the application site. Officers note that there are walking routes through the site down East Road to the South to connect the application site with Chadwell Heath Station. This however is located in excess of 1000m from the development site which would on average take approximately 24m. The walking and cycling routes from the site also rely on three separate underpasses which provide a connection between the South and North of the A12.

Car Parking

- 1.107 The proposed development given the high quantum of family sized units within the scheme and poor accessibility seeks to deliver 124 car parking spaces across the whole site. 3% of the proposed spaces have been provided as accessible blue badge spaces with the capacity to rise to 7% if this is required and upon request by future occupiers. 20% of the car parking spaces will have electric vehicle charging points with the remaining 80% with passive technology.
- 1.108 Officers note that a high volume of the objection comments received referred to the resultant parking stress and congestion on the surrounding roads as a result of the proposed development. Transport officers have reviewed the transport assessment submitted by the applicant and have considered that the development would have the potential to impact upon existing residents car parking due to the additional cars generated by the development and the resultant overspill. In response to this however it is considered that a head of term will be included to contribute to the provision of 2 car club spaces with free membership for residents for a period of 1 year and the implementation of a controlled parking zone. This will restrict residents from parking in certain locations without an appropriate permit which will restrict overspill from any cars within the development to neighbouring on-street car parking spaces.
- 1.109 Additional concerns were raised with respect to the traffic generation as a result of the development to Marks Gate, Rose Lane and Whalebone Lane to the North. This has been reviewed by TFL officers and the councils transport officers and they have not raised any concerns in this regard. However, attention is given to the resultant stress on existing bus services. These considerations will be given additional attention within this section.

Cycle Parking

- 1.110 The proposed development seeks to provide a total number of 156 cycle parking spaces across phase 1 of the development which is in line with the minimum standard set out by the intend to publish London Plan. Officers note that these will need to be designed to London plan cycle design standards which will be secured by way of a condition.
- 1.111 It is noted that detailed consideration will need to be brought forward by for phase 2 of the development. It is considered that this cannot currently considered at this juncture as the required quantum is determined by the mix of units which has not yet been proposed. The conditions however will also be required to be accorded with for any phase of the development which also relates to the outline phase of development.

Demolition and Construction

- 1.112 An outline Demolition and Construction Management has been submitted addressing various logistics matters pertaining to the demolition and construction phase of the development. This has been considered by transport officers however it is considered necessary to recommend a condition requiring a detailed document outlined method of mitigation for potential impacts to the highway and surrounding environment. This is to be submitted for approval and subsequent implementation. A detailed condition is recommended to secure as such. Adherence to such condition will ensure there will be no unacceptable impacts upon the safe and efficient operation of the surrounding highways or quality of the public realm and neighbouring amenity during the development phase.

Delivery and Servicing

- 1.113 A servicing and delivery plan has been submitted with the planning application which has been reviewed by transport officers. The report outlines the strategy for deliveries and the servicing of the essential amenities for example, bin stores. Transport officers have reviewed this aspect of the development and considered this to be acceptable. Officers note that the conditions relating to the review and management of this strategy will be recommended and kept in perpetuity unless otherwise agreed by the Local Planning Authority.

Public Realm/Obligations

- 1.114 Notwithstanding the commitment to a controlled parking zone and for the surrounding area and car club membership. Officers give regard to the comments received by TFL and Transport officers with respect to the wider improvements that will be required to cater to the increased demand to transport capacity.

- 1.115 The proposed development has poor access to Public transport and predominantly relies on bus, cycle and walking routes as a main mode of transport. TFL officers as mentioned above have identified the potential for the development to result in increase in the demand for bus capacity and as such a financial contribution is required to cater to this demand. It is noted that this figure will be agreed in consultation with TFL and will be included within the heads of terms to be payable upon implementation of Phase 2 of the development given the quantum of development sought within this respective phase of development.
- 1.116 As mentioned previously the site benefits from 3 underpasses located to the East, within the centre and to the Western edge of the site which enables connection between the North and South side of the A12. Officers note that the transport assessment has outlined 9 active travel zone routes within the vicinity of the site. The proposed development seeks to make improvements to these routes which include but are not limited to wayfinding, seating, greening, lighting and artwork. Furthermore, officers have included heads of terms requiring the applicant to enter into a s278 agreement to provide the local highways authority with a detailed highways plan to outline the scope of works to the public highway.

Summary

- 1.117 Noting the recommendation of LBBB Transport officers, it is considered subject to heads of terms and a S278 agreement between the applicant and the council. In addition to the conditions mentioned above, the proposal with respect to transport and travel is considered acceptable.

Employment:

- 1.118 The proposed development will also contribute to employment for residents within the borough. Officer will secure an Employment, Skills and Suppliers Plan 6 months prior to commencement of development ensuring that a minimum of 25% of labour and suppliers required for the construction of the development are drawn from within the Borough, to maximise opportunities for local residents and businesses.
- 1.119 It is therefore considered by officers that on balance that the proposal will be provide far reaching benefits beyond the description of development.
- 1.120 It is therefore considered that the proposal accords with London Plan Policies 3.1, 3.3, 3.4, 3.8, 3.9, 3.10, Draft London Plan policies GG1, GG4, H4 and Emerging Local Plan Policies SPDG1 and Policy SP4 with regards to affordable housing and building inclusive communities.

Impact to existing Education Provision:

- 1.121 Officers note that objection comments have been received in relation to increase in demand for school places that will arise as a result of the proposed development. A consultation response has been received from LBBB Education which outlines the overall proportion of school places that will be generated.
- 1.122 Officers accept that there will be increased demand however due regard is given to a number of pertinent points in relation to the proposed development. Procedurally, the proposed development is for a 100% affordable housing scheme which means the proposed development would have CIL relief. In consideration of this point it is noted that due to the affordability aspect of the proposal, there is potential for residents that are on the housing register to be placed in these houses who are already residents of the borough. As such, there is potential for the school places to not be a new demand but rather an existing one. Also, in viability terms having regard to the cumulative contributions sought as part of the scheme as well as the high quantum of affordable housing, it would be expected that this should not compromise the delivery of much needed affordable housing. Moreover, in consideration of the CIL payment, officers note that the council are able to direct payment generated from CIL payable development within the borough to cater to much needed infrastructure delivery.
- 1.123 Limited weight is also placed upon the councils aspiration to deliver extensions to Rose Lane Primary school which will help ease the pressure of the projected delivery of the proposed units within this site and any forthcoming developments that may be submitted over the plan period.

Waste management:

- 1.124 London Plan Policy 5.3 (Sustainable Design and Construction) seeks to ensure that the highest standards of sustainable design and construction are achieved and seeks to ensure minimisation of the generation of waste and maximisation of reuse and recycling whilst adopted London Plan Policy 5.17 (Waste Capacity) specifically stated that suitable waste and recycling storage facilities are required in all new developments.
- 1.125 The above policies are reinforced by Draft London Plan Policies D6 and S18 (Waste Capacity and Net Waste Self-Sufficiency). Policy INF3 (Waste and Recycling) of the Local Plan seeks to minimise or mitigate the impacts of waste transport and management on the environment and the borough's residents
- 1.126 Officers are satisfied with the overall quantum of waste provision however it is recommended that a detail waste management plan is submitted and approved prior to the occupation of any phase of the proposed development.

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

<i>Renewable Energy Source / %</i>	Photovoltaic Panels (PV Panels)
<i>Proposed CO₂ Reduction</i>	61%

- 1.127 The NPPF strongly emphasises a presumption in favour of sustainable development, stating that there are three dimensions to sustainable development: economic, social and environmental.
- 1.128 London Plan Policy 5.2 requires development proposals to make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:
1. Be lean: use less energy
 2. Be clean: supply energy efficiently
 3. Be green: use renewable energy
- 1.129 Policy 5.2 states that the Mayor will work with boroughs and developers to ensure that major developments meet targets for carbon dioxide emissions reduction in buildings. These targets are expressed as minimum improvements over the Target Emission Rate (TER) outlined in the national Building Regulations 2010 leading to zero carbon residential buildings from 2016 and zero carbon non-domestic buildings from 2019. The policy sets the target for non-domestic buildings in 2017 as a per the Building Regulations requirements. Where there is a shortfall from these targets a cash in lieu payment is required as set out within adopted London plan standards at £60 per tonne, per year over a 30-year period.
- 1.130 London Plan Policy 5.3 requires development proposals to demonstrate that sustainable design standards are integral to the proposal, including its construction and operation, and ensure that they are considered at the beginning of the design process. Major development proposals should meet the minimum standards outlined in the Mayor's supplementary planning guidance and this should be clearly demonstrated within a design and access statement.
- 1.131 Policy 5.7 of the London Plan (Renewable energy) seeks an increase in the proportion of energy generated from renewable sources, and states that major development proposals should provide a reduction in expected carbon dioxide emission through the use of on-site renewable energy generation, where feasible
- 1.132 Policy 5.9 of the London Plan (Overheating and cooling) requires major development proposals to reduce potential overheating and reliance of air conditioning systems and demonstrate this in accordance with the following cooling hierarchy: 1) minimise internal heat generation through energy efficient design; 2) reduce the amount of heat entering a building in summer through orientation, shading, albedo, fenestration, insulation and green roofs and walls; 3) manage the heat within the building through exposed internal thermal mass and high ceilings; 4) passive ventilation; 5) mechanical ventilation; and 6) active cooling systems (ensuring they are the lowest carbon options). The policy also requires major development proposals to demonstrate how the design, materials, construction and operation of the development would minimise overheating and

also meet its cooling needs. This is further supported by Policy 5.10 that promotes urban greening such as tree planting, green roofs and walls, and soft landscaping. The above policies are reinforced in the Draft London Plan at Chapter 9.

- 1.133 Section 43 of the Deregulation Act 2015 outlines that development consisting of the construction or alteration of buildings to provide dwellings, or the carrying out of any work on dwellings should be designed and completed in accordance with the energy efficiency requirements outlined within building regulations.
- 1.134 The application has been submitted accompanied by a sustainability statement and energy statement prepared by HTA. dated August 2020. The energy statement and the submitted plans outlined that the proposed development would seek to use Solar Photovoltaic Panels (PV) which are considered appropriate to be installed to the flat roof of the building, would be noiseless and low maintenance. This technology would have aim to reduce carbon emission by offsetting grid electricity which has a high carbon footprint.
- 1.135 The initial emissions reduction has been calculated at 61% for phase 1 of the development which would be in excess of the 35% baseline set for non-residential major development. As outlined above however there is a requirement for domestic development of this nature to achieve a zero-carbon target. Where these emissions targets cannot be met on-site the London Plan states any shortfall should be provided off-site or through a cash-in-lieu contribution which is used to secure carbon dioxide savings elsewhere. This would be calculated as followed: £60 (price per tonne) x (tonnes over a 30-year period). Officers will include this as a head of term to respond to the required contribution to offset the shortfall. Officers note that the proposed development has been submitted as a hybrid application and as such detailed design which would pertain to energy savings cannot be give full consideration at this juncture. As such, the proposed heads of terms will reflect appropriate trigger points for the applicant to review the carbon shortfall and provide the relevant payment prior to the occupation of each respective phase of the development.

Biodiversity & Sustainable drainage:

- 1.136 The NPPF states that planning systems should minimise impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- 1.137 Policy 7.19 of the London Plan and Policy G5 relates to Urban Greening requiring major residential development to achieve an urban greening factor of 0.4. Policy G6 of the Draft London Plan require new developments to make a positive contribution to the protection, enhancement, creation and management of biodiversity wherever possible. Policies CR2 and BR3 of the Core Strategy and Borough Wide policies echo the London Plan in its strategic approach to protect and enhance biodiversity and to provide a net gain in the quality and quantity of the Borough's natural environment. This approach is also set out in Policy SP5 of the emerging local plan (Reg 19 stage).
- 1.138 As mentioned throughout the report, the scheme has been proposed as a landscape led development as such will undergo significant landscaping works that will increase biodiversity site wide. The proposed development seeks to be built on open space nevertheless there will be a 513% increase in biodiverse planting which contributes to the urban greening factor of 0.6 which comfortably exceeds the guidance set out by the London Plan. Officers note that a scheme of landscaping has been sought along with a scheme for tree protection and planting also which ensures that no damage will be unnecessary harm will be undertaken to the trees sought for protection as outlined in the accompanying arboriculture report.
- 1.139 *Sustainable Drainage*
- 1.140 Policy 5.13 of the London Plan states that development should utilise sustainable urban drainage systems (SuDS) unless there are practical reasons for not doing so and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible in line with the drainage hierarchy set out within this policy. The policy aspirations are also reiterated by Policy SI13 of the Draft London Plan and at local level by Policies CR4 and BR4 of the Core Strategy and Borough Wide Policies and Policy DMSI6 of the emerging Local plan (Reg 19 stage).

1.141 A drainage strategy/flood risk assessment has been submitted as part of the application. The main design principals and proposals as set out in this document have been accepted by officers. Officers have recommended a condition requiring an approved detailed drainage design to be provided prior to commencement of construction work on site and this will be secured by condition. Also, an additional condition to secure that the surface water drainage works shall be carried out and the sustainable urban drainage system shall thereafter be managed and maintained in accordance with the agreed management and maintenance plan shall be added.

Conclusions:

Officers consider the principle of bringing forwards a 100% housing scheme on this site to be acceptable in principle. This has been carefully balanced against the loss of protected open space which is contrary to policy however the applicant has committed to delivering significant landscape and biodiversity works with a commitment to delivering off site contributions to the improvements of two local parks within the catchment area.

Taking the above into consideration, the Council have found the proposal to be acceptable following careful consideration of the relevant provisions of the National Planning Policy Framework, the Development Plan and all other relevant material considerations. The Council is satisfied that any potential material harm in terms of the impact of the proposal on the surrounding area would reasonably be mitigated through compliance with the listed conditions and associated legal agreement.

Appendix 1:

Development Plan Context:

The Council has carefully considered the relevant provisions of the Council's adopted development plan and of all other relevant policies and guidance. Of particular relevance to this decision were the following Framework and Development Plan policies and guidance:

National Planning Policy Framework (NPPF) (MHCLG, Feb 2019)

<p><i>The London Plan: Spatial Development Strategy for London (GLA, consolidated with alterations since 2011, published March 2016)</i></p>	<ul style="list-style-type: none"> Policy 1.1 - Delivering the strategic vision and objectives for London Policy 3.1 - Ensuring equal life chances for all Policy 3.3 - Increasing housing supply Policy 3.4 - Optimising housing potential Policy 3.5 - Quality and design of housing developments Policy 3.8 - Housing choice Policy 3.9 - Mixed and balanced communities Policy 3.10 - Definition of affordable housing Policy 3.16- Protection and enhancement of social infrastructure Policy 5.3 - Sustainable design and construction Policy 5.10 - Urban greening Policy 5.17 - Waste capacity Policy 6.1 - Strategic approach Policy 6.3 - Assessing effects of development on transport capacity Policy 6.9 - Cycling Policy 6.10 - Walking Policy 6.13 - Parking Policy 7.1 - Lifetime neighbourhoods Policy 7.2 - An inclusive environment Policy 7.3 - Designing out crime Policy 7.4 - Local character Policy 7.5 - Public realm Policy 7.6 - Architecture Policy 7.8 - Heritage assets and archaeology Policy 7.14 - Improving air quality Policy 7.15 - Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate townscapes Policy 7.18 – Open spaces Policy 7.19 - Biodiversity and access to nature
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The Mayor of London's Draft London Plan - Intend to Publish version December 2019 is under Examination. Having regard to NPPF paragraph 48 the emerging document is a material consideration and appropriate weight will be given to its policies and suggested changes in decision-making, unless other material considerations indicate that it would not be reasonable to do so.

<p><i>Draft London Plan - Intend to Publish version December 2019</i></p>	<ul style="list-style-type: none"> 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 designed approach Policy D4 – Delivering good design Policy D5 – Inclusive design Policy D6 – Housing Quality Standards
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	<p>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 H2 - Small sites Policy H4 – Delivering affordable housing Policy H5 – Threshold approach to applications Policy H6 – Affordable housing tenure Policy H7 – Monitoring of affordable housing Policy H10 – Redevelopment of existing housing and estate regeneration Policy H12 - Housing size mix Policy HC1- Heritage and conservation Policy S1 -Developing London’s social infrastructure Policy S3 – Education and childcare facilities Policy G1 - Green infrastructure Policy G4 – Open Space Policy G5 - Urban greening Policy G6 - Biodiversity and access to nature Policy SI7 - Reducing waste and supporting the circular economy Policy SI8 - Waste capacity and net waste selfsufficiency Policy T1 - Strategic approach to transport Policy T2 - Healthy Streets Policy T3 - Transport capacity, connectivity and safeguarding Policy T4 - Assessing and mitigating transport impacts Policy T5 - Cycling Policy T6 - Car parking</p>
<p><i>Local Development Framework (LDF) Core Strategy (July 2010)</i></p>	<p>Policy CM1 - General Principles for Development Policy CR2 - Preserving and Enhancing the Natural Environment Policy CR3 - Sustainable Waste Management Policy CP2 - Protecting and Promoting our Historic Environment Policy CP3 - High Quality Built Environment Policy CC2: Social Infrastructure to Meet Community Needs</p>
<p><i>Local Development Framework (LDF) Borough Wide Development Plan Document (DPD) (March 2011)</i></p>	<p>Policy BR1 - Environmental Building Standards Policy BR3 - Greening the Urban Environment Policy BR4 - Water Resource Management Policy BR9 - Parking Policy BR10 - Sustainable Transport Policy BR11 - Walking and Cycling Policy BR15 - Sustainable Waste Management Policy BP2 - Conservation Areas and Listed Buildings Policy BP8 - Protecting Residential Amenity Policy BP11 - Urban Design Policy BC6- Loss of Community Facilities</p>
<p><i>The London Borough of Barking and Dagenham’s Draft Local Plan: (Regulation 19 Consultation Version, October 2020) is at an “advanced” stage of preparation. Having regard to NPPF paragraph 216 the emerging document is now a material consideration and substantial weight will be given to the emerging document in decision-making, unless other material considerations indicate that it would not be reasonable to do so.</i></p>	

<p><i>The London Borough of Barking and Dagenham's Draft Local Plan: (Regulation 19 Consultation Version, October 2020)</i></p>	<p>Policy SPDG1 - Delivering Growth Policy SP4 - Delivering Homes that Meet People's Needs Policy SP2 - Delivering High Quality Design in the Borough Policy SP6 – Green and Blue Infrastructure Policy SP7 - Securing a Sustainable and Clean Borough Policy SP4- Delivering social infrastructure in the right locations Policy DMH1 - Affordable Housing Policy DM2 - Housing Size and Mix Policy DMD1 - Responding to Place Policy DMNE1 - Protecting and Improving Parks and Open Spaces Policy DMNE2 Urban greening Policy DMNE3- Nature Conservation and Biodiversity Policy DMNE5 - Trees Policy DMSI 2 - Energy, Heat and Carbon Emissions Policy DMSI4 - Improving Air Quality Policy DMSI6 - Managing Flood Risk, including Surface Water Management Policy DMSI9 - Managing our Waste Policy DMT1 - Making Better Connected Neighbourhoods Policy SP4: Planning for social infrastructure Policy DMS1- Protecting or enhancing facilities</p>
<p><i>Supplementary Planning Documents</i></p>	<p>DCLG Technical Housing Standards (nationally described space standard) (DCLG, March 2015) (as amended) Housing Supplementary Planning Guidance (2017) Accessible London: Achieving an Inclusive Environment (2014) Affordable Housing and Viability (2017) Character and Context (2014) Housing (2016) Play and Informal Recreation (2012) Sustainable Design and Construction (2014)</p>

Additional Reference:

Human Rights Act

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

Equalities

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

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

Appendix 2:

Relevant Planning History:

None

Appendix 3:

The following consultations have been undertaken:

- LBBB Community Solutions
- LBBB Policy and Participation
- LBBB Employment and Skills
- LBBB District Heating / Energy
- LBBB CCTV, Community Safety and Public Protection
- LBBB Environmental Health
- LBBB Emergency Planning
- LBBB Refuse Services
- LBBB Car Club / Travel plan / CPZ / Parking
- LBBB Access Officer
- LBBB Lead Local Flood Authority
- Designing Out Crime
- National Grid
- UK Power Networks
- London Fire Brigade
- Thames Water
- Historic England Archaeology
- Historic England Buildings
- Transport For London
- Natural England
- Environment Agency
- Be First Regeneration
- Be First Transport Development Management

Appendix 4 :

Summary of Consultation responses:		
Consultee and date received	Summary of Comments	Officer Comments
LBBB Access	No objection comments recommended in respect of accessibility	The comments provided have been noted
LBBB Environmental Health	No objection subject to conditions relating to control any loss of amenity.	Noted. Conditions have been recommended accordingly
LBBB Transport	No objection subject to conditions and heads of terms relating to : <ul style="list-style-type: none">- Car free development- Implementation of CPZ- Highways plan- Demolition and Construction	Noted. Discussed in the relevant sections of the report. Conditions and heads of terms included.

	<p>Management Plan</p> <ul style="list-style-type: none"> - Delivery and servicing 	
LLFA	No objection subject to conditions.	The response is noted and is discussed in further detail in the relevant sections of the report.
Historic England Archaeology	No objection subject to the imposition of conditions	The comments provided by Historic England are noted and have been considered in greater detail in the Heritage section of this report.
Environment Agency	No comments to make on the proposed development	Noted.
LBBB Trees	No objection to the tree strategy proposed.	The response is noted and is discussed in further detail in the relevant sections of the report.
LBBB Education	The proposed development would give rise to increased demand of school places. Attention should be given to how this will be catered to given the development does not generate cil payment.	The response is noted and is discussed in further detail in the relevant sections of the report.
Metropolitan Police Secured by Design	No objection subject to the imposition of conditions	The response is noted and is discussed in further detail in the relevant sections of the report.
LBBB Waste	No objection subject to the imposition of conditions requiring waste strategy	The response is noted and is discussed in further detail in the relevant sections of the report.

Appendix 5:

Neighbour Notification:	
Date of Press Advertisement:	28 th August 2020
Number of neighbouring properties consulted:	1927
Number of responses:	34 objection comments received by email 2 petitions with 213 signatures and 301 signatures
Address:	Summary of response:
1 Hazel Grove 4 Hazel Grove 11 Lawn Farm Grove 17 Hutchinson Court 34 Gregory Road 38 Rose Lane 130 Padnall Road 338 Wood Lane 3 Lake Road 9 Warren Terrace 19 Hutchinson Court 19 Lake Road 24 Woodrush Way 66 Billet Road 96 East Road 194A Padnall Road Harold Hill The Orchard Project 8 Lake Road 66 Billet Road 200 Padnall Road Eustace Road 11 objections have been received without an address point	The proposed comments received from the following address points relate to the following material considerations: <ul style="list-style-type: none"> • Parking congestion • Inappropriate design • Loss of open space/nature conservation • Impact upon neighbouring amenity (Privacy, outlook, daylight and sunlight) • Impact upon public transport capacity • Impact upon school places • Impact on medical facilities • Consultation process • Road Access • Noise and pollution • Air Quality • Environmental Considerations • Community Involvement

Officer Summary:

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

Appendix 6:

Conditions & Informatives:

Conditions:

(A) Conditions relating to Outline component only

A1. Statutory Time Limit – Outline Planning Permission

No development shall commence until details of the:

- a. Access
- b. Appearance
- c. Landscaping
- d. Layout
- e. Scale

(hereinafter referred to as "the Reserved Matters") have been submitted to and approved by the Local Planning Authority)

Application for approval of the Reserved Matters shall be made to the Local Planning Authority before the expiration of THREE YEARS from the date of this Decision Notice.

The development to which this permission relates must be commenced not later than TWO YEARS from the date of approval of the final Reserved Matters.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

A2. Development in accordance with Approved Plans

The development hereby approved shall only be carried out in accordance with the approved plans and documents listed below:

- Drawing Title: Development Parcels Parameter Plan – Drawing Number : BEF-PLB_HTA_A_PP101 – Dated : August 2020
- Drawing Title: Public Open Space Parameter Plan – Drawing Number : BEF-PLB_HTA_A_PP102 – Dated : August 2020
- Drawing Title: Land UseParameter Plan – Drawing Number : BEF-PLB_HTA_A_PP103 – Dated : August 2020
- Drawing Title: Access and Circulation Parameter Plan – Drawing Number : BEF-PLB_HTA_A_PP104 – Dated : August 2020
- Drawing Title: Proposed Development Heights - Parameter Plan – Drawing Number : BEF-PLB_HTA_A_PP105 – Dated : August 2020
- Drawing Title : Planning Application Site Boundary Parameter Plan – Drawing Number : BEF-PLB_HTA_A_XX_DR_0115 – Dated : August 2020

Documentation:

- Development Specification -Be First -August 2020
- Design Guide -HTA -August 2020

No other drawings or documents apply.

Reason: To ensure that the development is undertaken in accordance with the approved drawing(s) and document(s) to ensure that the finished appearance of the development will enhance the character and visual amenities of the area and to satisfactorily protect the residential amenities of nearby occupiers.

A3. Maximum Quantum of Floorspace

The development hereby approved shall be limited to a maximum quantum of development as follows:

- Housing (Use Class C3) - 219 Residential Units;
- Flexible Use Non-residential use (Class E/F1) - 300 square metres.

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

B Conditions – Relating to the Detailed Component

B1. Statutory Time Limit - Planning Permission

The development hereby permitted shall be commenced before the expiration of THREE YEARS from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

B2. Development in accordance with Approved Plans

The development hereby approved shall only be carried out in accordance with the approved plans and documents listed below:

- Drawing Title : Phase 1 Site Ground Floor Plan – Drawing Number : BEF-PLB_HTA-A_P1_DR_0100-F – Dated : November 2020
- Drawing Title: Phase 1 Site Roof Plan - Drawing Number : BEF-PLB_HTA-A_P1_DR_0101-D – Dated : November 2020
- Drawing Title : Phase 1 Site Sections & Elevations – Drawing Number : BEF-PLB_HTA-A_P1_DR_0150-D – Dated : November 2020
- Drawing Title : Energy Centre Elevations – Drawing Number - BEF-PLB_HTA-A_EC_DR_0280-C – Dated : August 2020
- Drawing Title : Energy Centre Plan and Sections – Drawing Number - BEF-PLB_HTA-A_EC_DR_0281-C – Dated : August 2020
- Drawing Title : Block 1 Ground Plan – Drawing Number : BEF-PLB_HTA-A_01_DR_0200-F – Dated : November 2020
- Drawing Title : Block 1 First Floor Plan – Drawing Number : BEF-PLB_HTA-A_01_DR_0201-D – Dated : November 2020
- Drawing Title : Block 1 Second Floor Plan – Drawing Number : BEF-PLB_HTA-A_01_DR_0202-D – Dated : November 2020
- Drawing Title : Block 1 Third Floor Plan – Drawing Number : BEF-PLB_HTA-A_01_DR_0203-D – Dated : November 2020
- Drawing Title : Block 1 Forth Floor Plan – Drawing Number : BEF-PLB_HTA-A_01_DR_0204-D – Dated : November 2020

- Drawing Title : Block 1 Fifth Floor Plan – Drawing Number : BEF-PLB_HTA-A_01_DR_0205-D – Dated :November 2020
- Drawing Title : Block 1 Roof Plan – Drawing Number : BEF-PLB_HTA-A_01_DR_0206-D – Dated : November 2020
- Drawing Title : Block 1 Building Section A – Drawing Number : BEF-PLB_HTA-A_01_DR_0250-A – Dated : July 2020
- Drawing Title: Block 1 Building Section B – Drawing Number : BEF-PLB_HTA-A_01_DR_0251-B – Dated : November 2020
- Drawing Title : Block 1 Building Section C – Drawing Number : BEF-PLB_HTA-A_01_DR_0252-B – Dated : July 2020
- Drawing Title : Block 1 Building Section D – Drawing Number : BEF-PLB_HTA-A_01_DR_0253-D – Dated : November 2020
- Drawing Title : Block 1 North Elevation – Drawing Number : BEF-PLB_HTA-A_01_DR_0270-C – Dated : November 2020
- Drawing Title : Block 1 North East Elevation – Drawing Number : BEF-PLB_HTA-A_01_DR_0271-B – Dated : July 2020
- Drawing Title : Block 1 North West Elevation – Drawing Number : BEF-PLB_HTA-A_01_DR_0272-B – Dated : July 2020
- Drawing Title : Block 1 South West Elevation – Drawing Number : BEF-PLB_HTA-A_01_DR_0273-C – Dated : November 2020
- Drawing Title : Block 1 South East Elevation – Drawing Number : BEF-PLB_HTA-A_01_DR_0274-C – Dated : November 2020
- Drawing Title : Block 1 South Elevation – Drawing Number : BEF-PLB_HTA-A_01_DR_0275-C – Dated : November 2020
- Drawing Title : Block 1 East Elevation – Drawing Number : BEF-PLB_HTA-A_01_DR_0276-B – Dated : July 2020
- Drawing Title : Block 2 Ground Floor Plan – Drawing Number : BEF-PLB_HTA-A_02_DR_0200-D – Dated : November 2020
- Drawing Title : Block 2 First Floor Plan – Drawing Number : BEF-PLB_HTA-A_02_DR_0201-C – Dated : November 2020
- Drawing Title : Block 1 Second Floor Plan – Drawing Number : BEF-PLB_HTA-A_02_DR_0202-C – Dated : November 2020
- Drawing Title : Block 2 Third Floor Plan – Drawing Number : BEF-PLB_HTA-A_02_DR_0203-C – Dated : November 2020
- Drawing Title : Block 2 Roof Plan – Drawing Number : BEF-PLB_HTA-A_02_DR_0204-C – Dated November2020
- Drawing Title : Block 2 Building Section A – Drawing Number : BEF-PLB_HTA-A_02_DR_0250-A – Dated : July 2020
- Drawing Title : Block 2 North West Elevation – Drawing Number : BEF-PLB_HTA-A_02_DR_0270-C – Dated : November 2020
- Drawing Title : Block 2 South West Elevation – Drawing Number : BEF-PLB_HTA-A_02_DR_0271-C – Dated : November 2020
- Drawing Title : Phase 1 Houses Ground Floor Plan Pt1 – Drawing Number : BEF-PLB_HTA-A_H1_DR_0200-A – Dated : July 2020
- Drawing Title : Phase 1 Houses Ground Floor Plan Pt2 – Drawing Number : BEF-PLB_HTA-A_H1_DR_0201-A – Dated : July 2020
- Drawing Title : Phase 1 Houses First Floor Plan Pt1 – Drawing Number : BEF-PLB_HTA-A_H1_DR_0202-A – Dated : July 2020
- Drawing Title : Phase 1 Houses First Floor Plan Pt2- Drawing Number : BEF-PLB_HTA-A_H1_DR_0203-A – Dated : July 2020
- Drawing Title : Phase 1 Houses Second Floor Plan Pt1 - BEF-PLB_HTA-A_H1_DR_0204-A – Dated : July 2020
- Drawing Title : Phase 1 Houses Second Floor Plan Pt2 – Drawing Number BEF-PLB_HTA-A_H1_DR_0205-A – Dated : July 2020

- Drawing Title : Phase 1 Houses Roof Floor Plan Pt1 – Drawing Number : BEF-PLB_HTA-A_H1_DR_0206-A – Dated : July 2020
- Drawing Title : Phase 1 Houses Roof Floor Plan Pt2 - BEF-PLB_HTA-A_H1_DR_0207-A – Dated : July 2020
- Drawing Title : Phase 1 Houses Building Sections A and B – Drawing Number : BEF-PLB_HTA-A_H1_DR_0250-A – Dated : July 2020
- Drawing Title : Phase 1 Houses Building Sections A and B – Drawing Number : BEF-PLB_HTA-A_H1_DR_0-A – Dated : July2020
- Drawing Title : Phase 1 Houses North Elevation – Drawing Number : BEF-PLB_HTA-A_H1_DR_0270-B – Dated : July 2020
- Drawing Title : Phase 1 Houses South Elevation – Drawing Number : BEF-PLB_HTA-A_H1_DR_0271-B – Dated : July 2020
- Drawing Title : Phase 1 Houses East Elevation – Drawing Number : BEF-PLB_HTA-A_H1_DR_0272-B – Dated : August 2020
- Drawing Title : Energy Centre – Drawing Number : BEF-PLB_HTA-A_EC_DR_0280-C – Dated : July 2020
- Drawing Title : Energy Centre – Drawing Number : BEF-PLB_HTA-A_EC_DR_0281-B – Dated : July 2020
- Drawing Title : Soft Landscape Plan 1 of 3_Rev C – Drawing Number : BEF-PBL_HTA-L_DR-2910-C Dated: July 2020
- Drawing Title : Soft Landscape Plan 2 of 3_Rev C – Drawing Number : BEF-PBL_HTA-L_DR-2911-C Dated: July 2020
- Drawing Title : Soft Landscape 3 of 3_Rev_c – Drawing Number : BEF-PBL_HTA-L_DR-2912-C Dated : July 2020
- Drawing Title : Illustrative Landscape Masterplan_ Rev.B – Drawing Number : BEF-PBL-HTA-L-DR-2100-B – Dated : July2020
- Drawing Title : Illustrative Landscape Sections 1 of 3_REV – Drawing Number : BEF-PBL-HTA-L-DR-2240 – Dated : July 2020
- Drawing Title : Illustrative Landscape Sections 2 of 3_REV – Drawing Number : BEF-PBL-HTA-L-DR-2241 – Dated : July 2020
- Drawing Title : Illustrative Landscape Sections 3 of 3_REV – Drawing Number : BEF-PBL-HTA-L-DR-2242 – Dated : July 2020
- Drawing Title : Hard Landscape Plan 1 of 3_Rev C – Drawing Number : BEF-PBL-HTA-L-DR-2920-C – Dated : July 2020
- Drawing Title : Hard Landscape Plan 2 of 3_Rev C – Drawing Number : BEF-PBL-HTA-L-DR-2921-C – Dated : July 2020
- Drawing Title: Hard Landscape Plan 3 of 3_Rev C - Drawing Number: BEF-PBL-HTA-L-DR-2922-C – Dated : July 2020

Documentation

- Design and Access Statement - HTA Design- August 2020
- BEF-PLB_HTA-A_DAS Addendum -HTA Design- November 2020
- Energy, Sustainability and Overheating Assessment – HTA Sustainability – August 2020
- Transport Assessment – WSP- August 2020
- Transport Assessment Addendum – WSP – November 2020
- Travel Plan – WSP- August 2020
- Air Quality Assessment – Ramboll- September 2020
- Archaeological Desk-Based Assessment and Heritage Statement – AB Heritage – August 2020
- Acoustic Report (Noise and Vibration Assessment) – Ramboll – August 2020

- Biodiversity Survey (including Preliminary Ecological Assessment) – Ramboll – August 2020
- Net Biodiversity Gain Statement – Ramboll – August 2020
- Whole Life Carbon Assessment –Hoare Lea – August 2020
- Circular Economy Statement – Hoare Lea- August 2020
- Planning Statement – Be First – August 2020
- Planning Statement Addendum – Be First – August 2020
- Padnall Lake Landscape and Visual Impact Assessment -Ramboll – August 2020
- Flood Risk Assessment – Ramboll – August 2020
- Outline Drainage Strategy – WSP- August 2020
- Open Space Assessment – HTA – August 2020
- Daylight, Sunlight and Overshadowing Assessment – HTA – August 2020
- Padnall Lake Contaminated Land Assessment – WSP – August 2020
- Arboricultural Survey -Thomson – August 2020
- Arboricultural Impact Assessment – Thomson – August 2020
- Statement of Community Involvement -Be First – August 2020
- Padnall Lake Phase 1 RIBA Stage 2 Fire Strategy – WSP - November 2020
- Air Quality Technical Memo including Revised Air Quality Report – Ramboll - November 2020
- No other drawings or documents apply.

Reason: To ensure that the development is undertaken in accordance with the approved drawing(s) and document(s) to ensure that the finished appearance of the development will enhance the character and visual amenities of the area and to satisfactorily protect the residential amenities of nearby occupiers.

C Conditions relating to site wide conditions

C1. Contaminated Land

No development shall commence until:

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

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

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

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

(c) The approved remediation scheme must be carried out in accordance with its terms prior to commencement of the development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority. The report shall include results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met.

(d) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of (a), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of (b), which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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

C2. Phasing Plan

Development to be carried out in accordance with phasing plan (ref: BEF-PLB_HTA_A_XX_DR_0116), or any subsequent phasing plan to be agreed in writing with the Local Planning Authority.

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

C3. Construction Management

No development within a phase of the development shall commence until a Construction Environmental Management Plan (CEMP) and a Site Waste Management Plan (SWMP) have been submitted to and approved in writing by the Local Planning Authority. These Plans shall incorporate details of:

- a) construction traffic management;
- b) the parking of vehicles of site operatives and visitors;
- c) loading and unloading of plant and materials;
- d) storage of plant and materials used in constructing the development;

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

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

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

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

Reason: In order to reduce the environmental impact of the construction and the impact on the amenities of neighbouring residents.

C4. Archaeology

No development within a phase of the development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

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

- a. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.

b. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. this part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

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

C5. Materials and Balcony Details

Prior to the commencement of above ground works in each phase of the development hereby approved, details of all balconies and all materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. These shall also include 1:20 drawings of window reveals. The development shall be carried out in accordance with the approved materials and balcony details. Minor amendments may be agreed in writing from time to time by the Local Planning Authority.

Reason: To protect or enhance the character and amenity of the area.

C6. Electric Vehicle Charging Points Details

Prior to the commencement of above ground works in each phase of the development details of Electric Vehicle Charging Points have been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate how active electric charging points will be provided for 20% of the car parking spaces, with passive provision for the remaining 80% of the spaces. The spaces shall be constructed and marked out and the charging points installed prior to the occupation of the development and thereafter retained permanently for the accommodation of vehicles of occupiers and visitors to the premises and not used for any other purpose.

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

C7. Hard/Soft Landscaping Details

Prior to the commencement of above ground works in each phase of the development detailed soft and hard landscaping strategies must be submitted and approved in writing by the Local Planning Authority.

Any plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation. The landscaping scheme must then be implemented within Phase 1 of the development prior to loss of any open space that will be occupied by any permanent building forming part of the application proposal.

Reason: To secure the provision and retention of landscaping in the interests of the visual amenity of the area, to preserve and enhance the Borough's natural environment and to ensure a high-quality built environment.

C8. Tree protection

No above ground works within each phase of the development hereby permitted shall be commenced until all such works associated with that phase are completed:

- a) all trees to be retained shall be protected by secure, stout exclusion fencing erected at a minimum distance equivalent to the branch spread of the trees

- b) any works connected with the approved scheme within the branch spread of the trees shall be by hand only. No materials, supplies, plant or machinery shall be stored, parked or allowed access beneath the branch spread or within the exclusion fencing. Any trees that are damaged or felled during construction work must be replaced with semi mature trees of the same or similar species.

The approved report must then remain in perpetuity across all phases of development unless agreed otherwise in writing by the Local Planning Authority.

Reason: To ensure that retained trees are identified prior to the commencement of development and adequately protected during the construction phase.

C9. A Landscape and Ecological Management Plan (LEMP)

A Landscape and Ecological Management Plan (LEMP) for the relevant phase of the development shall be submitted to and be approved in writing by the local planning authority prior to the commencement of the development. The approved plan will be implemented in accordance with the approved details. The content of the LEMP shall include the following:

Standard LEMP information, including:

- I. Description and evaluation of features to be managed.
- II. Ecological trends and constraints on site that might influence management.
- III. Aims and objectives of management.
- IV. Appropriate management options for achieving aims and objectives.
- V. Prescriptions for management actions.
- VI. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- VII. Details of the body or organization responsible for implementation of the plan.
- VIII. Ongoing monitoring and remedial measures.
- IX. The funding mechanism by which the long-term implementation of the plan will be secured.

The approved report must then remain in perpetuity across all phases of development unless agreed otherwise in writing by the Local Planning Authority.

Reason: To preserve and enhance the Borough's natural environment.

C10. Piling Method Statement

No piling within the relevant phase of the development shall take place until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility Infrastructure.

Prior to first occupation

C11.Children's Playspace Implementation

Prior to the first occupation of each phase of the development, details of child play associated equipment shall be submitted to and approved in writing by the Local Planning Authority. The children's play space and approved associated equipment shall be permanently retained thereafter.

Reason: To ensure suitable provision for children's play

C12. Parking Management Plan

Prior to first residential occupation of the relevant phase a parking management plan for that phase should be submitted to and approved in writing by the Local Planning Authority

Reason: To ensure effective management of proposed parking areas.

C13. Car Parking Implementation

Any car parking spaces proposed for any phase of the development shall be constructed and marked out prior to the first occupation of that phase of the development and thereafter retained permanently for the accommodation of vehicles of occupiers and visitors to the premises and not used for any other purpose. The parking spaces should be clearly delineated with raised kerbs to avoid encroachment on surrounding footpaths and damage to trees. The blue badge car parking spaces shall be constructed and marked out prior to the first occupation of the relevant phase of the development as accessible parking bays (to be clearly marked with a British Standard disabled symbol).

Reason: To ensure that sufficient off-street parking areas are provided and not to prejudice the free flow of traffic or conditions of general safety along the adjoining highway, to ensure and promote easier access for disabled persons

C14. Cycle Parking Implementation

Prior to the first occupation of the relevant phase of development the applicant makes the necessary provisions for cycle parking provision for that phase in accordance with the London Plan to determine an appropriate levels of cycle parking which should be to the minimum standards set out, secure and well-located. The cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards.

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

C15.Sustainable Drainage Implementation

Prior to the first occupation of the relevant phase of the development hereby approved the surface water drainage works shall be carried out for each phase of the development and the sustainable urban drainage system shall thereafter be managed and maintained in accordance with the agreed management and maintenance plan.

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

C16. Community facility management plan

Prior to the occupation of the flexible community floorspace, a community facility management plan shall be submitted for approval in writing by the local planning authority. The document must include an event management plan for those events where the number of occupiers would exceed 40, to demonstrate how sustainable modes of transport will be promoted and car parking managed

Reason: to protect residential amenity for surrounding properties

C17. Crime Prevention Scheme

The proposed development shall achieve a Certificate of Compliance in respect of the Secured by Design scheme (silver), or alternatively achieve security standards (based on Secured by Design principles) to the satisfaction of the Metropolitan Police, for the relevant phase, details of which shall be provided to the Local Planning Authority for its written approval prior to the first occupation of the approved development. All security measures applied to the approved development shall be permanently retained thereafter.

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

C18. External lighting

The relevant phase of the development hereby permitted shall not be occupied until details showing the provisions to be made for external lighting associated with that phase has been submitted to and approved in writing by the Local Planning Authority. The lighting is to be designed, installed and maintained so as to fully comply with The Association of Chief Police Officers - Secured by Design publication "Lighting Against Crime - A Guide for Crime Reduction Professionals", ACPO SPD, January 2011. The design shall satisfy criteria to limit obtrusive light presented in Table 1, page 25 of the guide, relating to Environmental Zone E2 Low district brightness areas-Rural, small village or relatively dark urban locations. The development shall not be occupied until the approved scheme has been implemented. Thereafter the approved measures shall be permanently retained unless otherwise agreed in writing by the Local Planning Authority.

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

C19. Renewable Energy Infrastructure

The development hereby permitted will ensure the renewable energy infrastructure will be carried out in accordance to document Energy Statement by HTA Dated : August 2020 delivering a 51% reduction in site wide CO2 emissions, is implemented prior to first occupation of the dwellings for the relevant phase of the development.

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

C20. Details of Any Commercial Kitchen Extract Ventilation System

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

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

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

Reason: To safeguard the appearance of the premises and minimise the impact of cooking smells, odours and noise.

C21. Air Quality

The Air Quality mitigation measures outline within the approved Air Quality Assessment – 06 November 2020, must be installed in full prior to the first occupation of any residential for the relevant phase of the development.

Reason: to protect the residential amenity of future occupiers.

Monitoring & Management Conditions

C22. M4(2) – Accessible Units

Building Regulations M4(2) 90% of the residential units hereby approved shall conform to the requirements of Category M4(2) ['Accessible and Adaptable Dwellings'] of Schedule 1 to the Building Regulations 2010 (HM Government 2015).

Reason: To ensure the accessibility of the residential dwellings hereby approved.

C23. M4(3) – Accessible Units

Building Regulations M4(3) 10% of the residential units hereby approved shall conform to the requirements of Category M4(2) ['Accessible and Adaptable Dwellings'] of Schedule 1 to the Building Regulations 2010 (HM Government 2015).

Reason: To ensure the accessibility of the residential dwellings hereby approved.

C24.Restricted Uses

The proposed community uses proposed shall be used for no other purpose within class E and F1 (other than for a community centre) of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To safeguard the use hereby permitted and to satisfactorily protect the amenities of adjoining properties.

C25. Removal of Householder Permitted Development Rights

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any subsequent Order revising, revoking and re-enacting that Order)

- *There shall be no enlargement or extension of the dwelling(s) hereby permitted, including any additions or alterations to the roof, without the prior written approval of the Local Planning Authority.*
- *No new building or enclosure shall be constructed within the application site without the prior written approval of the Local Planning Authority.*
- *No windows, doors or other openings other than those expressly authorised by this permission shall be constructed.*
- *No new fences, gates, walls or other means of enclosure shall be erected without the prior written approval of the Local Planning Authority.*

Reason: To ensure that the amenities of neighbours and the local area are protected

C26.Hours of operation Community Centre

The Community floorspace hereby approved shall not be operational outside the hours of 7am to 10pm Sunday to Friday and 8am to 11pm Saturday

Reason: To protect the amenity of the surrounding residential buildings

C27. Control of Dust and Emissions

The Demolition and construction approved by this consent shall be undertaken in accordance with the greater London authority and London councils "the control of dust and emissions from construction SPG".

Reason: to protect the environment.

C28. Noise mitigation

The noise mitigation measures outlined within the approved noise impact assessment document dated : August 2020, must be installed in full prior to the first occupation of any residential for the relevant phase of the development.

Reason: to protect the residential amenity of future occupiers.

C29. Circular Economy

The development must remain In accordance with the approved circular economy statement assessment document dated : August 2020. A post completion report must then be provided and approved in writing by the local planning authority prior to the first occupation of the relevant phase of the development.

Reason: In the interest of creating safer, sustainable communities

C30. Non-road mobile vehicles and air quality

Site specific non-road mobile vehicles, Air Quality During onsite construction works, all non-road transportable industrial equipment or vehicles which are fitted with an internal diesel powered compression ignition engine between 37 and 560KW and not intended for transporting goods or passengers on roads are required to meet Stage IIIB of EU Directive 97/68/E and be NRMM registered. Such vehicles must be run on ultra low sulphur diesel (also known as ULSD 'cleaner diesel' or 'green diesel'). "Ultra low sulphur diesel" means fuel meeting the specification within BS EN 590. Where these standards are succeeded, they should be applied when reasonable but not later than 1 year after. Exemptions to these standards may be granted for specialist equipment or for equipment with alternative emission reduction equipment or run on alternative fuels. Such exemptions shall be applied for in writing to the LPA in advance of the use of such vehicles, detailing the reasons for the exemption being sought and clearly identifying the subject vehicles. Exemptions that are granted will be in writing and such vehicles must not be used until written exemption has been received by the applicant. No vehicles or plant to which the above emission standards apply shall be on site, at any time, whether in use or not, unless it complies with the above standards, without the prior written consent of the local planning authority.

Reason: To protect the amenity of future occupants and/or neighbours

Appendix 7:

s.106 Proposed Heads of Terms:

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

Administrative:

1. Payment of the Council's professional and legal costs, whether or not the deed completes;
2. Payment of the Council's fees of minimum £3,500 in monitoring and implementing the Section 106 and payable on completion of the deed; and,
3. Indexing – all payments are to be index linked from the date of the decision to grant planning permission to the date on which payment is made, using BCIS index.

• Provision of on-site affordable housing offer at 59% on a unit basis comprising the following, unless otherwise agreed in writing with the Local Planning Authority:

- Block 01 – 44 units – Affordable Rent
- Block 02 – 11 units – Affordable Rent
- Houses – 26 Homes – London Affordable Rent

Remaining *maximum* 219 residential units comprising 30% London Affordable rent and 70% Affordable Rent unless otherwise agreed in writing by the Local Planning Authority.

- An early-stage affordable housing review is to occur in the event that the development is not implemented within two years of approval Payment of the Council's reasonable costs associated with scrutiny of the viability submissions.

Transport

- Prior to above ground works of the development the developer shall submit to the council a detailed highway design and enter into a s278 agreement to undertake highway improvements to existing public highway forming a new bellmouth junction for access to the development with Padnall Road, comprising raised junction formation with associated drainage, lighting and markings.
- Car Parking permit free development, with one car club vehicle to be supplied and operated in specified car club space to be operational prior to first occupation of Phase 2. Provision of car club for initial 3 years whereupon it should become self-financing. Commitment to provide one-year free car club membership to all residents.
- Contribution of £23,000 to the implementation of Controlled Park Zone within existing roads of Marks Gate locality to be paid prior to first residential occupation
- Provision of additional bus shelters to create 4 no. double bus shelters to bus stops along A12 adjacent to development boundary prior to first residential occupation
- Contribution of £50,000 to be paid prior to first residential occupation to subway improvements to the 3 subways under the A12 including but not limited to improved lighting within and at the entrance to each subway, nominal non-structural repairs to walls and soffits of subways where spalling has occurred, cleaning/re-painting of the eastern and central subway.
- Contribution of £50,000 to be paid prior to first residential occupation for 9 Active Travel Zone Routes as defined with Transport Assessment (August 2020) and Transport Assessment Addendum (November 2020). Improvements include but not limited to wayfinding, seating, greening, lighting and artwork.

- Contribution towards local bus services payable upon implementation of Phase 2 of the development and in consultation with TFL and the Local Highways Authority.

Employment and Skills

- Secure an Employment, Skills and Suppliers Plan 6 months prior to commencement of development, ensuring that a minimum of 25% of labour and suppliers required for the construction of the development are drawn from within the Borough, to maximise opportunities for local residents and businesses

Sustainability

- The development shall achieve a minimum 61% reduction in carbon dioxide emissions over Part L of the Building Regulations 2013 (when applying updated SAP 10 emission factors) through on-site provision, and a monetary contribution shall be made to the Local Authority's carbon offset fund for each phase of the proposed development to offset the remaining carbon emissions to net zero-carbon.

- A sum of £45,207.00 shall be paid to the council prior to the commencement of the proposed development to achieve air quality neutrality.

Off-Site Play Space Contribution

- A sum of £50,000 to be paid and to go towards child play space at Marks Gate recreation ground and St Chads Park.