

Barking and Dagenham Council Planning Committee addendum report		Date: 22 nd March 2021
Application No:	20/01097/OUTALL	Ward: River Ward
Address:	Barking Power Station Chequers Lane, Dagenham, Barking and Dagenham, RM9 6PF	
Development:	Outline application (with all matters reserved) for demolition of remaining existing buildings/structures and development of a consolidated wholesale market (including market spaces, logistics, distribution, food preparation areas, storage and ancillary uses) with associated circulation and service floorspace, parking and landscaping	
<p>1.0 Summary</p> <p>1.1. As mentioned within the Committee report (TfL consultation response within Appendix 3) Transport for London provided further comments to the application on 5th March 2021, this was during the publication deadline of the committee report. This response was accompanied by a financial contribution request of £4million to be secured toward schemes on the A13 to better manage traffic, particularly to safeguard road safety at times of increased congestion, and to safeguard bus journey times on the approaches to Goresbrook Interchange and on the section of A13 on which they run.</p> <p>1.2. Officers having had regard to the consultation request considered this contribution was not justified in relation to the applicants impact on the A13. This is because, at the time of the specific concern (0800-0900 hours) the market would provide 1% of the traffic on the network having ceased operations. Furthermore, it was not considered proportionate given the extensive s106 mitigation package as set out within the committee report.</p> <p>1.3. Following publication of the committee report further discussions have taken place between officers, the applicant and Transport for London in relation to the above matters. It is however clear, that there is an impact arising from the early delivery of the Goresbrook Interchange works. Therefore, all parties are in agreement that there needs to be a financial contribution towards wider improvements to the A13, including as envisaged by the London Riverside Opportunity Area Study.</p> <p>1.4. As such, the applicant has advised they acknowledge the importance of a co-ordinated approach to securing improvements to the strategic transport network and as such consider it reasonable to pay a proportionate contribution towards funding solutions to help meet the strategic infrastructure needs. Transport for London have provided a further response on 19th March 2021 advising that subject to securing this contribution, they have no objections to the application.</p>		

1.5. Officers having had regard to the test for imposing s106 obligations as set out within the CIL regulations (as amended), consider the obligation is necessary to make the development acceptable in so far as the obligation will reduce the impact of the development on the A13, is directly related to the development and is fair and reasonably related to the scale and kind to the development.

1.6. As such, officers recommend planning permission is granted subject to securing an additional obligation as listed below.

Obligation 41: A financial contribution of £2million towards the Strategic Transport Network (A13).

1. Six months prior to Implementation of the Goresbrook Interchange Works or upon completion of the Highways Agreement between the Owner and TfL (whichever shall be the later) the Owner will make available to TfL the sum of £2m to be used by TfL towards securing improvements to the strategic transport network, which could include the delivery of measures to improve traffic management on the A13 or bus priority. (This may include preparatory work in advance of such delivery).
2. The Owner shall make the payment or payments to TfL within 21 days of TfL's written request to the Council, such request to identify the sum required, the purpose for which it will be expended, and the measures anticipated to be delivered by such expenditure. The draft request shall be discussed by the City of London Transport Steering Group prior to TfL submitting to the Council.
3. The payment or payments will be to TfL by the Owner subject to a condition that it is expended by TfL solely for the purpose for which it has been paid.
4. If the contribution or any part remains unspent five years after first Occupation of the Development, it shall be returned to the Owner.

Recommendation:

The Officer recommendation remains unchanged, however is now subject to the additional obligation outlined above.

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