

LONDON BOROUGH OF BARKING & DAGENHAM PLANNING COMMITTEE

Application for Planning Permission

Case Officer:	Nasser Farooq	Valid Date:	11/01/2021
Applicant:	SEGRO (East Plus) Limited	Expiry Date:	12/04/2021
Application Number:	21/00023/FUL	Ward:	Thames Ward
Address:	Plot 2, Segro Park Dagenham, Choats Road, Barking, RM9 6BF		

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 Plot 2, Segro Park, Choats Road, Dagenham.

Proposal

The demolition of an existing research building, gatehouse and associated hardstanding; construction of an industrial building (Use Class B2, B8, E(g)(iii)), with ancillary offices, entrance building, security hub, gatehouse and access ramps; creation of new vehicular accesses from Hitch Street and Choats Road; pedestrian and cycle access from Choats Manor Way; cycle, motorcycle, car, van and HGV parking; hardstanding and circulation areas; sprinkler tanks; pump house; relocated pumping station; and all other ancillary and enabling works including landscaping, drainage, engineering, ground stability works and boundary treatment.

Officer Recommendations

Planning Committee is asked to resolve to:

1. Agree the reasons for approval as set out in this report,
2. Delegate authority to the LBBD Director of Inclusive Growth (or authorised officer) in consultation with LBBD Legal Services to grant planning permission subject to any direction from the Mayor of London, the completion of a Section 106 legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) based on the Conditions listed at Appendix 4 of this report and the Heads of Terms identified at Appendix 5 of this report,
3. Delegate authority to the LBBD Director of Inclusive Growth (or authorised officer) in consultation with LBBD Legal Services to negotiate and secure the Section 106 legal agreement based on the Heads of Terms at Appendix 5 of this report, and
4. Agree that, if by 6 January 2022 the legal agreement has not been completed, the LBBD Director of Inclusive Growth (or authorised officer) has delegated authority to refuse planning permission or extend this time frame to grant approval.

Heads of Terms Summary

Administrative

1. Payment of the Council's professional and legal costs, whether or not the deed completes.
2. Payment of the Council's reasonable fees of £2,000 in monitoring (£500 per Head of Term Section – excluding Transport, Employment and Food Related obligations) and implementing the Section 106 and payable on completion of the deed.
3. Indexing – all payments are to be index linked from the date of the decision notice to grant planning permission to the date on which payment is made, using BCIS or Consumer Price index (as appropriate).

Energy and Sustainability

4. Carbon off-setting to ensure the development achieves zero-carbon standards. Where it is clearly demonstrated that zero-carbon standard (based on net-zero regulated CO2 emissions) cannot be achieved on-site, any shortfall should be provided through a cash in lieu contribution (£95/ per tonne over a 30 year period as the rate in place at the time of the application's determination) to the borough's carbon offset fund, and/or off-site (provided that an alternative proposal is identified, and delivery is certain and agreement is reached by the Council of no appropriate alternative projects can be agreed).
5. Future proof development in order to ensure it could connect to a District Heating Network As part of Reserved Matters planning application, the Owner will submit a District Heating Network (DHN) Statement to the Council for approval to detail how the development could connect to the DHN or future DHN.
6. Energy Be Seen energy performance.
7. A financial contribution (£25,000) towards a wider study for Dagenham Dock de-centralised energy network potential

The Owner and Be First will agree the scope of the study through the steering group at the time of commission. The progress of the study will be reported to the Steering Group.

Transport and Highways

8. The Owner will enter into a S278 Agreement for carrying out improvements to Goresbrook Interchange (the 'Goresbrook Interchange Highway Works')

The works should include:

9. A commitment to deliver the LSIP cycle route to Dagenham Dock Station or a financial contribution (£337,303) if this is not achievable.
10. A financial contribution (£25,000) towards the development of a strategic infrastructure masterplan study focused on modal shift, including the river / rail freight proposition, innovation, promotion and support of low carbon and autonomous vehicles.

The scope of the masterplan study will be submitted to the Council for approval. The scope will be discussed with relevant members of the Steering Group.

11. A financial contribution (£200,000) towards the enhancement of local bus services to serve the development.

Air Quality

12. Submission of a revised Car Parking Management Plan

By the 3rd anniversary of occupation of the development, a revised Car Park Management Plan (CPMP) shall be submitted to the local planning authority for determination. The revised CPMP shall be accompanied with a report monitoring usage of the car park since first occupation.

The CPMP shall include the Public Transport Access Level (PTAL) score for the development. On submission of the CPMP, if the average PTAL score across the Site is 4 or greater, SEGRO shall use reasonable endeavours to reduce the provision of on-site car parking, up to a maximum of 20% of approved parking spaces by the 6th anniversary of first occupation of the development.

13. Site Wide Travel Plan

The Owner shall develop a Site Wide Travel Plan that accords with the approved Framework Travel Plan in consultation with TfL.

14. Air Quality off-setting contribution. A payment at the off-setting contribution rate of £29,000 per tonne of NOx over the benchmark (or the equivalent rate at the time of reassessment) will

be applied if the scheme does not meet air quality neutral standards with the mitigation measures incorporated in the Kairus Ltd Air Quality Assessment Report issued 5.1.21

Public Realm

15. [A financial contribution \(£300,000\) towards Public realm enhancements in and around Dagenham Dock station.](#)

Employment and Skills

16. [Local employment, training and supply chain plans](#)

17. [A financial contribution \(£157,500\) towards training and employment support for local residents across Construction and End Use phase:](#)

18. [Employment during Construction](#)

[The Owner will use reasonable endeavours to ensure that jobs are provided to LBBB residents, during the construction and remediation phases.](#)

19. [Training during Construction](#)

[The Owner will use reasonable endeavours to ensure the following:](#)

- [Deliver Health and Safety training \(CSCS\) for twenty-five \(one training opportunity for every 10 construction workers\) young people developing a career in the construction industry.](#)

- [Provide 20 weeks of work experience with each placement lasting a minimum of 2 weeks. Candidates to be brought through from the training where possible. For up to 10 people.](#)

- [Provide at least one educational workshop / visit for primary or secondary school students per educational term, for the duration of the construction phase, to support local schools and careers services.](#)

- [Paid Work Placement/Traineeship to new entrants to the industry \(LBBB\) - Support residents with a CSCS card but with little or no prior experience of working on site. A total of 70 weeks employment on site. Candidates to be brought through from the training where possible. Up to 4 people.](#)

20. [Employment – End User Obligations](#)

Conditions Summary

1. [Three Year Time Limit](#)

2. [Development in accordance with approved plans](#)

[Prior to commencement of development](#)

3. [Secure by Design accreditation](#)

4. [Contamination](#)

5. [Construction Environmental Management Plan \(CEMP\)](#)

6. [Construction Logistics Plan](#)

7. [Construction Noise](#)

8. [Fire Safety](#)

[Information required prior to above ground floor works.](#)

9. [Details of all façade materials](#)

10. [Details of all boundary treatment](#)

11. [Electric Vehicle Charging Points and Rapid Electric Vehicle Charging Points](#)

12. [Cycle Parking](#)

13. [Noise from Non-Residential Uses and Plant and Structure Borne Noise Emissions](#)

[Prior to occupation](#)

14. [Emergency Flood Risk](#)

15. [Car Park Management Plan](#)

16. [Energy Statement](#)

17. [Archaeology](#)

18. [Travel Plan](#)

19. [Whole life carbon assessment](#)

20. [BREEAM target](#)

21. [Sustainable Drainage](#)

22. [Circular Economy Statement](#)

- [23. Delivery and Servicing Plan](#)
- [Compliance conditions](#)
- [24. Surface Water Drainage](#)
- [25. Piling, Deep Foundations and Boreholes](#)
- [26. Maximum Quantum of Floorspace](#)
- [27. Site specific non-road mobile vehicles \(NRMM\)](#)
- [28. Flood Risk Assessment](#)
- [29. Maximum Car Parking Numbers](#)
- [30. Open Storage](#)

OFFICER REPORT

Planning Constraints

The application site is located within Flood Zone 3.
London Plan Designation – Strategic Industrial Land, Preferred Industrial Land
The site falls within the London Riverside Opportunity Area
The site falls within the Joint Waste Development Plan Document (JWDPD)
The site falls within the London Sustainable Industries Park.
The site is within the London City Airport Safeguarding Zone.
The site lies within an Archaeological Priority Area.

The site is close to Dagenham Breach Site of Importance for Nature Conservation (SINC) and is near to the River Thames.

Site, Situation, Proposal and Relevant Background Information

The Site is positioned alongside Choats Road and Choats Manor Way, within the London Sustainable Industries Park.

The Site extends to approximately 3.99 hectares (ha) and largely consists of undeveloped brownfield land. It comprises mostly vacant, previously developed scrubland with the exception of a carpark and associated access roads and two associated buildings (a gatehouse and redundant research building) towards the south-western corner of the site. Attenuation ponds are located along the south-east boundary. Tree planting is also located along the boundary of the Site to the north, east and the south.

Access to the Site is taken from Choats Road.

The site has a public transport accessibility level (PTAL) rating of 1B (the lowest accessibility rating). It is located around 850 metres from the nearest train station, which is Dagenham Dock located to the north. The station provides regular services to Grays and London Fenchurch Street Station.

In terms of vehicular access, the A13 is located immediately to the north of the Site. The A13 is a major strategic route, connecting Central London with East London and South Essex. There is, however, no direct pedestrian or cycle route from the station to the site.

The wider area is referred to as the London Sustainable Industries Park and lies within Dagenham Dock.

Large commercial buildings are located immediately east of Choats Manor Way and are used by multiple operators. 'Refood Ltd', a waste processing and management facility, is located adjacent to the west and accessed by Choats Road which forms the site's southern boundary.

A large mixed-use urban development known as 'Barking Riverside' including residential properties, commercial uses and business premises, a hotel, a care home and residential institutions and primary and secondary schools, is under construction approximately 500m further to the south-west.

Key Issues

1. Principle of Development	5
2. Employment	8
3. Design and Quality of Materials:	9
4. Impacts to Neighbouring Amenity	14
5. Agents of Change	14
6. Sustainable Transport	15
7. Waste Management and Refuse Collection	18
8. Archaeology Impact:	19
9. Delivering Sustainable Development (Energy / CO2 Reduction)	19
10. Biodiversity, Landscaping and Sustainable Drainage	21
11. Air Quality	22
12. Land Contamination	23
13. Other Matters	23
14. Conclusions	25

Planning Assessment

1. Principle of Development

<i>Existing use of the site</i>	Vacant
<i>Proposed use of the site</i>	(Use Class B2, B8, E(g)(iii)) 32,957 sqm
<i>Net gain / loss in number of jobs</i>	Net gain of the equivalent of approximately 250 jobs

1.1. In determining the application LBB as local planning authority must have regard to the provisions of the development plan, so far as material to the application (Section 70 Town and Country Planning Act 1990). The development plan consists of the London Plan and the Local Plan. LBB must determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) Planning and Compulsory Purchase Act 2004). Other material considerations include

Supplementary Planning Guidance, Supplementary Planning Documents, the Council's Emerging Local Plan and the National Planning Policy Framework. Regard must also be had to the documents accompanying the application, consultation responses and other representations and information (so far as relevant).

- 1.2. Paragraph 8 of the National Planning Policy Framework seeks to ensure sustainable development with three overarching objectives: Economic, Social and Environmental.
- 1.3. The newly adopted London Plan Policy GG2 'Making the best use of land' supports making the best use of land and prioritises the development of Opportunity Areas and brownfield land.
- 1.4. Policy E4 of the London Plan seeks to ensure a sufficient supply of land and premises in different parts of London to meet current and future demands for industrial and related functions is provided and maintained. London Plan Policy E5 'Strategic Industrial Locations (SIL)' Part A states that SILs "*should be managed proactively through a planned process to sustain them as London's largest concentrations of industrial, logistics and related capacity for uses that support the functioning of London's economy*". London Plan Policy E7 'Industrial intensification, co-location and substitution' supports the intensification of land for industry, logistics and services.
- 1.5. In relation to Opportunity Areas London Plan Policy SD1 seeks to promote ongoing growth. This policy supports and sustains the growth of SILs by considering opportunities to intensify and make more efficient use of SIL - in accordance with London Plan Policies E4, E5 and E7, as identified above.
- 1.6. The LROAPF identifies the Dagenham Dock area (also known as the London Sustainable Industries Park ('LSIP')) as SIL Industrial Business Park.
- 1.7. Policy CM1 of the adopted Core Strategy seeks to ensure employment growth is focussed on the boroughs industrial locations including the Strategic Industrial Land at Dagenham Dock.
- 1.8. The Council's Emerging Local Plan is at regulation 19 stage. As such, this document carries considerable weight as 'the direction of travel' of the boroughs policies. Within this plan the application site falls within Sub-Area 3: Dagenham Dock, Beam Park and the Ford Stamping Plant.
- 1.9. Draft Local Plan Policy SP1 'Delivering Growth' supports the delivery of distinct places and ensures that the Council will take a positive approach to development which reflects a presumption in favour of sustainable development. Draft Local Plan Policy DM6 'Utilising the borough's employment land more efficiently' sets out the LBBD's support for proposals which will deliver new employment floorspace.
- 1.10. The Proposed Development would comprehensively redevelop a brownfield site that has been underutilised for a number of years. This would accord with the NPPF and Policy GG2 of the London Plan. It will also intensify the use of the industrial land in accordance with Policy E7 of the London Plan and Strategic Policy SPP3 of the Emerging Local Plan.
- 1.11. The use of the land for the Proposed Development also accords with the abovementioned London Plan policies and the emerging Local Plan. Therefore, the overall regenerative benefits arising from the proposal weigh substantially in favour of the proposal.

1.12. Lastly, a number of conditions are recommended to ensure the development is in accordance with the submission, these include a restriction on the maximum quantum of floorspace to accord with the assessment undertaken as part of the submission. As such, taking the above into account the proposed use considered an appropriate employment generating use that is supported by the existing and emerging local plan and the above-mentioned London Plan policies. Therefore, the use is strongly supported in principle.

Waste allocation

1.13. The application site also falls within the Joint Waste Development Plan Document (JWDPD) for the East London Waste Authorities of Barking and Dagenham, Havering, Redbridge and Newham. The purpose of the Joint Waste DPD which was adopted in 2012 is to set out a planning strategy to 2021 for sustainable waste management which enables the adequate provision of waste management facilities (including disposal) in appropriate locations for municipal and commercial and industrial waste. It is also noted, the emerging local plan includes a number of references to the JWDPD effectively safeguarding the policies regarding to waste sites.

1.14. However, whilst the sites fall within the JWDPD, the Council is currently reviewing its approach to its industrial land with a particular view on intensification and diversification of sites. The surrounding area contains several waste facilities and, as reported to members at Planning Committee on 10 December 2018 under application no: 18/01501/FUL and 20/01097/OUTALL, officers believe the capacity requirements of the JWDPD to have been surpassed by planning consents post-adoption of the SPD.

1.15. As part of the local plan, the Council is preparing its evidence base which will be made public later this year. The initial findings of the study advises that the potential waste capacity at this site is not being relied upon as part of the basis for a review of the 2012 Joint Waste Plan.

1.16. It is noted the GLA have requested confirmation from the ELWA in relation to the above. However, given the proposed use strongly accords with current and emerging policy and the initial findings of the evidence base, along with the need to ensure a consistent approach with neighbouring developments which have recently come forward (some of which are outlined above) officers consider this is not needed.

1.17. As such, the Proposed Development would not result in the loss of a waste site or the loss of waste capacity and officers do not have a concern that the current proposal does not bring forward a waste use.

2. Employment

2.1. Policy E4 of the London Plan supports access to supply chains and local employment in industrial and related activities.

2.2. Strategic Policy SP5 of the Council's Emerging Local Plan seeks to ensure the Council delivers at least 20,000 new jobs and a wider employment base. The policy also seeks to ensure developments provide high-quality employment and training opportunities for

local people, and procurement opportunities for local businesses, focusing on investment in physical improvement, but also in the long-term social infrastructure and education required for producing talented, entrepreneurial individuals locally.

- 2.3. Policy CC3 of the adopted Core Strategy, seeks to ensure community benefits through developer contributions.
- 2.4. Policy SD1 Opportunity Areas of the London Plan states boroughs should support development which inter alia creates employment opportunities, support wider regeneration and ensure that development proposals integrate into the surrounding areas.
- 2.5. Policy E8 seeks to ensure employment opportunities for Londoners across a diverse range of sectors are promoted and supported along with support for the development of business growth and sector-specific opportunities.
- 2.6. Policy E11 seeks to ensure skills and opportunities for all to address low pay and gender and ethnicity pay gaps, and as set out in his Skills for Londoners Strategy, co-ordinate national, regional and local initiatives to promote inclusive access to training, skills and employment opportunities for all Londoners.
- 2.7. Part B of Policy E11 states development proposals should inter alia support employment, skills development, apprenticeships, and other education and training opportunities in both the construction and end-use phases, including through Section 106 obligations where appropriate.

Employment generation

- 2.8. The Applicant has carried out an analysis that suggests the Proposed Development would provide more than 250 jobs, and a further 660 job created through indirect employment (supply chain). This is strongly supported by officers.
- 2.9. In order to secure the full employment generated on site, and to ensure it is of benefit to local residents a number of planning obligations are considered necessary. These include:
 - A requirement on the Applicant to provide local employment, training and supply chain plans to be submitted at least three months before the start of the construction phase and provide a named employment coordinator (appointed by the Applicant) who is accountable for delivery and reporting of the obligations.
 - The plans will be required to provide a forecast of the estimated Full Time Employees (FTE) workforce and detail the projected spend with local suppliers and the number of jobs, apprenticeships, work placements and short courses that will be created over the lifetime of the development.
 - Plans are proposed to be monitored on a monthly basis for the first three months and quarterly thereafter.
- 2.10. Given the significant level of jobs to be created and promoted to LBBD residents, a financial contribution has been secured to support the Council in the delivery of employment and supply-side commitments within the s106 agreement.

2.11. The employment obligations to be secured are broken down further below into the following areas.

Construction related obligations.

2.12. Obligations securing reasonable endeavours to ensure jobs created construction phases are provided to LBB residents are proposed to be secured within the s106 agreement. The reasonable endeavour requirements are detailed further within the s106 Heads of Terms.

2.13. In relation to the supply side during construction, officers have secured obligations requiring tender schedules to be submitted to the Council and aiming for at least 25% of the value of all goods and services to be sourced by the borough.

End User obligations

2.14. In order to meet the policy requirements listed above planning obligations are required to ensure the employment, skill and training benefits which are considered necessary are secured. These have been secured as outlined within the s106 Heads of Terms.

2.15. The imposition of the above obligations have resulted from extensive discussions with officers from Be First, the London Borough of Barking and Dagenham and the applicant. To ensure the employment benefits of the Proposed Development are realised and have wider regenerative benefits, resulting in the Proposed Development becoming a significant employment generator within Barking and Dagenham.

2.16. Overall, the employment benefits secured by the application via conditions and s106 agreements are strongly supported by officers and in a balanced assessment of the impacts of the development, the employment benefits weigh strongly in favour of the proposal.

3. 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

3.1. Part 12 of the NPPF sets out the Government's requirement for good design in new developments. It states that good design creates better places in which to live and work and that design should ensure that development functions well and adds to the overall quality of the area and create spaces that are safe, inclusive and accessible.

3.2. The NPPF, Policies D1, D4 and D6 of the London Plan expect all development to be of high-quality design. This is echoed at local level through Policy BP11 of the Local Plan and Policy SP4 of the Draft Local Plan.

- 3.3. Policy D3 of the newly adopted London Plan requires all development to make the best use of land through a design led approach which responds to the site's context and capacity for growth.
- 3.4. Policy D9 of the newly adopted London Plan explains that boroughs should determine the locations where tall buildings may be an appropriate form of development.
- 3.5. London Plan Policy D4 sets out how good design can be delivered, including maintaining good design quality. Specifically, it states that the design quality of development should be retained through to completion by ensuring maximum detail appropriate for the design stage, providing clarity within conditions and obligations on design quality, avoiding deferring the assessment of design quality to a condition or reserved matter and retaining the involvement of the original design team.
- 3.6. Policy CP3 of the Core Strategy sets out that all development proposals will be expected to achieve high quality standards of design, including high standards of inclusivity, safety, and sustainability. Whilst Policy BP11 of the Development Policies sets out that the design and layout of new buildings should comply with a set of principles which include the following of relevance to this proposal: provide attractive, high quality architecture and landscaping, provide inclusive features, provide durable , flexible and adaptable buildings, encourage design that improves health, provide safe environments, incorporate sustainable design and construction features, provide suitable waste facilities and storage on site, configure site and building design and layout to minimise and mitigate any impact on flood risk and water quality, use of renewable energy features wherever possible. It also sets out that the design of the public realm should apply the following principles: provide public routes that are attractive and work for all, promote accessibility and local permeability and prioritise pedestrian-orientated modes integrating land use and transport.

Height, Scale and Massing

- 3.7. The proposed development is for a multi-storey, multi-occupier building (Use Classes B2, B8 and E(g)(iii)), with ancillary offices, entrance building, security hub, gatehouse, service yards, access ramps and associated hardstanding and landscape.
- 3.8. The existing Hitch Street is proposed for vehicular access to site from the west whilst pedestrians is from Choats Manor Way, given the location of Dagenham Dock rail station to the east of the site.
- 3.9. The current proposal is for 2 warehouses on 2 separate levels with potential to further subdivide these into 4 unit in total. Each unit will have its own separate service yards; - the front HGV yard facing west onto the Hitch Street and the rear van yard facing east onto the Choats Manor Way. The main multi-storey building runs from north to south between the two service yards. The site layout has been designed to provide number of distinct vehicular accesses to and from site directly of the existing Hitch Street. The joint access road for delivery vehicles is located at the most southern part of Hitch Street, next to security hub.

- 3.10. The building is approximately 195m long and 30.740m high.
- 3.11. The elevational treatment is a combination of profiled vertical metal cladding - of various shades of silver and grey to create the dazzle effect, the flat cladding composite panels to the main vertical cores, the translucent cladding panels and the curtain walling to circulation cores and offices. The upper levels of the main building are following the principle of the dazzle ship will be predominately clad in profiled metal cladding of different shades of silver.
- 3.12. The car park is located on the mezzanine level between the Unit 1 and Unit 2 service yards. The separate access point for the car park is located at the most northern part of Hitch Street leading onto the dedicated car park ramp. This level provides the main pedestrian access to the main building. Pedestrians arriving on cycles or foot will reach this level via the main entrance building. There are two main separate entrances, located at each side of the building frontage within the vertical cores. These will have their own reception and provide access to all other building levels. The office for Unit 1 is located on the car park level and be accessed directly of this level. The rest of the building is a void above the Unit 1 warehouse area.
- 3.13. Officers considered that the development will not have a significantly adverse impact on the surrounding townscape, the site is within a SIL and will be surrounded by functional industrial buildings. In this context the proposed development will sit comfortably within the streetscene. Full details of the materials to be used in the external appearance will be secured via planning condition.
- 3.14. To conclude the site is located within a designated Opportunity Area and is considered to be an important strategic site in delivering significant development and employment. Officers consider the scale of development to be proportionate to the area's role and function and would comply with the Council's policies in relation to tall buildings.

Landscape

- 3.15. The application proposes a 10-metre-wide planted zone with avenues of 6.0m high London Plane trees (40-45cm girth) set within grass verges and a backdrop of beds with native species planting.
- 3.16. Along Choats Road, these beds are banked up to the building to form a substantial screen from the road up to the development undercroft. Many of the existing trees along Choats Road have been retained and gaps filled to create two tiers of trees for an enhanced buffer zone. The planting is designed to increase biodiversity and an ecological link to neighbouring green spaces.
- 3.17. Overall, 252 existing trees are to be retained, 182 small trees of poor quality are to be removed and 79 new trees to be planted.

- 3.18. The terrace is specifically designed to provide a comfortable and quiet outdoor environment. A series of seated spaces are separated by raised planters.
- 3.19. Within the s106 agreement, public footway widening has been secured to ensure the footway around the Choats Road Roundabout is of sufficient width to ensure a safe and secure pedestrian environment.
- 3.20. Full landscaping will be secured by condition.

Secure by Design

- 3.21. The service yards will be secured by fence and are accessed via electronically openable gates. Like surrounding developments officers are satisfied the proposed development will be safe and secure.
- 3.22. Overall, it is considered that the development of the site will improve the perception of safety within the area with the increase of passive surveillance and public foot and cycle traffic, through and around the site, will significantly improve the security of the area.

Fire Safety

- 3.23. In accordance with Policy D12 'Fire safety' of the London Plan, a fire statement has been provided.
- 3.24. The GLA have advised the Applicant should provide a fire evacuation lift within each building core for the evacuation of wheelchair users and other less mobile occupants, and it is recommended this is also secured by condition.

Inclusive design

- 3.25. The entrances to the buildings are to be clearly defined. The applicant has confirmed within the Design and Access Statement, the main entrance doors are to have a minimum clear opening width of 1000mm. The door furniture is to be clearly defined, located approximately 1000mm above ground level and of a type that is easy to operate.
- 3.26. It is also advised that unisex accessible toilets are to be provided in accordance with Approved Document M recommendations at locations of each toilet accommodation. In addition, a unisex accessible toilet, shower and changing facility is located on the ground floor of main entrance building, at location of cyclist changing facilities.
- 3.27. The applicant has advised a fully accessible lifts will be provided in each of the two circulation cores. One of the lifts will serve as the fire-fighting lift in case of fire. A passenger lifts compliant with Part M have been provided. The floor surface material of the lift car has been designed to avoid very dark colours and tones, which can cause distress for people who are visually impaired or suffer from vertigo
- 3.28. Overall, these details are considered acceptable and supported by officers.

Public Realm

- 3.29. The site has two main access points, the Goresbrook Interchange being the vehicular access point from the A13, and Dagenham Dock C2C station being the nearest rail connection. The existing condition and feel at Dagenham Dock C2C station leading to the application site consists of a poor-quality industrial environment. The application site is likely to generate an increased usage of the station and as discussed further within the transport section there are significant transport related impacts arising from the proposal.
- 3.30. Furthermore, there is a strong drive to encourage more sustainable modes of transport, therefore the surrounding public realm needs to be of a high-quality to be able to encourage this.
- 3.31. Therefore, it is considered necessary to improve the public realm around Dagenham Dock to deal with the increased footfall, but also to improve it to an acceptable level to encourage use of the C2C station.
- 3.32. Taking the above into consideration, a financial contribution towards public realm enhancements have been secured as part of this application.
- 3.33. Whilst the final delivery of enhancements will be dependent on the masterplan, officers are satisfied the contribution is proportionate and will go some way to delivering the enhancements necessary to serve the development.
- 3.34. These financial contributions have been secured under s106 agreement and will ensure the proposed development and its immediate public realm are enhanced to deal with the increased patronage and promote sustainable modes of transport arising from the development.

Design Conclusion

- 3.35. Overall, the development, subject to conditions and obligations would deliver a high-quality development, with no unduly detrimental impacts on local townscape. As such, the proposed design approach can be supported in accordance with the above-mentioned planning policies.

4. Impacts to Neighbouring Amenity

- 4.1. Paragraph 17 of the NPPF details within its core planning principles that new development should seek to enhance and improve the health and wellbeing of the places in which people live their lives. Paragraph 180 outlines that development proposals should mitigate and further reduce potential adverse impacts resulting from noise from new development and to avoid noise giving rise to significant adverse impacts on health and quality of life.

- 4.2. Policy BP8 of the Local Plan and Policy DM11 of the Draft Local Plan specifically relate to ensuring neighbourly development, specifying various potential impacts that development proposals shall take into account and avoid or minimise. The policy also emphasises adequate access to daylight and sunlight.
- 4.3. The surrounding area consists of similar industrial uses within Dagenham Dock. The nearest residents will be those at Barking Riverside which is around 500 metres to the west of the application site.
- 4.4. Due to the site's location away from noise-sensitive sources and in accordance with the advice from Environmental Health, it is considered that any noise impacts can be adequately addressed by a condition restricting background noise.
- 4.5. Construction impacts will be temporary and are considered acceptable, subject to conditions including restrictions on hours of work, dust suppression and a Construction Management Plan, the details of which have already been agreed by Transport Development Management.
- 4.6. Overall, in accordance with Local Plan and London Plan policies, the proposal will not have an unduly detrimental impact on the amenity of neighbouring properties.

5. Agents of Change

- 5.1. The NPPF at Paragraph 182 seeks to ensure new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established.
- 5.2. This is carried through Policies E7 and D13 of the London Plan and Policy DMD 1 of the new Local Plan (reg 19 version). London Plan Policy D13 requires applicants to take account of the Agent of Change principles and consider and mitigate for existing noise and other nuisance generating uses in a sensitive manner in new development. London Plan Policy D14 provides further detail on managing noise, such as separating noise sensitive uses from major noise sources and incorporating good acoustic design principles.
- 5.3. Given the location of the site within a predominantly industrial area and surrounded by major roads and railway lines, the noise and nuisance implications in the immediate vicinity of the site are not considered to raise any agent of change issues and several conditions are imposed to ensure this.
- 5.4. Overall, officers are therefore satisfied the Proposed Development at this location is an appropriate land use within the SIL and subject to conditions and details required at reserved matters will not have an unduly detrimental impact on surrounding uses.

6. Sustainable Transport			
<i>Net gain/loss in car parking spaces</i>	218 car/van spaces 38 HGV and 48 LGV spaces	<i>PTAL Rating</i>	1a/1b (low)
<i>Proposed number of cycle parking spaces:</i>	94 Cycle Spaces	<i>Closest Rail Station / Walking Distance</i>	Dagenham Dock C2C station/ 1.3km
<i>Restricted Parking Zone:</i>	N/A	<i>Parking stress survey submitted?</i>	N/A

- 6.1. 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 those 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.
- 6.2. Paragraph 103 of the NPPF states significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. The NPPF at Paragraph 109 states 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.
- 6.3. Lastly, Paragraph 110 of the NPPF requires developments to give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use.
- 6.4. Policy T1 of the London Plan requires development to make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London's transport networks and supporting infrastructure are mitigated.
- 6.5. Local Plan Policy BR10 sets out LBBD's commitment to reducing the need to travel and to encourage modal shift away from private car usage.
- 6.6. In terms of mitigating transport impacts, Policies T4 and T9 of the London Plan states mitigation could be either through direct provision of public transport, walking and cycling facilities and highways improvements or through financial contributions. Lastly, the policy inter-alia states that where no firm plans and funding exist for an increase in capacity, planning permission will be contingent on the provision of necessary public transport and active travel infrastructure. This is supported by Policy DMT1 of the Draft Local Plan (Regulation 19 version) and Policy CC3 of the current local plan.

- 6.7. The TfL WebCAT Planning Tool has been used to calculate the Public Transport Accessibility Level for the Site. The results show that the site has a PTAL of 1a and 1b, indicating a poor public transport accessibility. No public transport serves the site between 12:30am to 5am, when much of the future site activity is planned to occur.
- 6.8. Policy T6 of the London Plan seeks to inter-alia restrict car parking, with developments designed to provide the minimum necessary parking ('car-lite'), and to ensure appropriate disabled persons parking for Blue Badge holders should be provided. Policy T6.2 states for B2 and B8 uses A degree of flexibility may also be applied to reflect different trip generating characteristics. In these cases, appropriate provision for electric or other Ultra-Low Emission vehicles should be made. Policies SP8 and DMT2 of the draft Local plan supports this policy of the London Plan. Whilst Policy BR9 of the current local plan seeks to use the car parking standards set out in the London Plan as the maximum parking standards for new developments.
- 6.9. The proposed number of vehicle parking spaces is 218 for all users. The Applicant has proposed vehicle parking which has been based on the specific trip generating characteristics of the which is allowed for in Policy T6.2 of the London Plan. Given the unique use requires transportation of bulky goods.
- 6.10. Transport for London, have made strong representations against the level of parking, noting the applicant seeks to justify the proposed quantum of parking based on surveys of existing sites and comparable permissions that were granted under previous planning policies, this is not acceptable to TfL. TfL have advised they require amendments to the scheme to show a significant reduction in parking. Be First Transport Development Management also provided a similar view within the consultation response in relation to parking.
- 6.11. The applicant, however believes the level of parking is justified and required to attract future tenants and therefore it has not been possible for the applicant to agree to a reduction in car parking.
- 6.12. Officers consider a balanced position needs to be taken in relation to parking and have instead sought to mitigate potential impacts.
- 6.13. Firstly, there is provision within the s106 agreement which requires a revised car park management plan (CPMP) to be submitted to and approved in writing by the local planning authority. The revised CPMP shall be accompanied with a report monitoring vehicle usage to date and include details to ensure reasonable endeavours are used to achieve a minimum 20% reduction in vehicle parking, should PTAL increase in the future.
- 6.14. To ensure the parking does not exceed the maximum provision, a restrictive condition is recommended to the planning permission capping the parking to the proposed figure.
- 6.15. To support better air quality, a condition is recommended to secure 15% of the proposed parking spaces to be active for electric charging in accordance with the London Plan and a further 5% of the total provision to be Rapid Charging points. The remaining parking spaces will be future proofed to allow for additional electric charging points to be added as and when required through passive provision.

- 6.16. Overall, in conclusion officers are satisfied the Proposed Development has carefully considered the transport related impacts from the proposal and brought forward mitigation measures to ensure the resulting impact on the highway is suitably addressed.
- 6.17. With a number of obligations and conditions recommended to this planning permission, officers are satisfied that whilst the level of parking is high, overall the Proposed Development will not have an unacceptable impact on the highway network.
- 6.18. London Plan Policy T2 seeks to promote Healthy Streets and in particular within Opportunity Areas and other growth areas, new and improved walking, cycling and public transport networks should be planned at an early stage, with delivery phased appropriately to support mode shift towards active travel and public transport. Furthermore, Policy T3 of the London Plan seeks to ensure development proposals support capacity, connectivity and other improvements to the bus network and ensure it can operate efficiently to, from and within developments, giving priority to buses and supporting infrastructure as needed.
- 6.19. In relation to cycling Policy T5 seeks to ensure development proposals help remove barriers to cycling and create a healthy environment in which people choose to cycle. Policy BR11 of the local plan seeks to improve conditions for cyclists and for pedestrians. This is carried through within DMT3 of the Draft Local Plan (Regulation 19). Policy DMT1 requires cycle routes to be segregated from road transport.
- 6.20. Policy BR10 of the local plan seeks to ensure sustainable Transport. This is carried through within Strategic Policy SP8, and Policy DMT1 of the draft Local Plan seek the development of local public transport networks and sustainable modes of travel such as wider footpaths, good cycling infrastructure and well-designed public realm walking and cycling routes.
- 6.21. Full details of the cycle parking will be conditioned to ensure they complies with the relevant standards.
- 6.22. In order to comply with the above-mentioned policies and promote sustainable modes of transport, s278 works have been secured, these include highway widening where necessary.
- 6.23. In relation to local buses, to support the development, the Applicant has agreed to a financial contribution towards enhancement of local bus services. Providing a good service frequency will support and encourage modal shift from private vehicles and also support local employment. TfL have also advised of the need to increase capacity in the morning peak to meet demand arising from the development. The contribution is below the requested amounts of £2.05m or £850,000.00 however officers consider it is proportionate to the development that is proposed.
- 6.24. Paragraph 111 of the NPPF requires developments to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed. This is also the case with Policy T4 of the London Plan, Policy BR10 of the local plan and policy DMT1 of the draft Local Plan (regulation 19 version).

- 6.25. A Framework Travel Plan (FTP) document in relation to the Proposed Development, has been provided with an initial framework that sets out of the key actions and objectives to support the development proposal. A condition is recommended to ensure a final travel plan is secured.
- 6.26. Policies T7 and SI15 of the newly adopted London Plan seek to development proposals facilitate sustainable freight movement by rail, waterways and road. Furthermore, Policy T7 supports the provision of hydrogen refuelling stations and rapid electric vehicle charging points at logistics and industrial locations. Lastly, the policy also seeks to ensure development proposals facilitate safe, clean, and efficient deliveries and servicing, with a requirement on developments to provide Construction Logistics Plans and Delivery and Servicing Plans required.
- 6.27. The application is accompanied by a construction environmental management plan. It is advised this will be updated by the appointed Principal Contractor(s) prior to the commencement of development. Conditions are required to secure this.
- 6.28. 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 within a Construction Logistics Plan. 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.
- 6.29. A condition has been recommended to ensure that a full detailed delivery and servicing plan has been provided prior to the commencement of the Proposed Development.
- 6.30. In relation to River and Rail, to ensure discussions continue on sustainable modes of transport which are yet to be developed A financial contribution has been secured towards a strategic infrastructure masterplan study focused on modal shift, including the river / rail freight proposition, innovation, promotion and support of low carbon and autonomous vehicles. Should these measures be implemented in the future they could lead to a further reduction of trips within the vicinity.

7. Waste Management and Refuse Collection

- 7.1. London Plan Policies D3 and SI7 and Policies CR3 and BR15 of the Local Plan outline the need for development in the Borough to minimise waste and work towards a more sustainable approach for waste management. These objectives are further emphasised in the Draft Local Plan through Strategic Policy SP6 and Policy DM29.
- 7.2. The Applicant has submitted a Circular Economy Statement applying the pre-consultation draft Circular Economy Guidance
- 7.3. Compliance with the statement has been secured via condition. As such, it is considered that the proposal accords with the policy requirements on the circular economy in the London Plan Policies D3 and SI7.

8. Archaeology Impact:

- 8.1. When considering whether to grant planning permission for development which affects a listed building or its setting, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses (Section 66 Planning (Listed Buildings and Conservation Areas) Act 1990. The NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 8.2. Policy HC1 of the London Plan, Policies BP2 and CP2 of the Local Plan, Policy DM14 of the Draft Local Plan seek to conserve heritage assets and avoid harm.
- 8.3. Development plan policies require measures to identify record, protect, and where appropriate present the site's archaeology. It is noted that the application site lies within an Archaeological Priority Area and as such has been referred to the Greater London Archaeological Advisory Service (GLAAS) for comment.
- 8.4. GLAAS have recommended a condition requiring further investigation. This is considered necessary and is recommended under condition on this application.
- 8.5. Overall, subject to conditions, the proposal would take suitable measures to ensure that any archaeological remains of significance would be adequately protected.

9. Delivering Sustainable Development (Energy / CO2 Reduction)

<i>Renewable Energy Source / %</i>	photovoltaic panels (PV) and air source heat pumps
<i>Proposed CO₂ Reduction</i>	100%

- 9.1. Policy GG5 'Growing a good economy' of the London Plan recognises and promotes the benefits of a transition to a low carbon circular economy to strengthen London's economic success.
- 9.2. Chapter 9 (Sustainable infrastructure) of the London Plan requires development to contribute to mitigation and adaptation to climate change. Specifically, Policy SI2 of the London Plan set out the energy hierarchy development should follow – '1. Be Lean; 2. Be Clean; 3. Be Green'. The policy also states: "*B Major development proposals should include a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy*" and "*C A minimum on-site reduction of at least 35 per cent beyond Building Regulations is required for major development. Residential development should achieve 10 per cent, and non-residential development should achieve 15 per cent through energy efficiency measures.*"

Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough, either: 1) through a cash in lieu contribution to the borough's carbon offset fund, or 2) off-site provided that an alternative proposal is identified, and delivery is certain".

- 9.3. Policy SI 4 of the London Plan seeks to ensure development proposals should minimise adverse impacts on the urban heat island through design, layout, orientation, materials and the incorporation of green infrastructure. With a requirement on major development to demonstrate through an energy strategy how they will reduce the potential for internal overheating and reliance on air conditioning systems.
- 9.4. These objectives and targets are also outlined in Policy DM24 of the emerging local plan (Reg 19 stage).
- 9.5. The proposed development complies with policy SI2 of the London Plan by being zero carbon, through on-site measures. Compliance with this energy strategy is secured via condition and an obligation is proposed to ensure it fully meets zero carbon.
- 9.6. The Applicant is also required to submit a District Heating Network (DHN) Statement to the Council for approval to detail how the development could connect to the DHN or future DH.
- 9.7. In order to meet the policy requirements of Policy SI 3 of the London Plan which seeks to establish the future energy and infrastructure requirements arising from large-scale development proposals such as Opportunity Areas, Town Centres, other growth areas or clusters of significant new development. a financial contribution towards a wider study for Dagenham Dock de-centralised energy network potential has been secured.
- 9.8. Subject to the above, officers are satisfied the proposal will accord with the above-mentioned policies.
- 9.9. Paragraph 148 of the NPPF states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to *"shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure."*
- 9.10. Policy SI 2 'Minimising greenhouse gas emissions' states that major developments will need to be net-zero carbon, which means reducing carbon dioxide emissions from the construction and operation, with major applications including a detailed strategy to demonstrate how the zero-carbon target is to be met.
- 9.11. Development Policy BR1 'Environmental Building Standards' states that all developments are expected to meet high standards of sustainable design and construction.

- 9.12. The application is accompanied by a Sustainability Statement which confirms the Proposed Development will target a BREEAM rating of 'Excellent' rating for an Industrial assessment. This has been tested with a pre-assessment to show a possible route to achieving an Excellent rating.
- 9.13. A condition to ensure pre-assessment and final completion certificates demonstrating the above is recommended to the condition. Subject to this condition, the proposal conforms to the above-mentioned planning policies.

10. Biodiversity, Landscaping and Sustainable Drainage

- 10.1. Policy G6 of the 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 Local Plan 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 Draft Local Plan.
- 10.2. Officers consider that the proposed landscaping strategy for the site would appropriately mitigate the initial impact of the proposed development on the arboricultural and amenity value of the site, and overall contribute to the biodiversity, arboricultural and environmental value of the site in accordance with policy. The implementation of the proposed landscaping strategy in accordance with the submitted details will be secured under condition to ensure this positive contribution is delivered.
- 10.3. 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 London Plan and at local level by Policies CR4 and BR4 of the Local Plan and Policy DM28 of the Draft Local Plan.
- 10.4. The application site is located within Flood Zone 3. Accordingly, there is no sleeping accommodation proposed at ground floor level or below the breach flood level. Additionally, it is noted that the site benefits from flood defences up to the 1 in 1,000-year flood event. The Environment Agency has confirmed that they have no objections to the proposed development in regard to flood risk.
- 10.5. The Surface Water Drainage Strategy for the site incorporates sustainable drainage systems, including a rainwater harvesting system with a restricted discharge rate for all storm events, including climate change allowance and reusing the existing connection into the public sewer system. The Lead Local Flood Authority confirmed that the Sustainable Drainage Strategy for the site is acceptable, and the implementation of the submitted drainage scheme will be secured under condition.

11. Air Quality

- 11.1. Paragraph 170 states that: *“Planning policies and decisions should contribute to and enhance the natural and local environment by: ... e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality ...”*
- 11.2. Good Growth Objective 3 of the London Plan seeks to inter alia improve London’s air quality, reduce public exposure to poor air quality and minimise inequalities in levels of exposure to air pollution. Policy D3(9) seeks to ensure design helps prevent or mitigate the impacts of noise and poor air quality.
- 11.3. The 2014 update to the Mayor of London’s Sustainable Design and Construction – SPG guides developers and local authorities on what measures can be included in their designs and operations to achieve sustainable development and the objectives set out in the London Plan. Section 4.3 of the SPG concerns air quality, and sets out the Mayor’s Priorities:
- *“Developers are to design their scheme so that they are at least ‘air quality neutral’.*
 - *Developments should be designed to minimise the generation of air pollution; · Developments should be designed to minimise and mitigate against increased exposure to poor air quality”.*
- 11.4. It is also noted developers and contractors should follow the guidance set out in the Control of Dust and Emissions during Construction and Demolition SPG when constructing their development. The Control of Dust and Emissions During Construction and Demolition SPG guides councils, developers, and consultants on the implementation of relevant policies contained in the London Plan and the Mayor’s Air Quality Strategy to reduce emissions of dust and nitrogen oxides (NOx) from demolition and construction activities in London.
- 11.5. On 29th January 2020, LBBDD declared a Climate Emergency in recognition that Barking and Dagenham needs to reduce greenhouse gas and carbon emissions and help meet national targets for the UK to attain net zero carbon by 2050.
- 11.6. On 15th February 2021, LBBDD adopted its Air Quality Action Plan (AQAP) outlining the action to be taken to improve Air Quality between 2020-2025. Around 8 of the 43 action points within the plan relate directly to planning and in particular the application site.

11.7. Policy DM26 of the draft Local Plan states major development must achieve or exceed the 'air quality neutral' benchmark for building emissions (in line with Policy SI1 of the New London Plan), by avoiding or, if avoidance is not possible, minimising and mitigating people's exposure to poor air quality, for example through design, technology, traffic management and urban greening. Furthermore, development located within the borough's designated Air Quality Focus Areas will be particularly closely scrutinised as to the approach to air quality and will be expected to help reduce air pollution in the area. Finally, the policy states, where proposals would not achieve the 'air quality neutral' benchmark, applicants will be expected to make a financial contribution in agreement with the Council, either through the carbon offset fund, or agree sufficient alternative offsetting arrangements in the borough via planning obligations.

11.8. The applicant has submitted an Air Quality Assessment, the findings of which are broadly accepted. This Air Quality Assessment says that the traffic emissions for the development will not meet Air Quality Neutral, and proposes a list of mitigation measures to reduce this. An obligation under s106 is proposed to ensure that these mitigation measures as outlined in the report are implemented, and if they do not bring the development to AQN, then a financial contribution be made. Subject to this obligation, and planning conditions for electric vehicle car parking to reduce emissions, the proposal is considered to comply with the above-mentioned policies and guidance, as well as the boroughs Air Quality Management Plan

11.9. The conditions include.:

- Compliance with site-specific non-road mobile vehicles to ensure low emissions.
- A condition requiring Electric Vehicle Charging Points

11.10. Subject to the imposition of the above conditions and planning obligations officers are satisfied the Proposed Development can be Air Quality neutral with additional off-setting mitigation measures.

12. Land Contamination

12.1. Subject to a condition regarding the verification report for remediation measures, the proposed land will be appropriately remediated for the proposed development. (Local Plan policies CR1 and BR5).

13. Other Matters

Local Finance Considerations

13.1. In addition to the financial matters secured within the s106 agreement listed in appendix 6 the developer would be liable for the Mayoral Community Infrastructure Levy (CIL) and the Borough's CIL.

13.2. The final CIL amount is payable based on the floorspace proposed at reserved matters stage.

13.3. Based on the information provided, the total **estimated** CIL liability in this case, would be: **£1,034,856**.

13.4. This is comprised of:

- CIL liability for Mayor of London **£819,020**.
- CIL liability for London Borough of Barking and Dagenham of **£215,836**.

14. Conclusions

- 14.1. The Proposed Development is considered acceptable in land use terms and when considered as a whole will be provided an appropriate land use within adopted Core Strategy SIL designation, as the part of the statutory Development Plan and accord with the London Plan, and emerging Local Plan.
- 14.2. Through construction and operational phases, the proposed development will bring substantial employment and regenerative benefits to the borough (including educational opportunities linking to the development aspirations of LBBD for the Dagenham Dock area). These benefits are to be secured within the s106 agreement.
- 14.3. Further contributions have been secured in terms of wider placemaking, through master-planning, public realm enhancements and improvements to the local cycle network.
- 14.4. Officers are mindful that the proposed level of parking exceeds the standards specified in Local Plan Policy BR9 and London Plan Policy T6. However, Officers are satisfied that this level of parking provision is acceptable on balance given the measures that have been secured to encourage a reduction in parking from the opening of the new market and over time, where possible. This is through a combination of on-site and off-site mitigation measures secured via condition and within the s106 agreement.
- 14.5. The Energy Strategy submitted as part of the Proposed Development demonstrates that the proposals would sufficiently reduce carbon dioxide emissions, with any off set to be secured through the s106 agreement.
- 14.6. Considered as a whole, the Proposed Development is considered to accord with the Development Plan. It is on this basis and on the basis of all other material considerations that the grant of planning permission is recommended.

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>London Plan (2021)</i></p>	<p>Policy GG2 Making the best use of land Policy GG5 Growing a good economy Policy D1 London's Form and Characteristics Policy D2 Delivering Good Design Policy D11 Safety, security and resilience to emergency Policy SD1 Growth Corridors and Opportunity Areas Policy E4 Land for industry, logistics and services to support London's economic function Policy E5 Strategic Industrial Locations Policy E7 Intensification, co-location and substitution Policy E11 Skills and opportunities for all Policy G5 Urban greening Policy G6 Biodiversity and access to nature Policy SI2 Minimising greenhouse emissions Policy SI12 Flood Risk Management Policy SI13 Sustainable drainage Policy T1 Strategic Approach to Transport Policy T2 Healthy Streets Policy T4 Assessing and mitigating transport impacts Policy T5 Cycling Policy T6 Car Parking Policy T6.2 Office Parking Policy T6.5 Non-residential disabled persons parking</p>
<p><i>Local Development Framework (LDF) Core Strategy (July 2010)</i></p>	<p>Policy CM1 General Principles for Development Policy CM4 Transport Links Policy CE3 Safeguarding and Release of Employment Land Policy CE4 Mix and Balance of Uses within Designated Employment Areas Policy CR1 Climate Change and Environmental Management Policy CR2 Preserving and Enhancing the Natural Environment Policy CR4 Flood Management Policy CP3 High Quality Built Environment 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 Policy BR2 Energy and On-site Renewables Policy BR3 Greening the Urban Environment Policy BR4 Water Resource Management Policy BR5 Contaminated Land Policy BR9 Parking</p>

	<p>Policy BR10 Sustainable Transport Policy BR11 Walking and Cycling Policy BR12 Hazardous Developments Policy BC11 Utilities Policy BP11 Urban Design</p>
<i>Joint Waste Development Plan (2012)</i>	
<p>The London Borough of Barking and Dagenham’s Draft Local Plan: (Regulation 18 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.</p>	
<p>The London Borough of Barking and Dagenham’s Draft Local Plan: (Regulation 19 Consultation Version, 2020)</p>	<p>Policy SP1 Delivering Growth Policy SP3 Promoting Inclusive Economic Growth Policy DM6 Utilising the Borough’s Employment Land more efficiently. Policy SP4 Delivering high quality design in the Borough Policy DM11 Responding to Place Policy DM19 Urban Greening Policy DM20 Nature Conservation and Biodiversity Policy SP6 Securing a sustainable and clean Borough Policy DM24 Energy, heat and carbon emissions Policy DM25 Managing Nuisance Policy DM26 Improving air quality. Policy DM27 Land Contamination Policy DM28 Managing Flood Risk, including Surface Water Management Policy SP7 Planning for Integrated Transport Policy DM30 Smart Utilities Policy DM31 Making Better Connected Neighbourhoods Policy DM32 Cycle and Car Parking Policy DM33 Deliveries, Servicing and construction Policy DM36 Development Contribution</p>
<i>Supplementary Planning Documents</i>	<p>LBBB Planning Advice Note 5 ‘Sustainable Design and Construction’ (2014); GLA Supplementary Planning Guidance (SPG) ‘Land for Industry and Transport’ (2012); and, GLA SPG ‘The Control of Dust and Emissions during Construction and Demolition’ (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, Be First, on behalf of the London Borough of Barking & Dagenham, has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010 (as amended). For the purposes of this application there are not considered to be any adverse equalities issues.

Local Government (Access to Information) Act 1985

Background papers used in preparing this report:

- 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

Appendix 2

The following consultations have been undertaken:

- Historic England (Greater London Archaeological Advisory Service)
- Be First Transport Development Management
- LBBB Environmental Health
- LBBB Lead Local Flood Authority
- LBBB Waste and Recycling Officer
- London Fire Commissioner
- Designing Out Crime
- Environment Agency
- Thames Water
- Health and Safety Executive
- Transport for London
- Employment and Skills

Summary of consultation responses		
Consultee and date received	Summary of Comments	Officer Comments
LBBB Lead Local Flood Authority	No objection, condition recommended	The requested condition has been secured.
Highways England	On 16 th February, Highways England requested further information. This was subsequently provided. On 14 th June a final response was received from Highways England confirming they had no objection to this application.	Noted.
Environment Agency	No objection. To improve flood resilience, we recommend that, where feasible, finished floor levels are set above the 2100 breach flood level, which is 2.7 m AOD.	Noted.
Environmental Health	No objections subject to conditions related to contaminated land and noise.	The requested conditions have been secured.
Historic England – Archaeology	No objection subject to condition	The requested condition has been secured.

<p>Transport Development Manager</p>	<p>Original response raised concerns over the level of parking as without future tenants identified and a speculative proposal, a first principles calculation does not necessarily give an entirely accurate number of spaces needed. An innovative and forward-looking approach in line with the LSIP aspirations, the highway estate design layout and newly published London Plan should all be considered. This would suggest the level of parking provision is high and therefore, the 218 car parking spaces should be reduced.</p> <p>Following discussions with the applicant. Several planning obligations and conditions have been secured. To realize the development proposal as submitted it will require alterations to the existing highway network which will go beyond the extent of the red line boundary of the application. In terms of these off-site measures which are considered essential to make the development acceptable it would need improvements to bus accessibility, and/or contributions to public transport services to accommodate future demand, pedestrian and cycle infrastructure which would all need to be secured.</p>	<p>Noted the requested obligations and conditions have been secured.</p>
<p>Transport for London</p>	<ul style="list-style-type: none"> - no evidence has been provided to demonstrate that the proposed parking is necessary. - the proposed quantum of parking seems to take no account of the principles of the restraint-based approach set out in the new London Plan, nor of the Council's own policy BR10 - Recommend further discussion over staff car parking and, ultimately, we will require amendment of the scheme to show a significant reduction in order to reduce the traffic impact. - Overspill parking onto Choats Road or Choats Manor Way would be a concern to us. Issues of adoption and enforcement of controls on the road network should be clarified and, where necessary, a contribution sought. - The bus stops on Choats Road very close to the entrance serve the EL2 bus. The site records a relatively low Public Transport Access Level (PTAL) of 2, not 1b as reported in the Transport Assessment. - it would appear entirely reasonable to seek a contribution to bring forward the delivery of the EL4 bus service. - Given the delays forecast on Choats Manor Way by the City of London modelling work, an alternative route for the EL4 through to Kent Avenue would be beneficial. - While that scheme is as yet uncosted, an appropriate contribution by this developer toward it should be determined by the Council and secured. - A contribution toward the improvement of cycle 	<p>Further comments and discussions have taken place over the level of car parking and it is clear that Transport for London do not accept the level of parking within the development. Officers however, consider when taking into account the planning balance and the substantial planning obligations secured within the development the parking is acceptable on balance.</p>

	<p>lanes serving the site has been offered: this is welcomed, and the value of this contribution must be determined and secured by the Council.</p> <ul style="list-style-type: none"> - The proposal to widen the footway of Choats Manor Way into the site is welcomed. - The package of cycle parking appears to be exemplary and is welcomed. - There are also opportunities to make improvements to walking routes. One of those, across the north side of the Thames Gateway Park and along the line of The Gores would reduce the distance to Dagenham Dock station (and also another bus service) from twelve to eight minutes' walk. Again, the Council should determine and secure an appropriate value of contribution towards such improvements necessary to support active travel. - The use of river and rail for freight should be investigated through further work before determination of this application, and any opportunities secured appropriately. - The Stage 1 report discusses the need for contributions toward a hydrogen fuelling station in the area. However, the recent CIHT report on the future fuelling of HGVs indicated that hydrogen was unlikely to be the best option - it is appropriate to require that all operational vehicle parking spaces, including HGV loading docks, should be fitted with rapid electric charging facilities. 	
<p>GLA</p>	<p>Summary of Stage 1 comments:</p> <p>Principle of development: The redevelopment of the site to provide intensified industrial uses within SIL complies with policies E4, E5 and E7 of the London Plan (2021), subject to demonstration that this site is surplus to waste capacity requirements of the East London Waste Authority area Joint Waste Plan Urban design: The building's height and massing are considered appropriate and would allow occupiers to operate flexibly. Environment: Further information is required with regards to district and communal heat networks, PV and heat pumps. A Whole Life-cycle Carbon Assessment and Circular Economy Statement should be provided. Further information is required with regards to the impacts on air quality, flood risk and surface water drainage. Transport: The provision of 218 car parking spaces is not justified and should be significantly reduced. Funding is required towards mitigation measures to protect existing bus journey times, reliability and service levels.</p>	<p>Officers have been in further discussions with the GLA in relation to these comments and these matters are considered to be suitably covered within the material planning considerations section of the report. Additional information has been provided by the applicant where necessary and conditions</p>

	Contributions towards bus service enhancement and a sustainable fuel filling station will be sought. The applicant has offered a contribution towards the improvement of cycle lanes which is welcomed, the value of which should be determined and secured by the Council. Revised car parking, construction logistics and delivery and servicing plans should be submitted in line with TfL guidance and best practice principles.	and s106 obligations have been recommended where needed.
Employment and Skills	Detailed comments and discussions have taken place, which reflect the extensive employment and skills obligations that s106	Noted.
Thames Water	No objections	Noted.

Appendix 3

Neighbour Notification	
Date of press advertisement	13 th January 2021
Date neighbour consultation letters sent	11 th January 2021
Number of neighbouring properties consulted	118
Number of responses	No response received.

Appendix 4

Conditions

1. Three Year Time Limit

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).

2. 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:

Site Location Plan (Ref. 31221-PL-201)
Site Layout Plan (Ref. 31221-PL-202B)
External Finishes Plan (Ref. 31221-PL-203B)
Ground Floor Plan (Ref. 31221-PL-205B)
Unit 1 Office & Car Park Plan (Ref. 31221-PL-206B)
First Floor Plan (Ref. 31221-PL-207A)
Unit 2 Office - Mezzanine Floor Plan (Ref. 31221-PL-208A)
Roof Plan-Roof Terrace & Plant (Ref. 31221-PL-209A)
Roof Plan (Ref. 31221-PL-210A)
Elevations (Ref. 31221-PL-211C)
Illustrative Elevations (Ref. 31221-PL-212C)
Section A-A (Ref. 31221-PL-213A)
Indicative Constraint Section (31221-PL-215A)
Entrance Building - Floor Plans (Ref. 31221-PL-220A)
Entrance Building - Elevations (Ref. 31221-PL-221A)
Security Hub (Ref. 31221-PL-230A)

Design and Access Statement, prepared by Michael Sparks Associates, dated January 2021;

Revised Energy Strategy and accompanying GLA Consultation Energy Memo (including enclosures), prepared by MBA Consulting Engineers; dated 15th April 2021;

Revised Circular Economy Statement and accompanying GLA CE Memo (including reference documents) prepared by LCD Consulting, dated 25th April 2021;

Revised Flood Risk Assessment & Sustainable Drainage Strategy, prepared by Fairhurst, dated 25th May 2021;

Revised LED Lighting Assessment Report and accompanying plans, prepared by MBA Consulting Engineers, dated 11th May 2021;

Revised Landscaping Strategy Drawings, prepared by TALA;

Whole Life Cycle Carbon Assessment, prepared by LCD Consulting, dated May 2021;

Transport Assessment (including Framework Travel Plan, Draft Construction Logistics Plan and Draft Delivery and Servicing Plan) prepared by Motion, dated 11th January 2021;

Technical Note, addendum to Transport Assessment, prepared by Motion, dated 26 March 2021;

Site Waste Management Plan, prepared by SEGRO, dated: 20 January 2021 Version: 02;

Air Quality Assessment, prepared by Kairus, dated 5th January 2021;

Preliminary Ecological Appraisal (including Phase 1 Habitat Survey), prepared by DeltaSimons, dated 6th November 2020;

Construction Environmental Management Plan, prepared by SEGRO, dated 16 November 2020;

Planning Statement, prepared by Barton Willmore, dated 5th January 2021;

Noise Impact Assessment, prepared by Stantec, dated 30th October 2020;
Remediation and Verification Strategy, prepared by Delta Simons, dated 17th November 2020;
Arboricultural Survey, prepared by Delta Simons, dated 6th November 2020;
Preliminary Risk Assessment and Geo-Environmental Assessment, prepared by Delta Simons, dated 6th November 2020;
Archaeological Written Scheme of Investigation for Geoarchaeological Evaluation, dated 21st December 2020 and Report on Geoarchaeological borehole evaluation, prepared by Museum of London Archaeology, dated 2nd October 2020;
Foul Sewage and Utilities Assessment, prepared by MBA Consulting Engineers, dated 17th November 2020; and
BREEAM Pre-Assessment, prepared by MBA Consulting Engineers, dated 13th November 2020.

Reason: To ensure that the development is undertaken in accordance with the approved drawing(s) and document(s)

Prior to commencement of development

3. Secure by Design accreditation

Prior to the commencement of development, a Report shall be submitted to the local planning authority detailing how the scheme has taken into account the principles and practices of Secured by Design in order to assist in reducing the opportunity for crime, minimising fear of crime, and creating a safer and more secure environment. The scheme shall be constructed in accordance with the approved Report.

Reason: In the interest of creating safer, sustainable communities.

4. Contamination

The Delta-Simons Preliminary Risk Assessment ref 17-0084.31, Geo-environmental Assessment and Remediation and Verification Strategy ref 17-0084.31 have been received and reviewed and the general approach is agreed. The redevelopment of the Site should proceed on the basis of the submitted Remediation and Verification Strategy albeit further information is required with respect to the Remediation activities prior to their commencement.

- a. Further details of ground gas protection measures. No installation of ground gas and vapour protection measures shall commence until a detailed scheme of the proposed ground gas and vapour protection measures has been prepared and submitted to the Local Planning Authority for approval in writing. The scheme must include details of the proposed ground gas protection to be included within buildings and structures and details of how the proposed measures will meet the requirements of BS8485 based upon the Characteristic Situation derived for the site in the Delta-Simons Remediation and Verification Strategy. The scheme must include details of any proposed membrane and confirmation of the parties responsible for the independent verification of the ground gas and vapour protection measures. 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.
- b. Notification of Commencement. The approved remediation scheme as detailed in the Delta-Simons Remediation and Verification Strategy must be carried out in accordance with the Strategy prior to occupation, with the exception of the placement

of clean cover, 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.

- c. Remediation Verification (1st Stage). Occupation may not commence until a Remediation 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 excepting the placement of Clean Cover.
- d. Remediation Verification (2nd Stage). Following placement and verification of the required clean cover identified in the approved remediation scheme and within a maximum of 6 calendar weeks following occupation unless otherwise agreed with the Local Planning Authority, a revised Remediation 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.
- e. Unexpected Contamination. In the event that contamination is encountered of an extent, nature or magnitude beyond that identified within the previously submitted remediation strategy at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a revised remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority. Following completion of any additional measures identified in the approved remediation scheme a Remediation Verification report must be prepared, which shall be subject to the approval in writing of the Local Planning Authority.
- f. Materials Management. Where reuse or importation of soil materials is proposed, unless an appropriate exemption or other permit is in place, the Works shall be carried out in accordance with the Materials Management Plan (MMP) proposed within the Remediation and Verification Strategy and confirmation that an MMP or other mechanism has been in place for the works shall be included in the final Remediation Verification report must be prepared, which shall be 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.

5. Construction Environmental Management Plan (CEMP)

No 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 07:00 and 19:00 Monday to Friday and 07:00 and 18:00 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 07:00 and 19:00 Monday to Friday and between 08:0 and 13:00 on Saturdays.

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 occupiers.

6. Construction Logistics Plan

The development hereby permitted shall not commence until a Construction Logistics Plan (CLP) has been submitted to and approved in writing by the Local Planning Authority. The Plan shall be designed to minimise deliveries of materials and export of any waste materials within the times of peak traffic congestion on the local road network. The Plan shall be implemented in accordance with the approved details and thereafter maintained.

Reason: The Construction Logistics Plan is required prior to commencement of development in order to minimise the impact of construction on the free flow of traffic on the local highway network and in the interests of highway safety

7. Construction Noise

The development (excluding demolition, remediation and enabling works) permitted shall not commence until an acoustic report has been submitted to and approved in writing by the Local Planning Authority. Such a report will demonstrate that Construction noise levels at the nearest dwellings should not exceed 75 dB LAeq,10h during weekday daytime (07:00 – 19:00) and 75 dB LAeq,5h during Saturday daytime (07:00 – 18:00).

Where it is considered impractical to meet this noise limit the report should detail mitigation measures taken to reduce noise to a minimum. The approved measures for the mitigation of

construction noise shall be implemented prior to the commencement of all works and be maintained until the development has been completed.

Reason: To ensure that works do not prejudice the ability of neighbouring occupier's reasonable enjoyment of their properties and to ensure that works shall not represent any unacceptable level of noise. The imposition of this prior to commencement planning condition is considered necessary to prevent commencement of works until the requirements have been met because the timing of compliance is fundamental to the decision to grant planning permission.

8. Fire Safety

Prior to commencement of development, details shall be submitted to and approved in writing by the local planning authority demonstrating that a minimum of at least one lift per core (or more subject to capacity assessments) within the main warehouse building (excluding external lobby building) will be a suitably sized fire evacuation lift (which will also be utilised for firefighting) suitable to be used to evacuate people who require level access from the building. The development shall be carried out in accordance with these details and maintained as such in perpetuity.

Reason: In the interests of fire safety.

Information required prior to above ground floor works.

9. Details of all façade materials

Prior to the commencement of works above ground floor slab of the development hereby approved, details of all materials to be used in the construction of the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the full array of PV Panels.

The development shall be carried out in accordance with the approved materials.

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

10. Details of all boundary treatment

Prior to any above ground floor works, full details of all boundary treatment of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority.

Development shall be carried out in accordance with the approved details [and permanently retained thereafter].

Reason: To ensure that the finished appearance of the development will respect the character and visual amenities of the local area.

11. Electric Vehicle Charging Points and Rapid Electric Vehicle Charging Points

Prior to above ground floor works details of car parking spaces shall be accompanied by detailed plans showing the provision of Electric Vehicle and Rapid Electric Vehicle Charging Points.

- a. A minimum of 5% of all car parking spaces shall be Rapid Charging Spaces
- b. A minimum of 25% of all spaces (not including those under part (a)) shall be active spaces and
- c. The remainder 70% shall have passive provision.

The development shall be carried out in accordance with the approved details.

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

12. Cycle Parking

Prior to above ground floor works (in consultation with TfL) a detailed layout of cycle parking demonstrating compliance with the London Plan 2021 and the LCDS shall be submitted to and approved in writing by the local planning authority. The spaces shall thereafter be made permanently available for the occupants of the building(s).

Reason: To ensure reasonable provision of cycle spaces is made within the site for the parking of bicycles and to encourage sustainable modes of transport.

13. Noise from Non-Residential Uses and Plant and Structure Borne Noise Emissions

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 residential dwelling. 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 proposed and surrounding residential properties and other noise-sensitive premises in the vicinity of site are adequately protected from noise and in accordance with policy BR13 of the Borough Wide Development Policies Development Plan Document and the London Plan.

Prior to occupation

14. Emergency Flood Risk

The development shall not be occupied until an emergency flooding plan has been submitted to, and approved in writing by, the LPA. The scheme shall as a minimum 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 future occupiers are not susceptible to unacceptable flood risk.

15. Car Park Management Plan

Prior to occupation of the use, a car parking management plan shall be submitted to and approved in writing by the local planning authority. The car parking management plan should detail how the car parking spaces are allocated, managed and monitored

The development shall be carried out in accordance with the details approved.

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

16. Energy Statement

A post completion report demonstrating compliance to the submitted Energy Statement, shall be provided and approved in writing by the Local Planning Authority within SIX (6) months of first occupation of any phase of the development. This report shall be submitted to and approved in writing by the Local Planning Authority.

Reason: to ensure an energy efficient and sustainable development.

17. Archaeology

The development must be carried out in accordance with the submitted Written Scheme of Investigation (WSI) prepared by the Museum of London Archaeology (dated December 2020).

In accordance with the WSI, the development shall not be occupied until the programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material has been submitted to and approved by the Local Planning Authority in writing.

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 in accordance with recommendations given by the borough and in the NPPF.

18. Travel Plan

Prior to occupation a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with Transport for London. That Travel Plan shall include measures for minimising car trips and promoting and encouraging travel to/from the site by sustainable modes such as walking, cycling and public transport. The approved Travel Plan shall provide a programme for monitoring, reviewing, maintaining and developing the Travel Plan in relation to the targets in accordance with TfL's iTRACE monitoring practices.

Reason: To ensure that the proposal abides by the Council's sustainable transport objectives.

19. Whole life carbon assessment

Prior to occupation the post-construction tab of the GLA's whole life carbon assessment template should be completed accurately and in its entirety in line with the GLA's Whole Life Carbon Assessment Guidance. The post-construction assessment should provide an update of the information submitted at planning submission stage, including the whole life carbon emission figures for all life-cycle modules based on the actual materials, products and systems used. This should be submitted to the GLA at: ZeroCarbonPlanning@london.gov.uk, along with

any supporting evidence as per the guidance. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, prior to occupation.

Reason: In the interests of sustainable development and to maximise on-site carbon dioxide savings.

20. BREEAM target

The BREEAM 2018 post-construction assessment demonstrating how the development will achieve (BREEAM Excellent), shall be submitted to and approved in writing by the Local Planning Authority within SIX (6) MONTHS of occupation, to demonstrate that the development is in accordance with an agreed methodology to ensure that the required minimum rating has been achieved.

Reason: In the interest of energy efficiency and sustainability.

21. Sustainable Drainage

Prior to the occupation of the buildings hereby approved 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.

Reason: To safeguard the public from surface water flood risk, protect the environment and respond to climate change.

22. Circular Economy Statement

A post completion report demonstrating compliance with the Circular Economy Statement must be provided and approved in writing by the Local Planning Authority within 6 months of first occupation of any part of the development.

Reason: In the interest of creating safer, sustainable communities.

23. Delivery and Servicing Plan

Prior to occupation of development, a Delivery and Servicing Plan for all the proposed uses shall be submitted to and approved in writing by the local planning authority. 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: In order to ensure the design has suitably considered the transport needs of the development in the interests of highway safety.

Compliance conditions

24. Surface Water Drainage

No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 170 of the National Planning Policy Framework.

25. Piling, Deep Foundations and Boreholes

- a) Piling, investigation boreholes, tunnel shafts, ground source heating and cooling systems or any other foundation designs using penetrative methods shall not be carried out other than with the written consent of the Local Planning Authority. A piling method statement shall be submitted for approval in writing detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out and should demonstrate that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
- b) If piling or ground improvement work is undertaken pursuant to this permission, then the 5% level of vibration attributable to these activities shall not exceed a peak particle velocity of 1.5mm/sec when measured at the point of entry to any adjoining residential development. In the event of reasonable complaint of vibration nuisance and at the request of the Local Planning Authority monitoring to evaluate compliance with this condition is to be carried out and the results submitted to the Local Planning Authority.

Reason: In order to ensure that piling activities do not harm groundwater resources in line with paragraph 170 of the National Planning Policy Framework and Position Statement and Protecting Groundwater resources of 'The Environment Agency's approach to groundwater protection' and in order to protect the amenities of neighbouring occupiers in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

26. Maximum Quantum of Floorspace

The development hereby approved shall be limited to a maximum of 32,957sqm.

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

27. Site specific non-road mobile vehicles (NRMM)

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 be NRMM registered and comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance 'Control of Dust and Emissions from Construction and Demolition SPG' July 2014. 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 no later than 1 year after succession. 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.

Reasons: To ensure that air quality is not adversely affected by the development and to protect the amenity of future occupants and/or neighbours.

28. Flood Risk Assessment

The development permitted by this planning permission shall only be carried out in accordance with the approved flood risk assessment. There shall be no raising of existing ground levels on the site to facilitate the free passage of flood water in times of flooding.'

Reason: to minimise the risk of internal flooding and to ensure the safety of the occupants during a flood to ensure users of the site

29. Maximum Car Parking Numbers

The maximum number of vehicle parking spaces shall not exceed 218 parking spaces at any time.

The details should include the design of blue badge disabled parking having regard to the adopted London Plan.

The development shall be carried out in accordance with plans 31221-PL-206B, 31221-PL-207A & 31221-PL-205B

Reason: In order to ensure an acceptable level of parking and to ensure that vehicle movements associated with the use hereby permitted remains consistent and that the use shall not represent any unacceptable level of vehicle movements such that the safety of pedestrians shall be unduly prejudiced.

30. Open Storage

No open storage shall be permitted on site unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory standard of external appearance, in accordance with Policy CP3 of the Core Strategy and policy BP11 of the Borough Wide Development Policies Development Plan Document.

Administrative

1. Payment of the Council's professional and legal costs, whether or not the deed completes.
2. Payment of the Council's reasonable fees of £2,000.00 in monitoring (£500 per Head of Term Section – excluding Transport, Employment and Food Related obligations) and implementing the Section 106 and payable on completion of the deed.
3. Indexing – all payments are to be index linked from the date of the decision notice to grant planning permission to the date on which payment is made, using BCIS or Consumer Price index (as appropriate).

Energy and Sustainability

4. Carbon off-setting to ensure the development achieves zero-carbon standards.

From Implementation the Owner shall use its reasonable endeavours to ensure that the Development shall achieve a minimum 100% reduction in carbon emissions over Part L of the Building Regulations 2013 through on-site provisions.

On Practical Completion of the Development on the Site:

- (a) The Owner shall submit to the Council an assessment of the carbon reduction measures implemented within the Development and the figure for any Carbon Offset Contribution payable for the Development; and
- (b) Pay to the Council the Carbon Offset Contribution (if any) no later than 3 months from the date of Practical Completion of the Development.

Not to Occupy the Site until the Carbon Offset Contribution has been paid to the Council.

Where it is clearly demonstrated that zero-carbon standard (based on net-zero regulated CO₂ emissions) cannot be achieved on-site, any shortfall should be provided through a cash in lieu contribution (£95/ per tonne over a 30 year period as the rate in place at the time of the application's determination) to the borough's carbon offset fund, and/or off-site (provided that an alternative proposal is identified, and delivery is certain and agreement is reached by the Council of no appropriate alternative projects can be agreed).

The estimated carbon offset payment of (£95/ per tonne as the rate in place at the time of the application's determination) should be paid to the Council.

5. Future proof development in order to ensure it could connect to a District Heating Network

As part of Reserved Matters planning application, the Owner will submit a District Heating Network (DHN) Statement to the Council for approval to detail how the development could connect to the DHN or future DHN.

Trigger: statement to be submitted prior to commencement of development.

6. Energy Be Seen energy performance.

a) Within 8 weeks of the grant of planning permission, the Owner shall submit to the GLA accurate and verified estimates of the 'Be seen' energy performance indicators, as outlined in the 'Planning stage' section / chapter of the GLA 'Be seen' energy monitoring guidance document (or any document that may replace it), for the consented development. This should be submitted to the GLA's Energy Monitoring Portal in accordance with the 'Be seen' energy monitoring guidance.

b) Prior to each Building being occupied, the Owner shall provide updated accurate and verified 'as-built' design estimates of the 'Be seen' energy performance indicators for each Reportable Unit of the development, as per the methodology outlined in the 'As-built stage' chapter / section of the GLA 'Be seen' energy monitoring guidance (or any document that may replace it). All data and supporting evidence should be uploaded to the GLA's Energy Monitoring Portal. The owner should also confirm that suitable monitoring devices have been installed and maintained for the monitoring of the in-use energy performance indicators, as outlined in the 'In-use stage' of the GLA 'Be seen' energy monitoring guidance document (or any document that may replace it).

c) Upon completion of the first year of Occupation or following the end of the Defects Liability Period (whichever is the later) and for the following four years after that date, the legal Owner is required to provide accurate and verified annual in-use energy performance data for all relevant indicators under each Reportable Unit of the development as per the methodology the 'In-use stage' chapter / section of the GLA 'Be seen' energy monitoring guidance document (or any document that may replace it). All data and supporting evidence should be uploaded to the GLA's Energy Monitoring Portal. This obligation will be satisfied after the Owner has reported on all relevant indicators included in the 'In-use stage' chapter of the GLA 'Be seen' energy monitoring guidance document (or any document that may replace it) for at least five years.

d) In the event that the 'In-use stage' evidence submitted under Clause XX shows that the 'As-built stage' performance estimates derived from Clause XX have not been or are not being met, the Owner should investigate and identify the causes of underperformance and the potential mitigation measures and set these out in the relevant comment box of the 'Be seen' spreadsheet through the GLA's Energy Monitoring Portal. An action plan comprising measures identified in Clause XX shall be submitted to and approved in writing by the GLA, identifying measures which would be reasonably practicable to implement and a proposed timescale for implementation. The action plan and measures approved by the GLA should be implemented by the Owner as soon as reasonably practicable.

7. A financial contribution (£25,000.00) towards a wider study for Dagenham Dock de-centralised energy network potential

The Owner and Be First will agree the scope of the study through the steering group at the time of commission. The progress of the study will be reported to the Steering Group.

Trigger: payment to be made Prior to commencement of development (excluding demolition/enabling and remediation works).

Transport and Highways

8. The Owner will enter into a S278 Agreement for carrying out improvements to Goresbrook Interchange (the 'Goresbrook Interchange Highway Works')

The works should include:

- Increasing the existing footway width into the site (offering up land in the ownership of the applicant) along the eastern (Choats Manor Way) and southern (Choats Road) boundaries of the development site to create a segregated pedestrian footway & cycleway. It is considered prudent to attach a highway plan to the s106 or legal agreement and in the interest of highway safety, requiring the applicant to
 - a) agree a scheme of highway works and
 - b) implement all off-site highway works prior to above ground works of the development or first occupation of the development and secured. To be executed by the applicant under a s38/278 highway agreement.

The S278 Agreement (and all related approvals and consents) shall not be unreasonably withheld or delayed by the highway authorities (the highway authority being LBBD and TfL). The highway authority shall use all reasonable endeavours to ensure congestion mitigation measures provided for in the S278 Agreement are in place prior to the intended date of first occupation. An agreed programme specifying all necessary procedural and implementation stages and their anticipated dates shall be included in the S106/278 Agreement and the parties shall carry out such stages in accordance with the programme.

9. A commitment to deliver the LSIP cycle route to Dagenham Dock Station or a financial contribution (£337,303.00) if this is not achievable.

Prior to the commencement of development, a scheme shall be submitted to the LPA for approval confirming the design and proposed delivery of the footway / cycleway. The scheme shall include indicative timescales for acquiring the land necessary to deliver the footway / cycleway and transferring to Be First. The footway / cycleway shall be constructed in accordance with the approved details. The existing 3m path to be retained should be inspected and if required resurfaced/reconstructed and lit to the satisfaction of the LPA.

SEGRO shall use reasonable endeavours to bring forward the footway / cycleway, with an agreed maximum cap of £337,303 (index linked) to deliver the route in full. However, in the event that the land required to deliver the footway / cycleway is not within Be First's control on the 10th anniversary of occupation, a financial contribution of £337,303 (index linked) shall be made payable by SEGRO.

The improvements will be supported by a Highway Works Specification in accordance with the Manual Contract of Documents for Highway Works specification. These will be secured to the value of a Highway Works Bond. The works should also detail measures adopted to ensure the safety of Cyclists including a well-lit route with CCTV coverage along its whole length.

10. A financial contribution (£25,000) towards the development of a strategic infrastructure masterplan study focused on modal shift, including the river / rail freight proposition, innovation, promotion and support of low carbon and autonomous vehicles.

The scope of the masterplan study will be submitted to the Council for approval. The scope will be discussed with relevant members of the Steering Group.

Trigger: Payment to be made prior to commencement of development (excluding demolition/enabling and remediation works).

11. A financial contribution (£200,000) towards the enhancement of local bus services to serve the development.

The owner for agrees to pay the Council £200,000 (index-linked from the date of planning permission) towards necessary changes to local bus services (night-time services and morning peak capacity to serve the development).

The exact frequencies and balance between these two existing bus services (EL2 and 145), or any potential alternative or additional bus services (as may be the case following service changes prior to or in the time period covered by the five years' funding), will be determined at a later date.

Air Quality

12. Submission of a revised Car Parking Management Plan

By the 3rd anniversary of occupation of the development, a revised Car Park Management Plan (CPMP) shall be submitted to the local planning authority for determination. The revised CPMP shall be accompanied with a report monitoring usage of the car park since first occupation.

The CPMP shall include the Public Transport Access Level (PTAL) score for the development. On submission of the CPMP, if the average PTAL score across the Site is 4 or greater, SEGRO shall use reasonable endeavours to reduce the provision of on-site car parking, up to a maximum of 20% of approved parking spaces by the 6th anniversary of first occupation of the development.

Trigger: The Plan must be submitted to the Council before the first anniversary of occupation of the Development.

13. Site Wide Travel Plan

The Owner shall develop a Site Wide Travel Plan that accords with the approved Framework Travel Plan in consultation with TfL.

Trigger: submitted to the Council for their approval before practical completion.

14. Air Quality off-setting contribution.

A payment at the off-setting contribution rate of £29,000 per tonne of NOx over the benchmark (or the equivalent rate at the time of reassessment) will be applied if the scheme does not meet air quality neutral standards

Trigger : The assessment must be submitted to the Council before the first anniversary of occupation of the Development, and payment made based on this assessment

Public Realm

15. A financial contribution (£300,000) towards Public Realm enhancements in and around Dagenham Dock station.

The Owner will pay a contribution of £300,000 towards improvements near and around Dagenham Dock C2C Station and Chequers Lane.

The extent of the area this contribution should go towards is to be agreed through discussion between relevant members of the Steering Group and other contributors that may be in place post signature of this agreement.

Trigger: payment to be prior the commencement of development whichever is the earliest.

Employment, Training, Education and Supply Chain – General Provision

16. Local employment, training and supply chain plans

Plans must be submitted prior to the commencement of development, providing a forecast of the estimated FTE workforce, the number of vacancies, paid work placements and short courses that will be created over the lifetime of the development. This must be accompanied by a method statement setting out how this will be delivered, including who in the organisation will be responsible for managing recruitment and training, how they will ensure compliance by trade contractors and how this will be managed, how health and safety issues will be managed, and how they will engage with the local community and contribute to educational engagement with local schools.

Templates for the initial plan, method statement and monitoring forms will be provided by Be First. In addition, the Construction Team in the council's job brokerage service offers support for developers to understand their commitments and build an effective plan where desired.

Trigger: the plans must be submitted three months prior to commencement of development

17. A financial contribution (£157,500) towards training and employment support for local residents across Construction and End Use phase:

Commit to a financial contribution towards training and employability support for local residents of £157,500. This is 25% of the cost the council would incur within our employment and brokerage services to successfully train and support local candidates to fill the local employment targets set out above, which at £5,000 per head for 25 roles in construction phase, and minimum 100 roles during first 5 years of end user phase (based on assumption that of 660 jobs on site).

Trigger: Payable on commencement of development.

18. Employment during Construction

The Owner will use reasonable endeavours to ensure that jobs are provided to LBBD residents, during the construction and remediation phases.

The jobs to be provided in accordance with the following:

- 25% of the total jobs of the total jobs 250 FTE jobs created are new jobs filled by LBBD residents, with at least 10% of these (25) directly employed construction jobs with the remaining 15% (37.5) secured through reasonable endeavours through supply chain.
- Advertise all vacancies through the council's job brokerage services, with notification of job vacancies exclusively available to residents for a minimum of 10 days before being advertised more widely.
- Provide a skill forecast for the development and highlight any shortages to the council's job brokerage service.

19. Training during Construction

The Owner will use reasonable endeavours to ensure the following:

- Deliver Health and Safety training (CSCS) for twenty-five (one training opportunity for every 10 construction workers) young people developing a career in the construction industry.
- Provide 20 weeks of work experience with each placement lasting a minimum of 2 weeks. Candidates to be brought through from the training where possible. For up to 10 people.
- Provide at least one educational workshop / visit for primary or secondary school students per educational term, for the duration of the construction phase, to support local schools and careers services.
- Paid Work Placement/Traineeship to new entrants to the industry (LBBD) - Support residents with a CSCS card but with little or no prior experience of working on site. A total of 70 weeks employment on site. Candidates to be brought through from the training where possible. Up to 4 people.

20. Employment – End User Obligations

The Owner will use reasonable endeavours to ensure that the Owner's employees and jobs with its contractors are provided to LBBD residents during the end-user phase in accordance with the following:

- a. fill 80 posts, which is **25% of** the 323 **newly created** vacancies (49% of FTE 660) by local residents within the first 5 years of operation.
- b. Fill a minimum of 20 further posts created through turnover in the 337 relocated posts (51% of FTE 660) within 5 years of operation.
- c. Work closely with the council's employment and skills brokerage to achieve a target of **25% of all jobs** within the tenants' workforce on site to be filled by local residents within 6 years of operation.
- d. Advertise all vacancies through the council's job brokerage service, with notification of job vacancies exclusively available to residents for a minimum of 10 days before being advertised more widely

2. For end-user jobs, encourage tenants to work closely with the applicant and LBBD to advertise all newly created vacancies through the council's Job Brokerage service including through introducing tenants to LBBD's Job Brokerage service to help provide a skills forecast for the development and highlight any shortages to the Council's job brokerage service, a minimum of one month before operational end use commences; and where feasible including relevant commitments within terms and conditions of tenancies.
3. A commitment to collaborative working through the employment of a designated Employment co-ordinator to liaise with and where feasible provide access on site for the Councils Job Brokerage service.