


LONDON BOROUGH OF BARKING & DAGENHAM
PLANNING COMMITTEE
21 December 2020
Application for Planning Permission

Case Officer:	Olivia St-Amour	Valid Date:	02/11/2020
Applicant:	London Borough of Barking and Dagenham	Expiry Date:	01/02/2021
Application Number:	20/02111/FULL	Ward:	Thames
Address:	Welbeck Wharf, 8 River Road, Barking, IG11 0JE		

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 Welbeck Wharf, 8 River Road, Barking, IG11 0JE.

Proposal:

Change of use of the entire site from Class B8 (storage and distribution) to flexible Class B2 (general industrial), Class B8 (storage and distribution) and Use Class E(g)(iii) (light industrial).

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 the Head of Legal Services to grant planning permission subject to the completion of a legal agreement under s106 of the Town and Country Planning Act 1990 (as amended) based on the Heads of Terms identified at Appendix 6 of this report and the Conditions listed in Appendix 5 of this report; and
3. that, if by 21 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:
Mandatory conditions

- Time
- Approved Drawings & Documents

Prior to first occupation and/or use Conditions

- Noise Management Plan
- Air Quality Assessment
- Fire Statement

- Crime Prevention Scheme
- Car Parking
- Cycle Parking
- Refuse Strategy
- Lighting Strategy
- Excavation Plan
- Life Saving Equipment
- Carbon Reduction
- BREEAM

Monitoring & Management Conditions

- Use Class E restriction
- Ground levels
- Noise

S106 – Summary of Heads of Terms:

Administrative:

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

Employment:

4. Reasonable endeavours to secure an Employment, Skills and Suppliers Plan is submitted prior to implementation ensuring that a minimum of 25% of local labour and suppliers required for the end user phase of the development are drawn from within the Borough, to maximise opportunities for local residents and businesses.

Sustainability:

5. The development shall achieve a minimum 35% reduction in carbon dioxide emissions over Part L of the Building Regulations 2013 through on-site provisions for the development and any remaining carbon emissions to zero-carbon should be offset through a monetary contribution to the Local Authority's carbon offset fund calculated on the basis of £60 per tonne, payable for 30 years.

OFFICER REPORT

Planning Constraints:

- Safeguarded Wharves
- Strategic Industrial Location
- Archaeological Priority Area Tier 3
- London Riverside Opportunity Area
- Flood Risk Zone 3
- Air Quality Focus Area
- Thames Policy Area (Draft Local Plan Regulation 19 version)

Site, Situation and relevant background information:

The application site relates to an existing storage and distribution site (Use Class B8) comprising 17,200sqm floorspace across 2no. industrial buildings and 1no. ancillary office building. The site is bound to the north west by Mayes Brook, River Road to the east, industrial sites to the south and the River Roding to the west. Beyond Mayes Brook lies a residential area. The site has 2 vehicular access points from River Road. The site is 3.5hectares.

The existing use of the site was formalised through the submission of a Certificate of Existing Lawful Use in 2006, which confirmed it had been used for storage and distribution purposes since 1996. Prior to this use, the site has a longstanding history as an industrial site primarily comprising industrial and warehouse buildings for steel processing and stockholding (see planning history at Appendix 1).

The site is designated by the Greater London Authority (GLA) as a Safeguarded Wharf and is therefore subject to GLA referral. The site has been recommended for de-designation within the Mayor's Safeguarded Wharves Review 2018-2019, however its removal is yet to be implemented.

Key issues:

- Principle of the proposed development
- Impacts to neighbouring amenity
- Sustainable Transport
- Employment
- 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>	Storage and Distribution – Use Class B8
<i>Proposed use(s) of the site</i>	Flexible General Industrial (Use Class B2), Storage and Distribution (Use Class B8) and Light Industrial (Use Class E(g)(iii))
<i>Net gain/loss in number of jobs</i>	Opportunity to increase the number of jobs up to 477 FTE

- 1.1 The application is for a change of use only, with no alterations proposed.
- 1.2 The NPPF states at paragraph 80 that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt, and places significant weight on the need to support economic growth and productivity.
- 1.3 The application site is located within a Strategic Industrial Location (SIL). Intend to Publish London Plan Policy E4 states that development proposals in SILs should be supported where the uses fall within the industrial type activities set out in part A of the policy. Such uses include, light and general industry, storage and logistics/distribution, and flexible hybrid space to accommodate services that support the wider London and population.

- 1.4 Draft Local Plan Strategic Policy SP 5 'Promoting inclusive economic growth' sets out that the borough's SILs are designated as an intelligent SIL for protection and managed intensification, and are suitable for industrial activities identified in the Intend to Publish London Plan Policies E4 and E5, and the Borough's Industrial Strategy.
- 1.5 Policy DME1 'Utilising the borough's employment land more efficiently' sets out further requirements for employment within the designated SIL and LSIS boundary, including an expectation for suitable industrial intensification that will increase or maintain employment numbers.
- 1.6 Welbeck Wharf is a safeguarded wharf. Part 4 of Draft Local Plan Strategic Policy SP 5 states that all safeguarded wharves will be protected and retained in line with Mayoral policy and the marine management organisation. Intended Plan London Plan policy SI 15 'Water transport' highlights that the Mayor will keep safeguarded wharves under regular review and that they should only be used for waterborne freight-handling use, and should only be considered for other uses if the wharf is no longer viable or capable of being used for waterborne freight-handling use.
- 1.7 Although the site currently remains protected by the aforementioned safeguarded wharves policies, the value of the site as a wharf has been under review since 2013 and in February 2020, the Mayor's Safeguarded Wharves Review recommended to the Ministry of Housing Communities and Local Government that Welbeck Wharf's safeguarded wharf status should be removed. The Housing Minister, on behalf of the Secretary of State confirmed agreement with the recommendations in September 2020. The recommendations are yet to be actioned. The GLA have been consulted on the application in relation to the status of the site as a safeguarded wharf, and have confirmed that there are no strategic issues in relation to the proposed development.
- 1.8 The proposed uses would retain the storage and distribution use of the site, whilst introducing other SIL compliant industrial uses, including 'general industrial' and 'light industrial'. The end user is not confirmed at this stage but it is anticipated that the occupation of the site would be retained within a single occupation and the change of use application aims to attract a wider range of industrial occupiers than currently permitted at the site.
- 1.9 In terms of the intensification of the site, the floorspace would remain the same, however the introduction of 'general industrial' presents opportunities for intensification in terms of job numbers, as discussed in the 'employment' section below.
- 1.10 It is considered that the proposed industrial uses are considered appropriate for the SIL location, and its current status as a safeguarded wharf, in accordance with the above policies. It is recommended that a planning condition is imposed to restrict the E Class use to E(g)(iii) to ensure that the site is used for industrial uses only, and not eroded to other uses within the Use Class E group.
- 1.11 The proposed development is therefore considered acceptable in principle and subject to the relevant development management considerations, discussed below.

Impacts to neighbouring amenity:

- 1.12 Paragraph 170 of the NPPF 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 pollution, including noise, water and air.
- 1.13 Policies 7.1 and 7.6 of the London Plan states that development should not cause unacceptable harm to neighbouring residential buildings in relation to loss of privacy and overlooking. Adopted Policy BP8 of the Borough Wide Development Management Policies DPD seeks to protect residential amenity, and Draft Local Plan Policy DMD1 'Securing high quality design' (Regulation 19 version) sets out that among other things, all development proposals should consider the impact on the amenity of neighbouring properties with regard to significant overlooking, privacy and immediate outlook, and should mitigate the impact of air, noise and environmental pollution.

- 1.14 The site is located in an existing employment area and designated Strategic Industrial Location, where industrial uses are considered appropriate and encouraged. However, the north of the site is located in close proximity to a number of residential neighbours across Mayes Brook, the closest properties being those at Waverley Gardens, Craven Gardens and Westminster Gardens.

Outlook, Privacy and Daylight/Sunlight

- 1.15 There are no alterations proposed to the existing buildings on the site and as such there would be no change in relation to the outlook or daylight/sunlight experienced to the neighbouring properties.
- 1.16 In terms of privacy, the two-storey building to the north of the site has existing windows facing properties along Waverley Gardens. A letter was received raising concerns that there would be a loss of privacy to the rear rooms and gardens to Waverley Gardens as a result of the application. Whilst the existing site is used for storage and distribution, it is understood that this building is occupied for office use, ancillary to the main industrial use. Office use has a higher employment density than the proposed industrial uses, and as such it is not considered that the proposal would result in an increased loss of privacy to these neighbouring properties.

Noise

- 1.17 The NPPF outlines that planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health and living conditions, and should mitigate and reduce to a minimum potential adverse impacts resulting from noise, and avoid giving rise to significant adverse impacts on health and quality of life. The NPPG (Paragraph: 005 Reference ID: 30-005-20190722) clarifies that adverse noise impacts are considered to occur when noise levels result in a change in behaviour, for example turning up the volume to hear the television.
- 1.18 Intend to Publish London Plan Policy D14 'Noise' directs that development proposals should manage noise by, avoiding significant adverse noise impacts on health and quality of life, reflecting the Agent of Change principle and encourages potential adverse effects to be controlled and mitigated through applying good acoustic design principles. Policy D13 'Agent of Change' sets out that established noise and other nuisance-generating uses remain viable and can continue to grow without unreasonable restrictions being placed on them, and continues that new noise generating development proposed close to residential and other noise-sensitive uses should put in place measures to mitigate and manage and noise impacts for neighbouring residents. Draft Local Plan Policy DMSI 3 'Nuisance' (Regulation 19 version), requires development proposals to have regard to the Agent of Change principle, and requires development proposals to submit a noise assessment. The policy states that development proposals which generate an unacceptable level of nuisance will generally be resisted.
- 1.19 A Noise Assessment was submitted, which presents the results of sound monitoring exercise and presents an assessment of the potential impacts and makes a number of recommendations and the application of appropriate conditions.
- 1.20 The application site relates to an existing industrial use (storage and distribution), within a designated industrial location (SIL). However, it is noted that the existing site operates with an ancillary office facility at the most northern part of the site, which is in the closest proximity to residential neighbours. In assessing the proposed change of use, the Noise Assessment Addendum considers that there would be no more than a low impact at the worst-affected noise-sensitive residential receptor, and considers that at this level complaints would be unlikely. Furthermore, the potential audibility is considered to fall below internal ambient noise level limits during daytime period; activities may be faintly audible during the night-time but considers complaints would remain unlikely.
- 1.21 The Assessments have been reviewed by the Environmental Protection Officer, who is satisfied that the proposed change of use would be acceptable, subject to the imposition of a condition to ensure that the noise level from any plant shall not exceed the existing background noise levels, and a condition requiring the submission of a Noise Management Plan. The Noise Management Plan would include an assessment to measure noise levels throughout the week, and any mitigation measures proposed within the Plan will need to be implemented prior to the first use of the development.

1.22 The noise conditions would ensure that the level of noise emitted from the site would not give rise to adverse impacts to the detriment of any neighbouring properties, in line with the relevant policies summarised above, whilst allowing the active use of this industrial site for suitable uses.

Air Quality

1.23 The NPPF sets out at paragraph 181 that decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants taking into account the presence of AQMAs and the cumulative impacts from individual sites in local areas.

1.24 Policy 7.14 of the London Plan emphasises the importance of tackling air pollution and improving air quality, stating 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 Intend to Publish London Plan also states that all development should be air quality neutral as a minimum. This is supported by Policy DMSI4 ‘Improving Air Quality’ of the draft Local Plan (Regulation 19 version). Core Strategy CR1 ‘Climate change and environmental management’ sets a policy requirement to protect air quality.

1.25 The site lies within an Air Quality Management Area, where air quality is mainly influenced by emissions from road transport using the local road network. The application proposes no physical changes, and thus there would be no effects on air quality as a result of construction works. The Transport Statement submitted for the application concludes that the maximum amount of additional trips on the road network would be 167 vehicles across a 12 hour day, based on a worse case scenario approach. Whilst this would be an overall increase in vehicles in this scenario, the type of vehicles would likely be Light Good Vehicles or cars, which would produce fewer emissions than Heavy Duty Vehicles associated with the existing B8 (storage and distribution) use.

1.26 An Air Quality Statement has been submitted, which concludes that whilst the application is a major development, the proposed change of use would not increase the floorspace of the site, and there would not be a significant increase in vehicles that would increase the emissions associated with the site, and the development would therefore not have a significant effect, if any, on local air quality in compliance with the relevant planning policies.

1.27 Officers agree with the assessment provided, however it is acknowledged that the end-use operator is not at this stage known and as an industrial site, the use of the site may have the potential to contribute to an increase in air pollutants/emissions. It is therefore recommended that a condition is imposed requiring the submission of a detailed Air Quality Assessment prior to first use of the site, outlining mitigation measures where necessary.

Lighting

1.28 A Lighting Statement to provide a high-level lighting design guidance and standard for future occupiers. No lighting is proposed at this stage, however it is considered that some additional external lighting may be required as a result of the proposed change of use and as such there would be no impact on amenity as a result of this application. It is considered appropriate to attach a condition should planning permission be granted, requiring the submission of lighting details so that the LPA can assess the appropriateness of the lighting. It is also noted that some lighting structures may be a form of development that may require planning permission.

Summary

1.29 A total of 632 letters were issued, of which 2 responses were received from neighbouring residents. Officers have given regard to the material considerations raised with respect to noise, air pollution, lighting and privacy (summarised above) and consider that the changes resulting from the change of use would not adversely impact the amenity of neighbouring residents, subject to the imposition of the relevant conditions above. It is therefore considered the application accords with policy in respect to neighbouring amenity.

Sustainable Transport:			
<i>Net gain/loss in car parking spaces:</i>	Unknown	<i>PTAL Rating</i>	2
<i>Proposed number of cycle parking spaces:</i>	Unknown	<i>Closest Rail Station / Distance (m)</i>	Barking, 2000m

<i>Restricted Parking Zone:</i>	N/A	<i>Parking stress survey submitted?</i>	No
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1.30 The NPPF seeks to promote sustainable transport and recognises the important role transport plays in facilitating sustainable development, highlighting that priority should be given to pedestrian and cycle movements. Paragraph 109 directs that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

1.31 Policy 6.1 'Strategic Approach' of the London Plan highlights the needs to reduce the need to travel by car. Policy 6.3 'Assessing Effects of Development on Transport Capacity' outlines that development proposals should ensure that impacts on transport capacity and the transport network are fully assessed. Policy T1 'Strategic approach to transport' of the Intend to Publish London Plan seeks to promote sustainable modes of transport and accessibility and reduce the need to travel by car and encourages the effective use of land. Intend to Publish London Plan Policy T2 'Healthy Streets' sets out that developments should reduce the dominance of vehicles and connect to local walking and cycling networks as well as public transport. Policy T4 'Assessing and mitigating transport impacts' highlights that development proposals should reflect and be integrated with current and planned transport access, capacity and connectivity. Policy T5 'Cycling' directs that cycle parking should be designed and laid out in accordance with London Cycling Design Standards guidance and sets out minimum standards. Policy T6.2 'Office parking' sets out maximum car parking standards for employment uses, including industrial uses.

1.32 Policies BR9, BR10 and BR11 of the Borough Wide Policies DPD set out the Council's approach to parking, sustainable transport and walking and cycling. Emerging Policy DMT1 'Making better connected neighbourhoods' of the Draft Local Plan (Regulation 19) sets out that development proposals should reduce the dominance of vehicles on London's streets. Emerging Policy DMT2 'Car parking' states that development will be resisted where anticipated car parking and vehicle use will increase congestion and parking stress.

Site Access

1.33 The site is accessed from River Road at two points, with the main vehicular access towards the centre of the site, where pedestrian access is also provided. The accesses are designed to accommodate large vehicles, including 16m articulated vehicles and operate two-way. Transport officers have assessed the proposal and the existing access arrangements are considered acceptable for the proposed change of use.

Car Parking

1.34 The site currently provides vehicular parking provision for both larger, commercial vehicles as well as some informal staff car parking. The applicant has not provided any formal car parking plan, or proposed any changes to the existing car parking arrangements. In order to ensure that the car parking arrangements are appropriate for the proposed use, in accordance with Intend to Publish London Plan maximum car parking standards, it is recommended that a Car Park Design and Management Plan should be secured by condition, indicating how the car parking will be designed and managed, with reference to Transport for London guidance on car parking management and car parking design and accord with the maximum car parking standards, as set out in the Intend to Publish London Plan. This should also include 5% of the car parking to be designated as disabled car parking bays. Provision should also be made for electric vehicle points, in line with Policies T6 and T6.2 of the ItP London Plan.

Cycle Parking

1.35 The existing level of cycle parking is also unknown. As the application seeks a flexible use of the site for general industrial, storage and distribution and light industrial, it is considered appropriate that the development should provide cycle parking in line with the higher cycle parking provision. It is therefore recommended that a planning condition is imposed requiring the provision of 69 long-stay spaces and 18 short-stay spaces.

Trip Generation

1.36 Officers note that concerns have been raised from two neighbouring properties in relation to existing congestion along River Road, and the potential impact of the proposed development on

the road network. A Transport Assessment has been undertaken and reviewed by Transport Development Officers. The Assessment adopts a 'worst-case scenario' approach, that could result in a maximum traffic impact of an additional 167 two-way vehicle trips across a 12-hour day including an additional 20 two-way vehicle trips in the morning peak hour and a reduction of 29 two-way vehicle trips in the morning peak hour. Officers note that this would on average equate to an additional 14 vehicles per hour, and consider that this would not be a cause for concern. It is therefore considered that the proposal would not have a 'severe' impact on the road network.

Summary

- 1.37 Subject to the recommended conditions highlighted above, it is considered that the proposal would be acceptable with respect to transport and travel.

Employment:

- 1.38 The application relates to a change of use to an existing employment site, retained for SIL compliant uses. Employment has therefore been discussed to a degree under principle of development.
- 1.39 Of the proposed flexible use of B2, B8 and E(g)(iii), B2 (general industrial) has the potential to generate the highest employment density, based on the Employment Densities Guide, at 36m² per FTE. The total floorspace of the buildings at the site is 17,170sqm, so on the basis the site is used entirely for B2 use, the potential number of employees is 477 (FTE). This is an increase approx. 232-262 employees from the existing B8 use which has an employment density of 70-80m² per FTE, generating existing potential employment figures of 215-245.
- 1.40 Strategic Policy SP5 of the Draft Local Plan (Regulation 19) sets out that the Council will support businesses who seek to evolve, diversify and contribute to a more thriving and more inclusive local economy, including through the provision of employment and training opportunities for local people.
- 1.41 Officers recommend that the potential increase in jobs at the site is harnessed to support local people and residents within the borough, to be secured by Section 106. The applicant has agreed to a commitment for an Employment, Skills and Suppliers Plan to be provided prior to first use of the development, ensuring that a minimum of 25% of occupation stage labour of the development are drawn from within the Borough, to maximise opportunities for local residents and businesses.
- 1.42 Officers support this commitment, in accordance with draft Strategic Policy SP5 and Policy DMM1 'Planning obligations (Section 106)' of the Draft Local Plan (Reg 19).

Waste management:

- 1.43 London Plan Policy 5.3 'Sustainable Design and Construction' 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.
- 1.44 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.
- 1.45 The application relates to an existing storage and distribution site, with existing waste facilities. No details have been submitted to propose any changes or confirm the existing arrangements.
- 1.46 The Council's Waste and Recycling Officer has provided a consultation response confirming that the proposed change of use is conditionally acceptable subject to the submission of a detailed Refuse Strategy.

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

<i>BREEAM Rating</i>	Target Very Good / Excellent
<i>Renewable Energy Source / %</i>	n/a

- 1.47 The NPPF emphasises at paragraph 148 that the planning system should support the transition to a low carbon future in a changing climate and should help to shape places that contribute to radical reductions in greenhouse gas emissions, and encourage the reuse of existing resources, including the conversion of existing buildings.
- 1.48 The Mayor of London has set ambitious targets for London to be net zero-carbon. Intend to publish London Plan Policy SI2 'minimising greenhouse gas emissions' directs that major development should be net zero-carbon, through reducing greenhouse gas emissions in accordance with the following hierarchy:
- Be lean
 - Be clean
 - Be green
 - Be seen
- 1.49 The policy requires a minimum on-site reduction of at least 35% beyond Building Regulations for major development, of which 15% should be achieved through energy efficiency measures for non-residential development.
- 1.50 Policy BR2 'Energy and on-site renewables' of the Borough Wide Development Policies DPD outlines the expectations for significant carbon reduction targets to be achieved. Draft Local Plan Policy DMS2 'Energy, heat and carbon emissions' sets out the Council's expectations for major development to contribute and where possible exceed the borough's target of becoming carbon neutral by 2050 by maximising potential carbon reduction on-site and demonstrating the achievement of net zero carbon buildings.
- 1.51 Due to the nature of the development seeking a 'flexible' industrial use, where the end-user is not confirmed and therefore any potential works associated with the new use are unknown, the exact measures in which the carbon reduction can be achieved cannot be accurately calculated. However, an Energy Statement has been submitted to demonstrate potential ways in which the end use could improve on carbon emissions, including for example through upgrades to external walls and roofs, which have been identified as areas which may be in need of replacement therefore providing an opportunity to improve U-values and fabric performance. The Statement provides the assurance to officers that a 35% reduction is achievable through the change of use of the site, and as such we consider it necessary to secure this reduction through a planning obligation, to ensure that the proposal accords with the relevant national, regional and local policies. The reduction will be secured through a planning obligation requiring a cash in-lieu contribution of £60 per tonne, should it be demonstrated that the emission targets cannot be met on site.
- 1.52 The proposed change of use itself does not include any physical works. BREEAM can only be achieved through physical works to buildings (through both new build and refurbishments). Officers anticipate that some works to the existing buildings are likely to be required to bring the buildings up to standard, suitable for alternative industrial uses, and to achieve the required carbon reduction. Notwithstanding whether works are planned at this stage, emerging policy DMS1 requires all non-residential refurbishment of existing buildings and conversions over 500sqm to meet or exceed a BREEAM non-domestic refurbishment 'Excellent' rating, as such, works will be required to the building in order to meet these requirements and ensure the end use meets energy standards. A BREEAM Desk Study Pre-assessment has been submitted to demonstrate that a 'Very Good' rating is targeted and that it is possible to achieve an Excellent rating at the site based on 'major refurbishment' projects. It is therefore recommended that a BREEAM rating Excellent is achieved prior to the first use of the development, to be imposed via planning condition.
- 1.53 Subject to securing the 35% carbon reduction through planning condition, off-set contribution through a planning obligation, and imposing a condition for BREEAM Excellent rating, it is considered that the development proposal is acceptable in terms of delivering sustainable development.

Biodiversity & Sustainable drainage:

Biodiversity

The NPPF directs that planning policies and decisions should contribute to and enhance the natural and local environment, and that planning decisions should seek to protect biodiversity. Intend to Publish London Plan Policy G6 'Biodiversity and access to nature' reinforces the requirement to protect areas of biodiversity. Policy BR3 'Greening the urban environment' sets a sequential approach to preserving and enhancing the natural environment, where appropriate. Draft Local Plan Policy DMNE 3 'Nature conservation' highlights the importance of minimising the impacts of development on biodiversity.

- 1.54 A Desk-Based Ecology Assessment has been submitted to identify any ecological constraints. No direct or indirect impacts are considered on identified statutory or non-statutory sites as a result of the change of use. The application does not include the demolition or construction of new buildings and proposes the change of use of the existing buildings to alternative industrial uses only. Officers agree with the findings of the Ecology Assessment. The report identified that the pitched roof building to the north of the site could offer some limited opportunities for roosting bats, and further consideration should be given to the species should any work to the fabric of the building be undertaken in association with the change of use. Bats and their roosts are fully protected under the Wildlife and Countryside Act and the Conservation of Habitats and Species Regulations, and as no physical works are to be approved as part of this application, it is not considered necessary that a planning condition be imposed requiring any bat surveys to be undertaken.
- 1.55 No details have been submitted to indicate that there would be any changes to external lighting at the site as a result of the proposed change of use. As the site is adjacent to the River Roding, any lighting that is introduced as a result of this change of use must ensure that there would be no adverse impacts on marine ecology, and it is therefore recommended that a lighting statement is conditioned to ensure that any new lighting at the site is appropriate in terms of ecology.
- 1.56 Subject to the above conditions, it is considered there would be no adverse impacts on biodiversity on or near the site as a result of this application.

Sustainable drainage and flood risk

- 1.57 The NPPF states that new development should be planned for in ways that avoid increased vulnerability to the impacts arising from climate change, and highlights at paragraph 155 that inappropriate development in areas at risk of flooding should be avoided, and that where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
- 1.58 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).
- 1.59 The site is located within Flood Zone 3, which benefits from tidal flood defences. A Flood Risk Assessment has been submitted to assess the impact of the development in respect to flooding and drainage.
- 1.60 The proposed development includes no redevelopment and does not introduce a sensitive use to the site. the proposed change of use will not increase the vulnerability of the existing site or surrounding areas. Officers are satisfied that the application does not require any changes to the existing drainage provision.
- 1.61 There are on-going problems with regards to groundwater emergence on land adjacent to the site. However, as no excavations are proposed and the area remains 100% impermeable, this is not considered to make any material difference to the proposed change of use.
- 1.62 Notwithstanding there are no physical changes proposed with the application, the site is located in a high flood risk area and in line with the NPPF, development should be made safe for its

lifetime. It is therefore recommended that a condition is imposed requiring the submission of an Evacuation Plans.

Conclusions:

The change of use application would introduce flexible industrial uses to an existing industrial site, thus supporting the longevity of this SIL location. Officers consider the principle of the development acceptable, and the mix of uses would contribute towards an uplift in employment opportunities at the site, to be secured by way of Section 106 contribution.

Regard has been had to the amenity of residential neighbours as a result of the introduction of alternative industrial uses at the site, and the transport, noise and air impacts and subject to the recommended conditions it is considered that there would be no adverse impacts in these respects. The conditions and planning obligations recommended would ensure that the proposal would be a sustainable and suitable use of the site.

In assessing the application, officers consider the proposal accords with the development plan.

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 2.17 – Strategic Industrial Locations Policy 4.1 - Developing London's Economy Policy 4.4 - Managing Industrial Land and Premises Policy 5.1 - Climate Change Mitigation Policy 5.2 - Minimising Carbon Dioxide Emissions Policy 5.3 - Sustainable Design and Construction Policy 5.12 - Flood Risk Management Policy 5.13 - Sustainable Drainage Policy 5.17 - Waste Capacity Policy 6.1 - London's Transport: Strategic Approach Policy 6.3 - Assessing Effects of Development on Transport Policy 6.9 - Cycling Policy 6.10 – Walking Policy 6.11 Smoothing traffic flow and tackling congestion Policy 6.13 - Parking Policy 7.2 - An Inclusive Environment Policy 7.3 - Designing Out Crime Policy 7.8 - Heritage Assets and Archaeology Policy 7.13 - Safety, Security and Resilience to Emergency Policy 7.14 - Improving Air Quality Policy 7.15 - Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Landscapes Policy 7.19 - Biodiversity and Access to Nature Policy 8.2 - Planning Obligations Policy 8.3 - Community Infrastructure Levy
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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 GG2 - Making the Best Use of Land Policy GG5 - Growing a Good Economy Policy GG6 – Increasing Efficiency and Resilience Policy SD1 – Opportunity Areas Policy D1 - London's Form, Character and Capacity for Growth Policy D3 - Optimising Site Capacity Through the Design-Led Approach Policy D5 - Inclusive Design Policy D11 - Safety, Security and Resilience to Emergency Policy D12 - Fire Safety Policy D13 - Agent of Change Policy D14 - Noise Policy E4 - Land for Industry, Logistics and Services to Support London's Economic Function Policy E5 – Strategic Industrial Locations (SIL) Policy E7 - Industrial intensification, Co-location and
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	<p>Substitution</p> <p>Policy E11 - Skills and Opportunities for All</p> <p>Policy G6 - Biodiversity and Access to Nature</p> <p>Policy S11 - Improving Air Quality</p> <p>Policy S12 - Minimising Greenhouse Gas Emissions</p> <p>Policy S13 - Energy Infrastructure</p> <p>Policy S112 - Flood Risk Management</p> <p>Policy S113 - Sustainable Drainage</p> <p>Policy S116 – Waterways – Strategic Role</p> <p>Policy S117 – Protecting and Enhancing London’s Waterways</p> <p>Policy T1 - Strategic Approach to Transport</p> <p>Policy T2 - Healthy Streets</p> <p>Policy T4 - Assessing and Mitigating Transport Impacts</p> <p>Policy T5 - Cycling</p> <p>Policy T6 - Car Parking</p> <p>Policy T6.2 - Office Parking</p> <p>Policy T6.5 - Non-residential disabled persons parking</p> <p>Policy DF1 – Delivery of the Plan and Planning Obligations</p>
<p><i>Local Development Framework (LDF) Core Strategy (July 2010)</i></p>	<p>Policy CM1 - General Principles for Development</p> <p>Policy CE3 - Safeguarding and Release of Employment Land</p> <p>Policy CE4 - Mix and Balance of Uses within Designated Employment Areas</p> <p>Policy CR1 - Climate Change and Environmental Management</p> <p>Policy CR2 - Preserving and Enhancing the Natural Environment</p> <p>Policy CR3 - Sustainable Waste Management</p> <p>Policy CR4 - Flood Management</p> <p>Policy CP2 - Protecting and Promoting our Historic Environment</p> <p>Policy CP3 - High Quality Built Environment</p> <p>Policy CC3 - Achieving Community Benefits Through Developer Contributions</p>
<p><i>Local Development Framework (LDF) Borough Wide Development Plan Document (DPD) (March 2011)</i></p>	<p>Policy BR1 - Environmental Building Standards</p> <p>Policy BR2 - Energy and On-site Renewables</p> <p>Policy BR3 - Greening the Urban Environment</p> <p>Policy BR4 - Water Resource Management</p> <p>Policy BR9 - Parking</p> <p>Policy BR10 - Sustainable Transport</p> <p>Policy BR11 - Walking and Cycling</p> <p>Policy BR13 - Noise Mitigation</p> <p>Policy BR14 - Air Quality</p> <p>Policy BR15 - Sustainable Waste Management</p> <p>Policy BC7 - Crime Prevention</p> <p>Policy BP2 - Conservation Areas and Listed Buildings</p> <p>Policy BP8 - Protecting Residential Amenity</p> <p>Policy BP11 - Urban Design</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</i></p>	<p>Strategic Policy SPDG1 – Delivering growth in Barking</p> <p>Strategic Policy SPP2 - Thames and the Riverside</p>

<p><i>Consultation Version, October 2020)</i></p>	<p>Strategic Policy SP5 – Promoting Inclusive Economic Growth Policy DME1 – Utilising the Borough’s Employment Land More Efficiently Policy DMNE 3 – Nature Conservation and Biodiversity Policy DMNE 4 – Water Environment Strategic Policy SP7 – Securing a Clean, Green and Sustainable Borough Policy DMS11 – Sustainable Design and Construction Policy DMSI2 – Energy, Heat and Carbon Emissions Policy DMSI 3 – Nuisance Policy DMSI 4 – Air Quality Policy DMSI 6 – Flood Risk and Defences Policy DMSI 7 – Water Management Strategic Policy SP8 – Planning for Integrated and Sustainable Transport Policy DMT 1 – Making Better Connected Neighbourhoods Policy DMT 2 – Car Parking Policy DMT 3 – Cycle Parking Strategic Policy SP9 – Managing Development Policy DMM 1 – Planning Obligations</p>
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<p>Additional Reference:</p>
<p><i>Human Rights Act</i></p> <p>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.</p> <p><i>Equalities</i></p> <p>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.</p> <p><i>Local Government (Access to Information) Act 1985</i></p> <p>Background papers used in preparing this report:</p> <ul style="list-style-type: none"> • Planning Application • Statutory Register of Planning Decisions • Correspondence with Adjoining Occupiers • Correspondence with Statutory Bodies • Correspondence with other Council Departments • National Planning Policy Framework • London Plan • Local Plan <p>Other relevant guidance</p>

Appendix 2:

Relevant Planning History:			
<i>Application Number:</i>	11/00573/FUL	<i>Status:</i>	Approved
<i>Description:</i>	Construction of service ramp for HGV access		
<i>Application Number:</i>	06/01286/CLU_E	<i>Status:</i>	Lawful (Certificate)
<i>Description:</i>	Application for a Certificate of Lawfulness for an Existing Use: Use of entire site for storage and distribution on purposes (Use Class B8) with ancillary offices (Use Class B1(a))		
<i>Application Number:</i>	90/00646/TP	<i>Status:</i>	Approved
<i>Description:</i>	Erection of wharf control building (431sq.m/4640sq.ft.)		
<i>Application Number:</i>	90/00183/TP1	<i>Status:</i>	Approved
<i>Description:</i>	Amended application: Erection of rod reinforcement bar building and two storey facilities building.		
<i>Application Number:</i>	68/00272/TP	<i>Status:</i>	Approved
<i>Description:</i>	Construction of 25'0" wide vehicular crossover		
<i>Application Number:</i>	80/00130/TP1	<i>Status:</i>	Approved
<i>Description:</i>	Erection of industrial warehouse for steel processing and stock holding (11618sq ft).		
<i>Application Number:</i>	95/00280/TP	<i>Status:</i>	Approved
<i>Description:</i>	Erection of single storey lean to extension to provide transport office		
<i>Application Number:</i>	88/00822/TP	<i>Status:</i>	Approved
	Erection of single storey building (2100 sq m / 22604 sq ft)		
<i>Application Number:</i>	84/00596/TP	<i>Status:</i>	Approved
<i>Description:</i>	Erection of industrial/warehouse building (60 sq m/6480 sq ft)		
<i>Application Number:</i>	90/00647/TP	<i>Status:</i>	Approved
<i>Description:</i>	Erection of steel storage and processing centre building (6915 sq.m/74422 sq.ft)		
<i>Application Number:</i>	80/00573/TP	<i>Status:</i>	Approved
<i>Description:</i>	Erection of industrial/warehouse building for steel processing and stockholding (38382 sq ft)		
<i>Application Number:</i>	80/00682/TP	<i>Status:</i>	Approved
<i>Description:</i>	Erection of industrial/warehouse buildings for steel processing and stockholding (42250sq ft)		
<i>Application Number:</i>	80/00002/TP	<i>Status:</i>	Approved
<i>Description:</i>	Installation of 4 two metric ton calor gas storage tanks		
<i>Application Number:</i>	80/00130/TP	<i>Status:</i>	Approved
<i>Description:</i>	Erection of industrial/warehouse for steel processing and stockholding (11618 sq ft)		
<i>Application Number:</i>	78/00367/TP1	<i>Status:</i>	Approved
<i>Description:</i>	Details if planting and landscape treatment		
<i>Application Number:</i>	72/00138/TP	<i>Status:</i>	Approved
<i>Description:</i>	Alterations to existing electricity transformer chamber		
<i>Application Number:</i>	78/00065/TP	<i>Status:</i>	Approved
<i>Description:</i>	Installation of weighbridge		
<i>Application Number:</i>	77/00245/TP	<i>Status:</i>	Approved
<i>Description:</i>	Erection of industrial and warehouse buildings for steel processing stockholding mechanting and assembly of hardware ironmongery and		

	electrical goods packs with ancillary accommodation (54999 sq ft/5017m.sq.)		
<i>Application Number:</i>	78/00367/TP	<i>Status:</i>	Approved
<i>Description:</i>	Erection of industrial and warehouse buildings for steel processing stockholding mechanting and assembly of hardware ironmongery and electrical goods packs with ancillary accommodation (74000sq.ft./6845sq.m)		
<i>Application Number:</i>	78/00365/TP	<i>Status:</i>	Approved
<i>Description:</i>	Erection of gatehouse		
<i>Application Number:</i>	58/00042/BAR	<i>Status:</i>	Approved
<i>Description:</i>	Use of land for open timber storage		
<i>Application Number:</i>	59/0078/BAR	<i>Status:</i>	Approved
<i>Description:</i>	Use of land for open timber storage		
<i>Application Number:</i>	53/00111/BARA	<i>Status:</i>	Approved
<i>Description:</i>	Erection of closed timber storage building		
<i>Application Number:</i>	96/00018/TP	<i>Status:</i>	Approved
<i>Description:</i>	Variations to approved car parking layout, landscaping scheme, boundary treatment and, access arrangements conditional under decision notice TP/647/90.		

Appendix 3:

The following consultations have been undertaken:

- LBBB Environment Protection Officer
- Be First Transport Officer
- Designing Out Crime Officer
- Port of London Authority
- LBBB Access Officer
- LBBB Head of Enterprise and Employment Strategy
- Greater London Authority (GLA Stage 1 referral)
- LBBB Refuse and Recycling Officer
- Environment Agency
- Lead Local Flood Authority
- LBBB Air Quality
- LBBB Energy
- LBBB Affordable Workspace
- Canal and River Trust

Summary of Consultation responses:

Consultee and date received	Summary of Comments	Officer Comments
<p>Environment Protection Officer</p> <p>Emails dated 29/11/2020 and 02/12/2020</p>	<p>Initial questions were raised with regards to output noise levels of noise sources on site and questioned why the noise surveys were undertaken for a 24 hour period, without consideration given to impacts on surrounding residential gardens particularly at weekends.</p> <p>The applicant's Noise consultant responded to suggest a planning condition to ensure that the noise from any plant installed pursuant to the permission, shall not exceed the background noise level outside the window to any noise-sensitive room, to also apply to weekends.</p> <p>The Environmental Protection Officer responded to confirm acceptance of the suggested condition, in addition to the submission of a noise management plan.</p>	<p>Noise is discussed in the Residential Amenity section of the report above.</p> <p>Conditions will be imposed as advised.</p>
<p>Transport Officer</p> <p>Email dated 13/11/2020</p>	<p>Based on the information provided it is considered that there is no apparent adverse highway safety issue or any substantial reason to object, subject to:</p> <ul style="list-style-type: none"> • For the submission of a Car Park Design and Management Plan setting out how the car parking management and car parking design will be provided with reference to Transport for London 	<p>Issues relating to transport are assessed in the Sustainable Transport section of this report.</p> <p>A cycle parking and car parking condition has been included.</p>

	<p>guidance and in line with maximum car parking standards set out in the Intend to Publish London Plan. Car parking should include 5% total parking provision for disabled parking and a further 5% for enlarged bays. Enlarged bays should be large enough to become disabled persons parking bays quickly and easily via the marking up of appropriate hatchings and symbols and the provision of signage. The installation of electric vehicle charging points is also encouraged.</p> <ul style="list-style-type: none"> • The provision of 68 long-stay and 18 short-stay cycle spaces. Cycle Parking details should be submitted and laid out in accordance with guidance contained in the London Cycling Design Standards. 	
<p>Designing Out Crime Officer</p> <p>Email/letter dated 04/11/2020</p>	<p>Crime prevention and community safety are material considerations for any developer. The police understand that material changes being made to the proposed site are limited but urge the developer to work with the design out crime team (DOCO) to make positive upgrades where possible. Something that BEFIRST have done with great effect in the recent past.</p> <p>Request that a condition is added, as laid out in the example below: The development shall achieve secure by design standards to the satisfaction of the local authority and the Metropolitan Police, details of which shall be provided in writing to the Local Planning Authority prior to first habitation or use. All security features are to be retained and maintained for the lifetime of the development.</p> <p>REASON: To provide a safer environment for future residents and visitors to the site and reduce the fear of crime.</p>	<p>The application proposes no physical alterations, however it is considered appropriate for the condition to be imposed to ensure a safe environment before the new uses commence at the site.</p>
<p>Port of London Authority</p> <p>Email dated 25/11/2020</p>	<p>The response notes that there are no works proposed to the existing buildings or to the existing landscaping here. In addition, the surface water run-off will be managed as per the existing situation at this site. With regard to lighting, it is noted that should planning permission for the proposed change of use be granted,</p>	<p>Lighting is considered at the Residential Amenity and Biodiversity sections of this report.</p> <p>The site does not include any physical changes to the site, and the relationship of the site to the River Roding would remain as existing. This would therefore</p>

a condition should be placed on the decision requiring the submission of an updated lighting statement. The PLA agrees with this and considers that the updated lighting statement must set out how it will be ensured that there are no negative effects on marine ecology as a result of the proposed external lighting.

The submitted Planning Statement describes the latest updates with regard to the Safeguarded Wharves review, where Welbeck wharf is proposed to be released from its Safeguarded Status, principally that in September 2020 the Housing Minister has written to the Deputy Mayor for Planning, Regeneration and Skills on behalf of the Secretary of State confirming their agreement with the recommendations included in the Implementation Report – Safeguarded Wharves Review 2018-2019, which includes for the proposed release of the Safeguarded Status of this wharf. Whilst this is accepted by the PLA it is considered that given the sites location adjacent to the River Roding, in line with policy SI15 of the emerging London Plan any development proposals close to navigable waterways should seek to maximise the use of water transport, either directly to/from the site or via the supply chain during demolition and construction stages. In addition, policy T7 (Freight and servicing) of the emerging London Plan states that development proposals that seek to deliver mode shift from road to water should be supported. The PLA recommends that given the sites location adjacent to the River Roding, as part of any future development proposals consideration must be given to the potential use of the site to effectively utilise its riverside location.

Given the location of the site adjacent to the River Roding, it must also be ensured that there is appropriate Riparian Life Saving Equipment (such as life buoys and grab chains) provided at this location, in line with the PLA's Safer Riverside guidance (2020). It is recommended that as part of any forthcoming planning permission, a condition is added to ensure that the future occupier of the site provides this essential infrastructure along the river

not preclude any new uses from making use of the river for freight and servicing if capable and viable.

A condition is imposed to ensure there is appropriate Riparian Life Saving Equipment. This is considered reasonable and relevant given the relationship of the site to the River, and the potential increase in job numbers at the site, and therefore additional occupiers of the site.

	edge of this site.	
Access Officer Email dated 5/11/2020	No comments to make on the change of use.	Noted.
Head of Enterprise and Employment Strategy Email dated 18/11/2020	<p>There is currently no construction works associated with the development, but that the change in use could present an opportunity for increased density of jobs.</p> <p>From the perspective of the council's commitments to Inclusive Growth, we are supportive of the conversion of use on this basis, and would advise that agreement should be sought on proportion of jobs offered by the end-user to local residents, as well as (depending on the nature of the end user) a commitment to support the training and employability work provided by LBBB to support local residents to access those jobs.</p> <p>Our minimum expectation would be a commitment to 25% of overall jobs for local residents, with all newly created jobs advertised through our Job Brokerage service.</p> <p>Depending on the sector and nature of the end user, it may be recommended to seek further commitments that connect to other development work ongoing in the borough (e.g. the construction sector, creative / digital / film, food, health and social care) relating for example to supporting training and skills provision, and connecting to local supply chains.</p>	<p>Employment is assessed at the Employment section of this report.</p> <p>A Section 106 agreement is being prepared and sealed to secure the provision of 25% end user jobs for local residents as well as a commitment to support the training and employability.</p>
Greater London Authority Letter dated 25/11/2020	<p>The application is referable to the Mayor of London owing to its status as a Safeguarded Wharf.</p> <p>The GLA concluded that the development does not give rise to any new strategic planning issues.</p> <p>Therefore, under article 5(2) of the above Order the Mayor of London does not need to be consulted further on this application. The Council may, therefore, proceed to determine the application without further reference to the GLA.</p>	Noted.
Refuse and recycling officer Email dated	The application for the proposed change of use in the existing development is conditionally acceptable subject to submission and approval of a detailed	Refuse and waste is discussed at the Waste Management Section of the above report.

01/12/2020	<p>refuse strategy.</p> <p>The refuse strategy should include details like nature of storage and distribution of materials in the warehouses, segregation and storage facilities for waste on site, size and location of bin stores, refuse capacity provisions, RCV swept path analysis.</p>	A condition is proposed to be imposed, in line with the recommendation.
Environment Agency	No response	No response has been received to date from the Environment Agency, However officers are satisfied that the proposed change of use to alternative industrial uses would not increase flood risk at the site or in the area. This has been confirmed by LLFA (see below).
Lead Local Flood Authority Email dated 02/12/2020	<p>Satisfied that the application to change the use of this site to B2, B8 and E, without any external changes to buildings or the area of impermeable surfaces, does not require any changes to the existing drainage provision.</p> <p>The applicant's attention should be drawn to the fact that groundwater emergence has been an on-going problem on land adjacent to the development site, at Thames View Lodge. So, in this instance, the generic 'medium to low' risk assessment relied upon in the FRA is probably incorrect. As no excavations are proposed and the area remains 100% impermeable, this should not make any material difference to the proposed change of use.</p> <p>Evacuation plans should be produced and any internal alterations to the existing buildings should be sensitive to providing flood resilience.</p>	Flood risk and drainage is discussed in the above report. A condition should be imposed with respect to excavation plans and a further flood risk informative will be added, to ensure the applicant is aware of potential flood risk issues, in accordance with LLFA recommendation.
Canal and River Trust Email dated 04/11/2020	The application falls under the scale of development applicable for the notified area. There is therefore no requirement to consult.	No comments.

Appendix 4:

Neighbour Notification:	
Date Site Notice Erected:	N/A
Date of Press Advertisement:	04/11/2020
Number of neighbouring properties consulted:	632
Number of responses:	2
Address:	Summary of response:
<i>Unknown</i>	<i>Objects to the proposal.</i> <ul style="list-style-type: none"><i>Raises concerns with regards to the entry and exit of the Thames View Estate, and existing restrictions. Concerned with regards to the additional access to Heavy Good vehicles creating difficulties for emergency services.</i><i>Excessive traffic pollution already suffering will be increased. The objective of the Council is clean air.</i>
<i>Waverley Gardens</i>	<i>Questions and concerns:</i> <ul style="list-style-type: none"><i>Privacy will be lost in Waverley Gardens with refurbished offices overlooking gardens and rooms at the back of the house</i><i>Noise and air pollution will be increased</i><i>The proposal will increase the existing heavy traffic floor on River Road</i><i>Will the site be in operation 24/7?</i>

Officer Summary:

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

Appendix 5:

Conditions & Informatives:

1. Statutory Time Limit - Planning Permission

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

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Development in accordance with Approved Plans

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

Approved Plans:

- Lease Plan – 89186-HLS-00-Z0-M2-G-10700-SO – dated 18/06/2020
- Site Plan – 92310-HLS-00-Z0-M2-G-10700-A7 Rev 01 – dated 03/11/2020
- Elevations – 92310-HLS-00-ZZ-M2-G-10400-A7- dated 21/10/2020 (sheets 1-8)
- North Warehouse Welbeck Wharf – 89186-HLS-NW-ZZ-M2-G-10200-A7 – dated 18/06/2020
- Office building floor plan – 89186-HLS-OB-ZZ-M2-G-10200-A7 – dated 18/06/2020
- Southern Warehouse Floor Plan – 86186-HLS-SW-ZZ-M2-G-10200-A7 – dated 18/06/2020

Approved Documents:

- Application Form - 16 November 2020 Fix
- CIL Additional Questions – 16 November 2020 Fix
- CIL Assumption of Liability Form - 16 November 2020 Fix
- Planning Statement – 16 November 2020 Fix
- Planning Statement Addendum – 16 November 2020 Fix
- Transport Statement, i-Transport, NM/MD/LC/ITL15418-001a R – 16 November 2020 Fix
- Framework Travel Plan, i-Transport, NM/MD/LC/ITL1548-002 R
- Lighting Statement
- Ventilation and Extraction Statement, WSP - 16 November 2020 Fix
- Flood Risk Assessment, WSP 70078756-DR-REP-001 – 16 November Fix
- Flood Risk Assessment Appendices A-E, WSP – 16
- Comparative Risk Profile Change, WSP – 16 November 2020 Fix
- Welbeck Wharf Ecological Desk Study, WSP - 16 November 2020 Fix
- Welbeck Steel – River Road Barking, BREEAM RFO 2014 Pre-Assessment (Desk Study), WSP - 16 November 2020 Fix
- Energy Statement PSH
- Air Quality Statement, WSP 70078756-AQ1 - 16 November 2020 Fix
- Noise Impact Assessment, MLM Group 103507-MLM-ZZ-XX-RP-YA-0001 - 16 November 2020 Fix Issue 3 – November 2020
- Noise Impact Assessment Addendum, MLM – 20 November 2020
- Security Needs Assessment, BB7 – 11433BB – 8 October 2020
- Summary of Areas, Hollis – 19 June 2020

No other drawings or documents apply.

Reason: To ensure that the development is undertaken in accordance with the approved drawings and documents, to satisfactorily protect the residential amenities of nearby occupiers.

Prior to first use Conditions

3. Noise Management Plan

A Noise Management Plan shall be submitted to and approved in writing prior to the first use of the development hereby permitted. The Noise Management Plan shall include a complete noise assessment to measure noise levels on week days, nights and weekends. The Plan and any noise mitigation measures contained within shall be implemented prior to first use and permanently retained for the duration of the development.

Reason: To ensure that the surrounding residential properties in the vicinity of site are adequately protected from noise.

5. Air Quality Assessment

Prior to the first use of the development hereby permitted, a detailed Air Quality Assessment shall be submitted to and approved in writing by the Local Planning Authority. Any Air Quality mitigation measures identified within the approved Air Quality Assessment must be installed in full prior to the first use of the development.

Reason: To protect the residential amenity of surrounding occupiers

6. Fire Statement

Prior to the first use of the development hereby permitted, a Fire Statement shall be submitted to and approved in writing by the Local Planning Authority. The Fire Statement shall be produced by an independent third party suitably qualified assessor which shall detail the building's products and materials; the means of escape for all building users including those who are disabled or require level access together with the associated management plan; access for fire service personnel and equipment; ongoing maintenance and monitoring and how provision will be made within the site to enable fire appliances to gain access to the building. The Fire Safety Scheme shall be implemented in accordance with the approved detailed prior to first occupation of the development and permanently maintained thereafter.

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

7. Crime Prevention Scheme

Prior to first use of the development the scheme shall achieve SABRE certification to the satisfaction of BRE in consultation with the Metropolitan Police.

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.

8. Car Parking / Blue Badge Parking / Electric Vehicle Charging Points

Prior to the first use of the site a Car Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Car Parking Management Plan shall include details of all vehicle parking, to be in accordance with maximum car parking standards as set out in the Intend to Publish London Plan, and must include the provision for disabled car parking at a total of 5% specifically designated disabled bays and a further 5% for enlarged bays. The Car Parking Management Plan should also include details of electric vehicle charging points. The approved Plan shall be implemented before the first use of the development and thereafter permanently retained.

Reason: To ensure sufficient off-street parking, to encourage the use of electric cars in order to reduce carbon emissions and to promote easier access for disabled persons.

9. Cycle Parking

Prior to the use of any buildings, details of cycle parking shall be submitted to and approved in writing by the Local Planning Authority. Cycle parking shall be laid out in accordance with the approved details and thereafter, the cycle parking facilities shall be permanently retained for the duration of the development.

The development shall provide a total of 68 long stay cycle spaces and 18 short stay cycle parking spaces and shall meet London Cycling Design Standards.

Minor amendments may be agreed in writing from time to time by the Local Planning Authority.

Reason: In the interests of promoting cycling as a safe, efficient and non-polluting mode of transport

10. Refuse Strategy

Prior to the first use of the development hereby approved, a detailed refuse strategy shall be submitted to and approved in writing by the Local Planning Authority. The refuse strategy shall include details of the nature of the storage and distribution of materials in the warehouses, segregation and storage for waste on site, size and location of bin stores, refuse capacity provisions and RCV swept path analysis. The approved refuse stores shall be provided before the occupation of the development and thereafter permanently retained, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide satisfactory refuse storage provision in the interests of the appearance of the site and locality

11. External Lighting

Prior to the first use of the development hereby permitted, details showing the provisions to be made for external lighting shall be submitted to and approved in writing by the Local Planning Authority. The lighting is to be designed, installed and maintained so as to fully comply with The Association of Chief Police Officers - Secured by Design publication "Lighting Against Crime - A Guide for Crime Reduction Professionals", ACPO SPD, January 2011. The lighting statement must set out how the lighting is designed to ensure there are no negative effects on marine ecology. The development shall not be in use 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 users of the site to reduce the risk of crime, and to protect the amenity of neighbouring residents and ensure there are no negative effects on marine ecology.

12. Flood Risk – Evacuation Plans

Prior to the first use of the development hereby permitted, an emergency flooding plan shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall include:

- a) Details of advanced flood warning measures;
- b) Advanced site preparation measures to be undertaken in the event of a flood warning;
- c) Site evacuation measures;
- d) Measures to monitor the surface water drainage system and drainage ditch system in the wider area;
- e) Dedicated named flood wardens who will be on site during all operational hours of the development, responsible for flood safety measures in accordance with emergency flood management plan.

The approved emergency flooding plan shall be relayed to all site workers and shall be implemented for the life of the development.

Reason: To ensure the development is made safe for its lifetime.

13. Riparian Life Saving Equipment

Prior to first use of the development hereby permitted, details of Life Saving Equipment shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Port of London Authority. The life-saving equipment shall be in accordance with the Port of London Authority's Safer Riverside Guidance (2020) and provided in accordance with the approved details prior to the first use of the development. The life-saving equipment shall be permanently retained to an acceptable standard.

Reason: To ensure essential infrastructure is provided along the river edge of this site.

14. Carbon Reduction

Prior to the first use of the development hereby permitted, a detailed Energy and Sustainability Statement shall be submitted to and approved by the Local Planning Authority. The Energy and Sustainability statement must set out measures to achieve a minimum 35% reduction in carbon dioxide emissions over Part L of the Building Regulations (2013) (when applying updated SAP 10 emission factors).

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

15. BREEAM

The development hereby permitted shall achieve as a minimum a BREEAM 'Excellent' rating, unless otherwise agreed in writing. A Certificated BREEAM Assessment (In-Use or Refurbishment and Fit-Out), or other verification process agreed with the Local Planning Authority, shall be provided, confirming that the agreed standards have been met, prior to the occupation of the approved use.

Reason: To ensure that the proposed development is environmentally sustainable.

Monitoring & Management Conditions

15. Industrial use of the site

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended), the development hereby approved is for Use Class B2, Use Class B8 and Use Class E(g)(iii) only and shall be used for no other purposes within Class E or any provision equivalent to these Classes in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To safeguard the industrial use hereby permitted.

16. Flood Risk – ground levels

There shall be no raising of existing ground levels on the site.

Reason: To facilitate the free passage of flood water in times of flooding

17. Noise

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

Reason: To ensure that the surrounding residential are adequately protected from noise.

Informatives:

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

You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.

Practical advice on how to reduce flood damage to your property is available in a free document entitled "Preparing for Floods" (October 2003) - a comprehensive guide to help homeowners and small businesses to improve the flood resistance of their homes and premises. The guidance contains advice on both simple, low-cost measures to limit damage to valuables as well as suggestions on building alterations and designs that help keep water or reduce damage if flood water enters. The guide is aimed at homeowners, small businesses, planners and developers. Copies of "Preparing for Floods" are available free of charge from the Environment Agency 24 hour "Floodline" on 0845 988 1188, or on our website: <http://www.environment-agency.gov.uk/floodline>. Flood Risk Management Authorities recommend that in areas at risk of flooding consideration be given to the incorporation into the design and construction of the development of flood proofing measures. These include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels. Additional guidance can be found in the Environment Agency Floodline Publication 'Damage Limitation'. A free copy of this is available by telephoning 0845 988 1188.

Appendix 6:

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 agreement completes and payable on completion of the deed;
2. Payment of £1,500 for the Council's fees in monitoring and implementing the Section 106 and payable on completion of the deed; and,
3. Indexing – all payments are to be index linked from the date of the decision to grant planning permission to the date on which payment is made, using BCIS index.

Employment:

4. Reasonable endeavours to secure an Employment, Skills and Suppliers Plan is submitted prior to implementation ensuring that a minimum of 25% of local labour and suppliers required for the end user phase of the development are drawn from within the Borough, to maximise opportunities for local residents and businesses.

Sustainability:

5. The development shall achieve a minimum 35% reduction in carbon dioxide emissions over Part L of the Building Regulations 2013 through on-site provisions for the development and any remaining carbon emissions to zero-carbon should be offset through a monetary contribution to the Local Authority's carbon offset fund calculated on the basis of £60 per tonne , payable for 30 years.