

**LONDON BOROUGH OF BARKING & DAGENHAM
PLANNING COMMITTEE**

20 December 2021

Application for Planning Permission

Case Officer:	Olivia St-Amour	Valid Date:	16/07/2021
Applicant:	SEGRO (East Plus) Limited	Expiry Date:	15/10/2021
Application Number:	21/01355/FULL	Ward:	Thames Ward
Address:	Plot 3 Segro Park, Choats Road, Dagenham.		

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 3, Segro Park, Choats Road, Dagenham.

Proposal

Construction of an industrial building (Use Class B2, B8, E(g)(iii)), with ancillary offices; access ramp; creation of new vehicular accesses from Choats Road and Halyard Street; pedestrian and cycle access from Choats Road; cycle, motorcycle and car parking; roof mounted solar panels; hardstanding and circulation areas; roof terrace; sprinkler tanks; pump; and all other ancillary and enabling works including landscape, drainage, engineering, ground stability works and boundary treatment.

The proposed floorspace will be set within a multi-storey building comprising 10,128sqm (Gross External Area) of industrial floorspace in flexible use class B2, B8 and E(g)(iii), with ancillary office floorspace. The development will be divided into two units, one on the ground floor and one at first floor (Units 1 and 2, each circa 3,790sqm). The second floor will provide the ancillary office space for both units. The building design includes a roof terrace above the access ramp/offices which will provide green space and planting.

In terms of car parking, the development will provide a total of 63 off-street car parking spaces to include 6 accessible spaces and 12 EV charging points. The development will provide a minimum of 82 cycle parking spaces.

The proposals seeks a 24 hour use of the site.

Officer Recommendations

Planning Committee is asked to resolve to:

1. agree the reasons for approval as set out in this report; and
2. delegate authority to the London Borough of Barking and Dagenham's Director of Inclusive Growth in consultation with LBD Legal Services to negotiate and secure the Section 106 legal agreement based on the Heads of Terms at Appendix 6 of this report and the planning conditions at Appendix 5.
3. agree that, if by 20th June 2022 the legal agreement has not been completed, the London Borough of Barking & Dagenham's Director of Inclusive Growth has delegated authority to refuse planning permission or extend this time frame to grant approval.

Heads of Terms Summary

Administrative

- [Payment of the Council's professional and legal costs, whether or not the deed completes.](#)
- Payment of the Council's reasonable monitoring fees
- All Payments to be index linked

Energy and Sustainability

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

- Future proof development in order to ensure it could connect to a District Heating Network
- Energy Be Seen energy performance.
- A financial contribution (£8,000.00) towards a wider study for Dagenham Dock decentralised energy network potential

Transport and Highways

- The Owner will enter into a S278 Agreement for carrying out the construction of new access arrangements and to include adjustments to Choats Road
- A financial contribution (£8,000) 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.
- A financial contribution (£250,000) towards the enhancement of local bus services to serve the development.
- A financial contribution (£50,000) towards road network improvements
- Submission of a revised Car Parking Management Plan
- Site Wide Travel Plan and monitoring fees

Air Quality

- Air Quality off-setting contribution.

Public Realm

- A financial contribution (£100,000) towards Public Realm enhancements in and around Dagenham Dock station.

Employment, training and education

- Local employment, training and supply chain plans
- A financial contribution (£88,000) towards training and employment support for local residents across
- Employment during Construction
- Training during Construction
- Employment – End User Obligations

Conditions Summary

- [Three Year Time Limit](#)
- [Development in accordance with approved plans](#)
- [Contamination](#)
- [Construction Environmental Management Plan \(CEMP\)](#)
- [Construction Logistics Plan](#)
- Written Scheme of Investigation
- Protected Species Survey (Reptiles)
- [Details of all façade materials](#)
- [Details of all boundary treatment](#)
- [Electric Vehicle Charging Points and Rapid Electric Vehicle Charging Points](#)
- [Cycle Parking](#)
- [Noise from Non-Residential Uses and Plant and Structure Borne Noise Emissions](#)
- [Emergency Flood Risk](#)

- Secure by Design
- [Car Park Management Plan](#)
- [Sustainable Drainage](#)
- [Delivery and Servicing Plan](#)
- Noise Management Plan
- BREEAM
- Energy Statement
- Circular Economy Statement
- Air Quality
- Maximum Quantum of Floorspace
- Site Specific Non-Road Mobile Vehicles
- Flood Risk Assessment
- Maximum Car Parking Numbers
- No Open Storage
- Industrial Use of the Site
- Site Clearance
- Biodiversity Enhancements

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 adjacent to the Goresbrook SINC.

Site, Situation, Proposal and Relevant Background Information

The Site is located to the south of Choats Road within the London Sustainable Industries Park.

The Site extends to approximately 1.88 hectares (ha) and largely consists of undeveloped brownfield land. It comprises mostly vacant, previously developed scrubland with trees and hedges located to the site boundaries.

The Gores Brook is located to the west of the site, which is a Site of Importance for Nature Conservation (SINC). Beyond this approximately 100m to the west of the site is the Barking Riverside development, which is a large scale residential led development that is under phased construction. Industrial developments are located to the north, east and south of the site, including a waste management facility to the east, a self-storage yard to the north and an oil storage facility to the south.

Access to the Site is taken from Choats Road and Halyard Street.

The site has a public transport accessibility level (PTAL) rating of 1a/1b, and is located approximately 1.25km from Dagenham Dock railway station. The station provides regular services to Grays and London Fenchurch Street Station.

In terms of vehicular access, the A13 is located to the north of the Site. The A13 is a major strategic route, connecting Central London with East London and South Essex.

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

This planning application is the third industrial development submitted by Segro in partnership with the GLA. The first application at site 4, reference 19/01178/FUL was granted planning permission 03/01/2020. Members resolved to planning permission for Segro Plot 2 (planning application reference 21/00023/FUL), subject to planning obligations and conditions 5 July 2021. The S106 is yet to be finalised and the Stage 2 GLA referral is required before planning permission can be granted for Plot 2.

Key Issues

1. [Principle of Development](#)
2. [Employment](#)
3. [Design and Quality of Materials](#)
4. [Impacts to Neighbouring Amenity](#)
5. [Sustainable Transport](#)
6. [Waste Management](#)
7. [Archaeology Impact](#)
8. [Delivering Sustainable Development \(Energy / CO2 Reduction \)](#)
9. [Biodiversity, Landscaping and Sustainable Drainage](#)
10. [Air Quality](#)
11. [Land Contamination](#)
12. [Conclusions](#)

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)) 9,493 sqm GIA / 10,128sqm GEA
<i>Net gain in number of jobs</i>	Net gain of the equivalent of approximately 200 construction jobs and 208 FTE end user phase jobs.

- 1.1. In determining the application LBBB 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. LBBB 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 plan-led 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.
- 1.13. 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

- 1.14. 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.

- 1.15 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.
- 1.16 Additionally, it is noted that the site does not accommodate any existing waste facilities and pertains to an area of vacant land.
- 1.17 The Proposed Development is therefore not considered to 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.

2.0 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 development proposal would provide more than 200 end user phase jobs. 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 LBBB residents, a financial contribution has been secured to support the Council in the delivery of employment and supply-side commitments within the s106 agreement. It is noted that the employment based commitments follow the approach secured under Segro Plot 2 (21/00023/FUL) and have been agreed in consultation with LBBB's Employment and Skills Team.
- 2.11. 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 and ensure that the development will accord with the relevant policies set out above.

3.0 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.

Layout

- 3.7. The layout has been proposed to respond to the site constraints and multi-storey type of development to accommodate an access ramp and maximising the height of the development by incorporating the ancillary office space to the upper floor with direct access to daylight, benefitting from a roof terrace and views across the Gores Brook to the west. The two servicing yards are stacked and located to the east of the building adjacent to the industrial uses, utilising the proposed building as a buffer between the yard and the Barking Riverside site to the west. The vehicular ramp is accessed directly from Choats Road to the north of the site and is incorporated into the west of the building to provide access to the first floor service yard for unit 2; the two separate office areas are located above the ramp, and can be accessed directly from the main units, by independent staircase and lifts. The roof terraces are above the office space.
- 3.8. Officers consider the proposed layout of the development to be appropriate in the context of the site and responding to the site location and constraints. The stacked nature of the proposed development enables the floorspace to be optimised across the development, providing a good balance between floorspace and service yard space.

Height, Scale and Massing

- 3.9. At circa 118m in length and up to 28m in height the proposed development is of a substantial height, scale and massing. The stacked scheme has been designed to meet modern industrial occupiers and seeks to respect the prevailing character of the wider employment area, whilst noting that it sits on the edge of the employment area and is highly visible from the Barking Riverside development. The proposed building is set back from the northern and western boundaries, softened by landscaping, with elements of the building being single storey where

possible (i.e. to the east where the ground floor service yard is enclosed but the first floor service yard is open).

- 3.10. Officers acknowledge that the height of the proposed development is significant for an industrial scheme, however this type of stacked industrial development is encouraged as it optimises the size of the site, enabling industrial intensification that would otherwise not be possible on a single storey level. The development sits within a designated industrial estate (SIL), and the proposed scale and massing is appropriate in this context. In terms of height, scale and massing, officers consider this to be in line with local, national and regional design policies (including those pertaining to tall buildings), subject to the elevational appearance and residential amenity considerations assessed below.

Appearance

- 3.11. The proposed development incorporates high quality, sustainable materials for a contemporary, robust industrial aesthetic.
- 3.12. The elevational treatment proposes a combination of profiled vertical cladding in various shades of grey, flat metal cladding and profiled glass to the ramp/staircore, with gabion cladding to the base, and curtain walling running along the stern elevation maximise light in to the office areas.
- 3.13. Officers consider the proposed materiality to be appropriate for the industrial setting, sitting comfortably within the streetscene. The eastern elevation incorporates sufficiently high quality design elements to be fitting of the prominence of the building which is on the edge of the industrial area and highly visible from the neighbouring Barking Riverside development.
- 3.14. It is recommended that a condition is imposed requiring the submission of external material samples to ensure that the development is constructed with high quality materials.

Landscape

- 3.15. The existing site contains a lone spoil heap, dense scrub to the northern and eastern boundaries, and scattered scrub, and one tree close to the site boundary fence to the north. A tree survey assessed the tree as a young category U tree in poor structural form. The proposal will involve the removal of the one tree due to its position close to the boundary fence. A total of 77 new trees will be planted to the site, which are to be native in species. Officers consider the loss of the one tree acceptable in this instance, particularly as the tree is not in good form and the development will incorporate substantial tree planting which will help to mitigate the tree's loss.
- 3.16. The proposal includes extensive landscaping to the western boundary, with further landscaping also proposed to the north and south, as well as the introduction of a landscaped area on the proposed roof terrace which will contain a series of seated spaces and raised planters. The planting to the west will include native tree species and shrubs together with a wildflower and grass meadow.

Secure by Design

- 3.17. It is recommended that a condition is imposed to ensure the development complies with Secure by Design principles.

Fire Safety and inclusive access

- 3.18. Policy D5 of the London Plan seeks to ensure that developments incorporate safe and dignified emergency evacuation for all building users and achieve the highest standards of accessible and inclusive design. London Plan policy D12 seeks to ensure the safety of all building users is taken into consideration so that buildings achieve the highest standards of fire safety. Emerging Strategic Policy SP2 (LBBB Draft Local Plan, Reg 19, 2021) promotes high-quality design, providing safe, convenient, accessible and inclusive developments. A Fire Strategy Statement has been submitted to ensure the development accords with policy D12, which requires major applications to be accompanied by a Fire Statement with a developed robust strategy for evacuation. It is recommended that the document is conditioned as an approved document so that the recommendations of the strategy are incorporated into the detailed design. LBBB's Access Officer has reviewed the development and has confirmed that they are happy with the approach to accessibility. On reviewing the submitted documentation, officers consider the development accords with policies D5, D12 and SP2.

Public Realm

- 3.19. The proposed development is approximately 1.25km from Dagenham Dock station, and it is considered that the application is likely to generate an increased usage of the station, along with bus usage to and from the station. 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. 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.
- 3.20. 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. Taking the above into consideration, a financial contribution towards public realm enhancements have been secured as part of this application.
- 3.21. 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. 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

- 3.22. Overall, the development, subject to conditions and obligations would deliver a high-quality development, with no unduly detrimental impacts on local townscape. Officers consider the proposed development is appropriate in its location and support the extensive landscaping which seek to soften the western edge of the site, alongside the Goresbrook. As such, the proposed design approach can be supported in accordance with the above-mentioned planning policies.

4.0 Impacts to Neighbouring Amenity

- 4.1. Paragraph 174(e) of the NPPF states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from

contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of pollution, including noise, water and air.

- 4.2. Policy D3 of the London Plan 'optimising site capacity through the design-led approach' sets out that development proposals should deliver appropriate outlook, privacy and amenity.
- 4.3. Adopted Policy BP8 of the Borough Wide Development Management Policies DPD seeks to protect residential amenity, as does Policy BP11. Draft Local Plan Policy DMD1 'Securing high quality design' (Regulation 19 version) sets out that among other things, all development proposals should consider the impact on the amenity of neighbouring properties with regard to significant overlooking, privacy and immediate outlook, and should mitigate the impact of air, noise and environmental pollution.
- 4.4. The site is located within an existing SIL sit where industrial uses are considered appropriate and encouraged. However, the site context has changed in recent years since previous industrial uses were accommodated on site. This is largely as a result of the Barking Riverside development to the west, which is approximately 100m away. The Barking Riverside is located across the Gores, beyond an area of open land. The closest section of Barking Riverside is known as 'Stage 3 South' and contains proposed residential properties. The applicant has engaged in discussions with BRL to ensure that the respective developments are compatible. It is noted that BRL submitted representations in response to this planning application, which are summarised at Appendix 3.

Outlook, Privacy and Daylight/Sunlight

- 4.5. At a distance of approximately 100m from the nearest residential neighbours, it is not considered that the development would give rise to any adverse impacts in terms of outlook, privacy or daylight/sunlight as in these terms the intervening distance of 100m is considered to significantly minimise risks of overlooking, or daylight/sunlight issues.

Noise

- 4.6. The NPPF outlines that planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health and living conditions and should mitigate and reduce to a minimum potential adverse impacts resulting from noise, and avoid giving rise to significant adverse impacts on health and quality of life (paragraph 185). The NPPG (Paragraph: 005 Reference ID: 30-005-20190722) clarifies that adverse noise impacts are considered to occur when noise levels result in a change in behaviour, for example turning up the volume to hear the television.
- 4.7. Publish London Plan Policy D14 'Noise' directs that development proposals should manage noise by, avoiding significant adverse noise impacts on health and quality of life, reflecting the Agent of Change principle and encourages potential adverse effects to be controlled and mitigated through applying good acoustic design principles. Policy D13 'Agent of Change' sets out that established noise and other nuisance-generating uses remain viable and can continue to grow without unreasonable restrictions being placed on them and continues that new noise generating development proposed close to residential and other noise-sensitive uses should put in place measures to mitigate and manage and noise impacts for neighbouring residents. Draft Local Plan Policy DMSI 3 'Nuisance' (Regulation 19 version) requires development proposals to have regard to the Agent of Change principle and requires development proposals to submit a noise assessment. The policy states that development proposals which generate an unacceptable level of nuisance will generally be resisted.
- 4.8. 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.

- 4.9. 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. The London Plan supporting text explains that the Agent of Change principle works both ways, “For example, if a new noise-generating use is proposed close to existing noise-sensitive uses, such as residential development or businesses, the onus is on the new use to ensure its building or activity is designed to protect existing users or residents from noise impacts.”
- 4.10. 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. The agent of change principle is also reinforced locally within Policy DMSI3.
- 4.11. The development by its industrial nature is a noise generating use. It is noted that the site is designated as SIL and lies immediately adjacent to a number of potentially noisy industrial uses. The end user has not been identified and as such the exact nature of the industrial use for the site is yet to be determined, but a 24 hour use of the site is proposed.
- 4.12. The development was supported by a Noise Assessment undertaken by Stantec to assess operational noise. The assessment concludes that in a ‘worst-case scenario’ the noise generated from the development would be 6dB below the background sound level and equal to the night-time background sound level, which would be considered to have a ‘low impact’ against BD 4142. The assessment also asserts that the noise level associated with traffic flow from the development is likely to be insignificant.
- 4.13. The Council’s Environmental Protection Officer assessed the development and has recommended conditions relating to both construction noise and end-user noise in order to protect neighbouring noise sensitive neighbours, paying particular regard to the Barking Riverside development 100m to the west of this site. A number of planning conditions have been imposed, which are considered necessary to ensure that the development remains appropriate in this setting, having regard to the relevant noise legislation, guidance and relevant planning policies. A Noise Management Plan is recommended as the end-user(s) of the site is as yet unknown.
- 4.14. Matters pertaining to the agent of change policies have been assessed in detail in the section above.

Summary

- 4.15. Overall, in accordance with Local Plan and London Plan policies and having regard to the SIL designation of the site, subject to the recommended conditions it is considered that the proposal will not have an unduly detrimental impact on the amenity of neighbouring properties. The proposal is considered to accord with Agent of Change principles.

5.0 Sustainable Transport			
<i>Proposed number of car parking spaces</i>	63	<i>PTAL Rating</i>	1a/1b (low)
<i>Proposed number of cycle parking spaces:</i>	72 long stay spaces 52 cargo bike parking spaces 10 short-stay spaces	<i>Closest Rail Station / Walking Distance</i>	Dagenham Dock.1.25km

<i>Restricted Parking Zone:</i>	N/A	<i>Parking stress survey submitted?</i>	N/A
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- 5.1 The National Planning Policy Framework through Chapter 9 recognises that sustainable transport has an important role to play in facilitating sustainable development but also contributing to wider health objectives. In particular it lends support to development which is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. It is also expected that new development will not give rise to the creation of conflicts between vehicular traffic and pedestrians.
- 5.2 The London Plan addresses sustainable transport objectives through policies T1-T6, in which policies seek all new development to identify opportunities to improve the balance of space given to people to dwell, walk, cycle, and travel on public transport and in essential vehicles, so space is used more efficiently, and streets are greener and more pleasant. Policies also set out requirements for levels of on-site vehicle parking, cycle parking and for servicing. All developments should demonstrate full accordance with these requirements
- 5.3 The London Plan seeks to ensure a balance is struck to prevent excessive car parking provision that can undermine cycling, walking and public transport use and through the use of well-considered travel plans aim to reduce reliance on private means of transport.
- 5.4 This is also echoed by Policies BR9, BR10 and BR11 of the Borough Wide policies and Policy DMT1 of the emerging local plan (Reg 19 stage), which require proposals to have consideration to the local environment and accessibility of the site, on-street parking availability, access and amenity impacts and road network capacity constraints while supporting the Council's commitment to reduce the need to travel and encourage modal shift away from the private car towards healthy and sustainable transport initiatives and choices, notably walking and cycling.
- 5.5 The Mayor of London's Transport Strategy supports developments which can demonstrate they contribute to a reduction of Londoners' dependency on cars in favour of active, efficient and sustainable modes of travel, with the central aim for 80 per cent of all trips in London to be made on foot, by cycle or using public transport by 2041.
- 5.6 Be First Transport Officers have reviewed the scheme, and their comments are incorporated into the assessment below. TfL officers have also reviewed the proposed development, and a broad summary of their comments is contained in Appendix 3.
- 5.7 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.
- 5.8 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.

Car Parking

- 5.9 The proposed number of vehicle parking spaces is 63 for all users, which with a floorspace of 10,128sqm represents a ratio of approx. 1 space per 161sqm. London Plan policy indicates where appropriate industrial site provision should be determined on a case-by-case basis and that car parking should be restricted in line with levels of existing and future public transport accessibility and connectivity. It is proposed as a 24-hour use, 7 days a week with shift working and therefore, to ensure that the proposals at Plot 3 are 'car-lite' and has sought to justify the proposed level of car parking against this policy. Be First's Transport Development Manager has reviewed the information submitted and confirmed that they are happy with the case set out subject to a commitment to reduce the on-site car parking provision. It is noted that TfL initially objected to the level of car parking based on the information as originally submitted. However, no written response has been received following the most recent submission of the applicant's additional information. On the basis that Be First's Transport Officers are satisfied that the

proposed quantum of car parking is acceptable in transport terms, officers consider this element of the proposal is acceptable, subject to suitable mitigation measures which include a condition limiting the number of car parking spaces and a Car Parking Management Plan which seeks to reduce the quantum of car parking spaces at the site within 10 years of operation.

- 5.10 Furthermore, to support better air quality, a condition is recommended to secure 25% 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. 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.
- 5.11 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.

Cycle Parking

- 5.12 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.
- 5.13 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.
- 5.14 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.
- 5.15 Full details of the cycle parking will be conditioned to ensure they complies with the relevant standards.
- 5.16 The cycle infrastructure in the local area includes existing on-street cycle lanes and in the TA new cycle routes have been identified to connect to the wider network. However, the proposal does not include considerable initiatives to improve or enhance the cycle network, and therefore reduce dependency on cars. The development does however include a commitment of £50,000 for highways improvements. The commitment will be sought flexibly with the exact extent of the highways improvements are to be determined, but may include local highways improvements along Choats Road, where the site is located. In the context of the size of the development and the scope of the highways obligations secured, officers consider this is acceptable.

Public Transport

- 5.17 In relation to local buses, to support the development and further to detailed discussions with officers and TfL, 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. The contribution to be secured is £250,000, which will assist in improving the local bus services in the area to serve the development. It is acknowledged that a contribution is also proposed at Segro 2, and this quantum is proportionate to the size of the development.
- 5.18 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, 2021). 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 planning obligation is recommended to ensure a final Travel Plan is secured alongside a Travel Plan monitoring fee.

- 5.19 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.
- 5.20 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.
- 5.21 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.
- 5.22 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.
- 5.23 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.

Summary

- 5.24 Overall the development includes a number of commitments which aim to reduce car dependency and improve the overall condition of the environment in the locality. The development is located in a designated industrial location where a certain amount of road transport is expected. However, officers welcome the range of planning obligations secured to mitigate the impacts of road transport and overall consider the development will not have a severe impact on the highways network.

6.0 Waste Management

6.1 Policies CR3 and BR15 of the Core Strategy and Borough Wide policy document 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 emerging Local plan (Reg 19 stage) through Strategic Policy SP7 and Policy DMSI9. Policy SI7 of the London Plan promotes the reduction of waste through supporting the circular economy.

6.2 Whilst the application is not GLA referable and compliance with the Circular Economy principles and policies is therefore not required, the applicant has submitted a Circular Economy Statement. 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.

7.0 Archaeology Impact

- 7.1. 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.

- 7.2. 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.
- 7.3. 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.
- 7.4. GLAAS have recommended a condition requiring further investigation in the form of a Written Scheme of Investigation (WSI), which is ordinarily required prior to determination, however in the instances of this scheme GLAAS have recommended a pre-commencement condition. Officers consider this necessary as a pre-commencement condition as it will include geoarchaeological boreholes to be drilled into the ground. Any works including enabling works could disturb archaeological potential. This is considered necessary to comply with the NPPF and is recommended under condition on this application.
- 7.5. Overall, subject to conditions, the proposal would take suitable measures to ensure that any archaeological remains of significance would be adequately protected.

8.0 Delivering Sustainable Development (Energy / CO2 Reduction)	
<i>Renewable Energy Source</i>	Air Source Heat Pumps Photovoltaic Panels
<i>Proposed CO₂ Reduction</i>	103%

- 8.1. The NPPF emphasises at paragraph 152 that the planning system should support the transition to a low carbon future in a changing climate and should help to shape places that contribute to radical reductions in greenhouse gas emissions, and encourage the reuse of existing resources, including the conversion of existing buildings
- 8.2. 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.
- 8.3. The Mayor of London has set ambitious targets for London to be net zero-carbon. London Plan Policy SI2 'minimising greenhouse gas emissions' directs that major development should be net zero-carbon, through reducing greenhouse gas emissions in accordance with the following hierarchy:
 - Be lean
 - Be clean
 - Be green
 - Be seen

- 8.4. The policy requires a minimum on-site reduction of at least 35% beyond Part L Building Regulations for major development, of which 15% should be achieved through energy efficiency measures for non-residential development.
- 8.5. 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”*.
- 8.6. 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.
- 8.7. These objectives and targets are also outlined in Policy DM24 of the emerging local plan (Reg 19 stage).
- 8.8. Development Policy BR1 ‘Environmental Building Standards’ states that all developments are expected to meet high standards of sustainable design and construction. Policy BR2 ‘Energy and on-site renewables’ of the Borough Wide Development Policies DPD outlines the expectations for significant carbon reduction targets to be achieved. Draft Local Plan Policy DMS2 ‘Energy, heat and carbon emissions’ sets out the Council’s expectations for major development to contribute and where possible exceed the borough’s target of becoming carbon neutral by 2050 by maximising potential carbon reduction on-site and demonstrating the achievement of net zero carbon buildings.
- 8.9. Borough Wide Development Policies DPD policy BR1 sets a requirement for non-residential major developments to achieve BREEAM Very Good-Excellent. The Draft Local Plan (Regulation 19) seeks to go further, requiring all new non-residential development over 500sqm floorspace to be designed and built to meet or exceed a BREEAM Excellent rating (DMSI1).

Carbon Reduction

- 8.10. The proposed development complies with policy SI2 of the London Plan by being zero carbon, through on-site measures. The development would achieve a 26% reduction in on site measures at the ‘be lean’ stage, over the 15% set by the London Plan. The development will incorporate photovoltaic panels and air source heat pumps. Overall, the development would achieve a total cumulative on-site savings of 103%, and as such an off-setting contribution would not be required. It is recommended that compliance with this energy strategy is secured via condition and an obligation is proposed to ensure it fully meets zero carbon and a planning obligation for off-setting contributions is secured in the event the savings cannot be achieved.

- 8.11. 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. 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.
- 8.12. Subject to the above, officers are satisfied the proposal will accord with the above-mentioned policies.

BREEAM

- 8.13. Development Policy BR1 'Environmental Building Standards' states that all developments are expected to meet high standards of sustainable design and construction.
- 8.14. 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.
- 8.15. 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.

9.0 Biodiversity, Landscaping and Sustainable Drainage

- 9.1. 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.
- 9.2. London Policy G5 sets out that major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, incorporating measures such as green roofs, green walls and nature-based sustainable drainage. The Policy recommends a target Urban Greening Factor score of 0.3 for predominantly commercial developments, which excludes B2 and B8 uses.
- 9.3. 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. This approach is also set out in Policy SP5 of the Draft Local Plan. Draft policy DMNE2 supports the maximisation of opportunities for urban greening, reflecting the London Plan UGF target score. DMNE3 sets out that developments should demonstrate biodiversity net gain and provide wider environmental net gain where possible.

Biodiversity

- 9.4. The application is supported by a Preliminary Ecological Appraisal including a Phase 1 habitat survey. The appraisal identifies that the Goresbrook to the west of the site is a non-statutory SINC. The Site follows the course of Goresbrook and its banks featuring woodland, scrub, herbs and grassland to the Ship and Shovel ditch. Habitats suitable for nesting birds are found on site, and the banks of the brooks, hedgerow, spoil mounds and dense scrub are all considered to provide opportunities for reptiles. On the basis of the Phase 1 habitat survey, the ecological

consultant recommends that a Protected Species Survey is undertaken. It is recommended that this survey is conditioned to be submitted to the LPA for review.

- 9.5. The proposal will include new lighting, which will include lighting close to the Goresbrook SINC. The lux plan for the proposed development shows lux level of 1 at the Goresbrook, rising to around 20 lux at the eastern edge. The applicant's Ecologist has confirmed that these levels are within the tolerable range of locally recorded bat species that might make use of the brook. The lighting strategy is therefore considered to be acceptable and is not expected to result in significant adverse effects to any bat species that are considered likely to make use of the site or its surrounding habitats.
- 9.6. The preliminary appraisal includes a number of on-site enhancements to ensure that biodiversity net gains are achieved on site, in accordance with policies G6, CR2, BR3 and the aims of emerging policy DMNE3. It is recommended that these are secured by way of a compliance condition.

Landscaping and urban greening

- 9.7. The landscaping proposals include an area of additional planting along the Goresbrook, as well as landscaping to the north and south. This will enhance the site and soften the industrial edge of the SIL. The landscaping will include the provision of 77 newly planted trees as well as shrubs and plants.
- 9.8. Whilst it is noted that the London Plan UGF excludes Use Classes B2 and B8 (which this development comprises), the proposed development will achieve a score of 0.33, therefore meeting the GLA guidance. Officers welcome this commitment to urban greening.
- 9.9. Officers consider that the proposed landscaping will 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.

Sustainable Drainage

- 9.10. The NPPF (Paragraph 155) seeks to direct development to areas with the lowest risk of flooding, and Core Strategy Policy CR4 seeks to ensure that development does not put people and property at risk of flooding. London Plan Policy S112 states that development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed.
- 9.11. The application site is located within Flood Zone 3, in an area which benefits from a range of River Thames tidal defences. The proposed finished floor of 3.565mAOD is higher than the 1 in 100 plus climate change fluvial flood level (0.25mAOD) and the 1 in 1000-year breach level for 2115 (2.97mAOD). The surface water drainage system will be designed so that the peak flow during a heavy rainfall event can be accommodated within the Site without increasing a flood risk to downstream catchments.
- 9.12. The Environment Agency has confirmed that they have no objections to the proposed development regarding flood risk. 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. On this basis it is considered that the proposed drainage is acceptable, in accordance with policy and the proposal would not be at unreasonable risk of flooding, nor would it increase such risk elsewhere in the area.

10.0 Air Quality

- 10.1. 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 ...”*
- 10.2. 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.
- 10.3. 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”.*
- 10.4. 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.
- 10.5. Policy SI2 requires proposals to be air quality neutral, this requirement is also reflected locally in policies SP7 and DMSI4 of the Draft Local Plan (Regulation 19, 2021). Local policy states that 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.
- 10.6. 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
- 10.7. The conditions recommended include.:
- Compliance with site-specific non-road mobile vehicles to ensure low emissions.
 - A condition requiring Electric Vehicle Charging Points

10.8. 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.

11.0 Land Contamination

11.1. 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 and emerging policy SMSI5).

12.0 Conclusions

- 12.1. 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.
- 12.2. The development will optimise opportunities for local employment, skills and training through the construction and end use phases. The development includes a number of commitments to improve the accessibility of the site, including improving cycle routes, a contribution towards improving bus services and a financial contribution towards the local/strategic highways improvements. The highways commitments will assist in mitigating the impacts of the development in highways terms and are supported.
- 12.3. 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.
- 12.4. 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)

Policy GG2 Making the best use of land
 Policy GG5 Growing a good economy
 Policy GG6 Increasing efficiency and resilience
 Policy D1 London's Form and Characteristics
 Policy D2 Delivering Good Design
 Policy D3 Optimising site capacity through the design-led approach
 Policy D4 Delivering good design
 Policy D5 Inclusive design
 Policy D11 Safety, security and resilience to emergency
 Policy D12 Fire Safety
 Policy D13 Agent of Change
 Policy D14 Noise
 Policy SD1 Growth Corridors and Opportunity Areas
 Policy E4 Land for industry, logistics and services to support London's economic function
 Policy E6 Locally Significant Industrial Sites
 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 SI1 Improving Air Quality
 Policy SI2 Minimising greenhouse emissions
 Policy SI3 Energy Infrastructure
 Policy SI4 Managing heat risk
 Policy SI5 Water infrastructure
 Policy SI7 Reducing waste and supporting the circular economy
 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
 Policy T7 Deliveries, servicing and construction
 Policy T9 Funding transport infrastructure through planning
 Policy DF1 Delivery of the Plan and Planning Obligations

Local Development Framework (LDF) Core Strategy (July 2010)

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><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 Policy BR10 Sustainable Transport Policy BR11 Walking and Cycling Policy BR12 Hazardous Developments Policy BC11 Utilities Policy BP11 Urban Design</p>
<p><i>Joint Waste Development Plan (2012)</i></p>	
<p>The London Borough of Barking and Dagenham’s Draft Local Plan: (Regulation 18 Consultation Version, Autumn 2021) 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, 2021)</p>	<p>STRATEGIC POLICY SPDG 1: Delivering growth in Barking and Dagenham POLICY SPP5: Dagenham East STRATEGIC POLICY SP 2: Delivering a high-quality and resilient built environment POLICY DMD 1: Securing high-quality design POLICY DMD 4: Heritage assets and archaeological remains STRATEGIC POLICY SP 5: Promoting inclusive economic growth POLICY DME1: Utilising the borough’s employment land more efficiently POLICY DME 2: Providing flexible, affordable workspace POLICY SP6: Green and blue infrastructure POLICY DMNE 2: Urban greening POLICY DMNE 3: Nature conservation and biodiversity POLICY DMNE 5: Trees STRATEGIC POLICY SP7: Securing a clean, green and sustainable borough POLICY DMSI 1: Sustainable design and construction POLICY DMSI 2: Energy, heat and carbon emissions POLICY DMSI 3: Nuisance POLICY DMSI 4: Air quality POLICY DMSI 5: Land contamination POLICY DMSI 6: Flood risk and defences POLICY DMSI 7: Water management POLICY DMSI 8: Demolition, construction and operational waste STRATEGIC POLICY SP8: Planning for integrated and sustainable transport POLICY DMT 1: Making better connected neighbourhoods POLICY DMT 2: Car parking POLICY DMT 3: Cycle parking POLICY DMT 4: Deliveries, servicing and construction STRATEGIC POLICY SP 9: Managing development POLICY DMM 1: Planning obligations (Section 106)</p>
<p><i>Supplementary Documents</i></p>	<p><i>Planning</i></p> <p>LBBD Planning Advice Note 5 ‘Sustainable Design and Construction’</p>

	<p>(2014).</p> <p>GLA Supplementary Planning Guidance (SPG) 'Land for Industry and Transport' (2012); and,</p> <p>GLA SPG 'The Control of Dust and Emissions during Construction and Demolition' (2014).</p>
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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 equality's 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

Relevant Planning History:			
Application Number:	19/00904/FUL	Status:	Approved
Description:	<i>Full application for enabling works at Plots 63, 65, 67 and 70 including clearing of wastes and vegetation, levelling and earthworks cut and fill to create development platforms and works to secure the land through the erection of fencing.</i>		
Application Number:		Status:	
Description:			
Application Number:		Status:	

Appendix 3

The following consultations have been undertaken:

- Historic England (Greater London Archaeological Advisory Service)
- Be First Transport Development Management
- LBBD Environmental Health
- LBBD Lead Local Flood Authority
- LBBD Waste and Recycling Officer
- Environment Agency
- Health and Safety Executive
- Transport for London
- Employment and Skills

Summary of consultation responses		
Consultee and date received	Summary of Comments	Officer Comments
LBBD Lead Local Flood Authority 21/09/2021	Recommends conditions in respect of the following: <ul style="list-style-type: none"> • Surface water drainage works to be carried out and SuDs implemented in accordance with the management and maintenance plan • Submission of an emergency flooding plan • No raising of existing ground levels on site to facilitate the free passage of flood water. 	The requested condition has been secured.
Highways England 12/08/2021 And 01/11/2021	Initial response recommended that planning permission not be granted and requested further information / clarification in respect of: <ul style="list-style-type: none"> • Gloss External / Internal Areas should be checked in the TA against those specified in the planning application form and calculations updated accordingly, • Motion should revisit trip generation for the site and using TRICS good practice guidance, derive trip rates suitable for a robust trip generating development that could occupy the site, • Should Person trip rates be revisited, mode splits should better reflect the sustainability of the site, • Proposed development trip distribution should consider robust assumptions for travel on the SRN i.e. M25 J30 and be presented as turning movements. <p>Updated response 01/11/2021 offered no objection and confirmed National Highways are satisfied that the proposal would not materially affect the safety, reliability and/or operation of the strategic road network (SRN) (the tests set out in DfT C2/13 para 10 and MHCLG NPPF para 111), in summary noting:</p> <p>National Highways interests relate to the operation and safety of the SRN, and in proximity to the proposed site, this includes the A13 and M25 J30.</p> <p>Taking account of the description on the planning application form, this is accepted as an industrial / commercial warehouse and not a distribution centre.</p> <p>National Highways believes the trip rates presented in the TN for a 'multi-level' warehousing development to be low when compared to current TRICS outputs, especially given the amount of employee car parking sought on site and the limited sustainable transport provisions.</p>	<p>The applicant responded to the initial objection with a Technical Note dated 13/09/2021.</p> <p>Highways England have withdrawn their objection on the basis of the additional information provided and no further comments are required. Highways matters are discussed in detail above.</p>

	For a B8 land use, site operations can vary quite considerably.	
Environment Agency	No objections, one informative recommended.	Informative added to draft decision notice.
LBBB Environmental Protection Officer	<p><i>Noise</i> – Have reviewed the noise assessment prepared by Stantec, dated July 2021. The application form states that the site is to be used 24 hours a day, seven days a week. The 24-hour sound survey conducted on 11th / 12th May is not sufficient to assess the full impact of a site that proposes to operate 7 days a week for 24 hours a day. The site will be used for the following use classes: B2, B8, E(g)(iii): (B2 General industrial / B8 Storage or distribution - This class includes open air storage). Therefore, there is potential, particularly for low frequency noise, to have an impact on residential properties, particularly between 11pm and 7am. As the detail of the proposed plant is not yet known, the following conditions are necessary:</p> <ul style="list-style-type: none"> • Noise from Non-Residential Uses and Plant and Structure Borne Noise Emissions • Details of Any Commercial Kitchen Extract Ventilation System • Noise Management Plan <p><i>Air Quality</i> - The commercial use is 10,128m2 and is situated within an Air Quality Management Area so is therefore subject to the following tariff via s106 agreement to support the implementation of the LBBB Air Quality Action Plan to improve air quality within the vicinity. 10,128 @£10psm = £100,128:00.</p> <p><i>Light</i> - The submitted lighting report states that the proposed lighting is classified as compliant with E4, ie a High district brightness areas–Town/city centres with high levels of night-time activity.</p> <p>Whilst this is not likely to give rise to nuisance to local residents, I would urge consultation with the ecologist regarding the impact this will have as the site is located adjacent to a Site of Importance for Nature Conservation (SINC) to the west.</p> <p><i>Contaminated Land</i> - The proposed remediation strategy submitted (Delta -Simons, ref 17-0084.38, dated July 2021) is approved and fulfils part (a) & (b) of the condition below. A condition is necessary for the validation of the approved scheme and any contamination that has not previously been identified.</p> <p><i>Construction noise</i> – The submitted CEMP is not approved, and the following condition is necessary:</p>	<p>The requested conditions have been secured.</p> <p>In respect of lighting, further correspondence was had with the applicant's ecologist to confirm that the lighting strategy met the recommendations of the Preliminary Ecological Appraisal and the Ecologist confirmed that they are happy that there would not be any adverse impact on the SINC as a result of the proposed external lighting.</p>

	<ul style="list-style-type: none"> • Construction Environmental Management and Site Waste Management (details to be submitted) 	
<p>Historic England – Archaeology 02/08/2021</p>	<p>The planning application lies in an area of archaeological interest.</p> <p>The development could cause harm to archaeological remains and field evaluation is needed to determine appropriate mitigation. Ordinarily a field evaluation should be undertaken prior to determination, however in this case a two-stage archaeological condition could provide an acceptable safeguard. Recommended condition to secure a stage 1 written scheme of investigation prior to development and a stage 2 WSI required if heritage assets of archaeological interest are identified.</p> <p>Archaeological fieldwork would comprise geoarchaeology coring.</p>	<p>The requested conditions have been secured.</p>
<p>Be First Transport Development Manager</p>	<p>Initial comments (01/09/2021): The proposals include a total of 63 off-street car parking spaces to serve visitors and future employees working at the facility. It's stated in the TA the proposed parking requirements for the site has been considered in line with the current London Plan and emerging local plan (maximum car parking standards).</p> <p>It consists of 31spaces to the north and a further 32 spaces to the south of the new building. It is suggested this total reflects the poor Public Transport Accessibility for the site. The PTAL score for the application site is 1b 'very poor' as detailed by the PTAL report but in the TA it states despite this, there are opportunities to travel by public transport within an acceptable walking distance of the site and goes on to say the application site is located close to regular bus services and a main line railway station connecting the site with the local area and access to local facilities.</p> <p>The London Plan allows <i>“For industrial site the provision should be determined on a case-by-case basis with the starting point being the standards in Table 10.4 with difference in employment densities taken into account. Flexibility may be then applied in light of site-specific circumstances.</i> <i>In terms of operational parking, it should be considered and justified separately.</i> A section within the TA on the justification of the car parking provision has been provided but can we request a car parking layout plan labelled with the various types of uses for the parking bays for example operational, visitors, EVCP etc. and confirmation about the circulation of traffic within the site.</p> <p>The car parking provision is above the maximum provision as set out in the London Plan and this number should be reduced or there needs to be a commitment secured by a legal agreement that the applicant will implement significant measures both in the short- and long-term with an objective</p>	<p>Officers welcome the progression in respect of highways matters and consider that these are suitably resolved subject to the imposition of the recommended S106 obligations and conditions.</p>

approach on their part to reduce private vehicle trips, and associated parking.

The proposal doesn't provide any considerable initiatives to improve or enhance street environment, cycling infrastructure and public transport to reduce dependency on cars in favour of active, efficient, and sustainable modes of travel to support the central policy aim for 80 per cent of all trips in London to be made on foot, by cycle or using public transport.

The applicant does intend to upgrade the existing footpath to a shared foot/cycle path running alongside the Goresbrook, with direct connection to the main entrance building. To avoid any ambiguity about the scope of this work can we request a plan showing the extent of these improvements also highlighting the main points of access and egress for pedestrian and cyclists which we would expect to be segregated from traffic.

A Framework Travel Plan, Draft Construction Logistics Plan and Draft Delivery and Servicing Plans documents in relation to the proposed development, has been provided. These documents will be required and should be developed in accordance with Transport for London guidance and best practices which reflects the final scheme including a Car Parking Management Plan, and should be secured by condition with a financial contribution for monitoring the TP.

To realize this proposal as submitted it will require alterations to the public highway which will go beyond the extent of the red line boundary of the application. Therefore, 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 should be secured.

We would recommend that further discussion should take place to ascertain if the applicant would consider making a financial contribution towards public transport services to accommodate future demand to provide links to employment opportunities, pedestrian and cycle infrastructure, for purpose of mitigating measures to ensure their objectives are achieved relating to a modal switch of transport from private vehicle car travel.

An informative should be provided advising the applicant that the alterations proposed to the public highway for all the off-site work will require consent separate to any planning permission granted. This will need to be secured with the applicant and Highway Authority separately in a section 38/278 agreement (Highways Act 1980). The applicant shall submit to the council a detailed highway design and enter a s38/278 agreement to undertake the highway improvements seeking to ensure a detailed design is in accordance with the Design Manual for Roads and Bridges and Manual Contract for Highway Works specifications, to accord with

the relevant road safety audits and compliant with the Traffic Management Act 2004.

Further response received 01/11/2021 following the applicant's response dated 07/10/2021:

The requested a car parking layout plan labelled with the various types of uses for the parking bays submitted is acceptable.

In terms of the Car parking provision 63 parking spaces for 10,128 sqm of floorspace (GEA). This is a ratio of approx. 1 space per 161sqm which is the suggested operational minimum at the point the facility opens. London Plan policy indicates where appropriate industrial site provision should be determined on a case-by-case basis and that car parking should be restricted in line with levels of existing and future public transport accessibility and connectivity. It is proposed as a 24-hour use, 7 days a week with shift working and therefore, to ensure that the proposals at Plot 3 are 'car-lite', and at an acceptable level of parking provision required to facilitate a successful logistics development we would recommend the following.

There should be a commitment by the landowner/landlord to ensure occupiers will undertake regular car park surveys to understand the capacity of car parking.

- The aim to reduce the on-site car parking provision and dependent on private vehicles as public transport accessibility in the area increases.
- The applicant is agreeable for the inclusion of commitments within the Section 106 Agreement to ensure that, where possible, further reductions in the level of car parking are secured comparable to those on Plot 2. Therefore, we are satisfied that this is an acceptable approach.

The development proposals include improved landscaping along the site frontage on Choats Road and along Halyard Street to enhance the street environment; noted.

The cycle infrastructure in the local area includes existing on-street cycle lanes and in the TA new cycle routes have been identified to connect to the wider network. However, except for the potential to undertake changes to the road markings to remove the right turn lane into Reef Street on Choats Road there are no other improvements presented to any detail showing how the cycle networks can be safely accessed from the development site. A commitment to deliver the LSIP cycle route to Dagenham Dock Station or a financial contribution proportionate to the scale of development should be sought.

It's noted the applicant is having on-going discussions with TfL on public transport improvements to the existing bus services serving the LSIP area. It is understood that the applicant has put forward a proposal for a bus service contribution towards improving services to and from the development site. Part of the proposal is to update the bus

	<p>stop infrastructure with the potential to introduce real-time bus information screens to improve the passenger experience and make travelling by bus to the area more attractive. These improvements and ongoing discussion with TfL are welcomed and supported.</p> <p>The plan of the existing and proposed cycle connections serving the Plot 3 site is provided on Motion Drawing 2103087-SK01 in Appendix C is insufficient. This indicative plan lacks detail in how the current and emerging connections between Dagenham Dock and around SEGRO Park Plot 2 will be achieved and those responsible for delivering the essential infrastructure. The above contribution is required A financial contribution proportionate to the scale of development should be sought 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.</p> <p>Further update 24/11/2021: There will be a need to secure within the s106 an obligation to enter a s278 agreement to construct the new accesses.</p> <p>I think it would be prudent to remind the applicant that the alterations proposed to the public highway will require consent and a road safety audit separate to any planning permission granted. For example drawing 2103087-TK03 submitted in the TA shows the existing carriageway markings. These will need to be revised to accommodate the new give way priority junction. During the detailed design stage, it may show the need to prohibit HGV movements from entering and exiting via this point and instead a safer option might be to use Halyard Street.</p> <p>A site wide travel plan needs to be secured with a financial contribution of an initial £1,500 for the first year and an annual fee of £1,000 for the following 4 years (total £5,500 for 5years).</p>	
<p>Transport London 08/10/2021 And 01/11/2021</p>	<p>for</p> <p>TfL welcomes the proposed innovative double-deck industrial proposal however concerns were raised in respect of the traffic impact of developments in this area in the light of existing significant levels of congestion on the road network.</p> <p>Highways Impact – does not agree with the TA that the traffic impact is insignificant.</p> <p>It is widely acknowledged that the road network in this area is heavily congested in the morning peak period, supported by that earlier modelling, with particular concern over Choats Manor Way on the approach to the Goresbrook Interchange, the interchange itself, and the A13 westbound. This development adds a predicted 157 vehicles per hour to the road network in the morning peak period. By comparison, the City of London’s Consolidated Markets scheme is predicted to add 237 vehicle trips to the network</p>	<p>The applicant responded to the comments raised by TfL and Be First officers in a submission dated 18/10/2021. The response seeks to justify the car parking numbers, propose a car parking management plan and includes a technical note</p>

	<p>in the same time period.</p> <p>TfL recommends that the Council secures an appropriate contribution toward strategic highway improvements as identified as necessary in the aforementioned study, commensurate with the level of traffic generated by each development coming forward.</p> <p>Car parking – Highlights ongoing disagreements between the applicant, Be First and GLA/TfL with regards to levels of car parking at Segro 2. TfL accepts spaces should be provided for operational parking, but concerns raised with regards to the level of commuter car parking. TfL would seek to secure reductions in the quantum of car and motorcycle parking both initially and potentially over time. Appropriate levels of electric vehicle parking should be secured. On-street controls should be used to prevent overspill parking, and this should be secured by way of an appropriate sum.</p> <p>Public transport - Given the distance to “underground, metro, light rail, tram” modes, it is likely that buses will be used as the mode of access to those other public transport modes. Enhancement to late evening bus services would support the movements of workers should shift working be proposed, as is implied in the TA. TfL welcome opportunities to discuss an appropriate level of contribution towards bus services.</p> <p>Cycle Parking – the plans provided fall short of London Cycling Design Standards (LCDS). The cycle stores are some way from the entrance to Unit 1, and require cyclists to walk back across the bottom of the HGV ramp, hardly meeting the “convenient” criteria set in LCDS. No visitor cycle parking appears to be proposed.</p>	<p>prepared by the applicant’s transport consultants Motion.</p> <p>TfL responded 01/11/2021 and further discussions were held at various dates in November.</p> <p>Transport issues are considered in depth in the assessment section above.</p>
<p>LBBD Employment and Skills</p>	<p>The Employment and Skills Officers have worked with the applicant to secure a bespoke and extensive range of commitments to be secured by way of s106 planning obligations.</p> <p>The Employment and Skills Officers have confirmed that they are happy with the wording of the Heads of Terms secured.</p>	<p>Heads of Terms to be secured.</p>
<p>London Underground/DLR Infrastructure 03/08/2021</p>	<p>London Underground/DLR Infrastructure Protection has no comment to make on this planning application as submitted.</p>	<p>No comments.</p>

Designing Out Crime Officer	No response received.	Whilst no response has been received on this aspect, officers consider it prudent to impose a condition requiring the development to adhere to Secure by Design principles.
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Appendix 4

Neighbour Notification:	
Date Site Notice Erected:	26/07/2021
Date of Press Advertisement:	22/07/2021
Number of neighbouring properties consulted:	143
Number of responses:	1
Address:	Summary of response:
Barking Riverside Ltd (BRL)	<p><i>A response was received on behalf of the promoter for the BRL development for some 10,800 homes and supporting infrastructure. BRL support the principle of the redevelopment of Plot 3, Segro Park. BRL has shared details of the Barking Riverside scheme with Segro to assist in ensuring that the proposals are compatible, and a meeting was held between Segro and BRL 30/06/2021.</i></p> <p><i>A key issue is how the development in the context of the allocation would relate to future residents of Stage 3 Barking Riverside, which lies to the west of the Segro site.</i></p> <p><i>Segro propose to locate the servicing area on the east of the site to minimise noise and light spillage and provide glazed acoustic screening along the western façade of the access ramp. These important elements of the scheme should be secured by relevant conditions and obligations.</i></p> <p><i>The Goresbrook lies between the SEGRO site and Barking Riverside.</i></p> <p><i>BRL notes the provision of landscaping and tree planting along the Goresbrook to provide a visual buffer between Stage 3 and the proposed development. This also aligns with BRL's aspirations for Pylon Park and the Goresbrook.</i></p> <p><i>The Council should consider the compatibility of the details with the BRL strategies and details.</i></p> <p><i>BRL welcome the opportunity to work with Segro, the future occupiers of the scheme and the Council on employment, skills and training initiatives.</i></p>
Officer Summary:	
Officers note receipt of the letter of support listed above. The material planning considerations are addressed within the planning assessment.	

Appendix 5 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 listed below:

- Site Location Plan, drawing reference 31603-PL-100C Rev C, dated 08/07/2021
- Proposed Site Plan, drawing reference 31603-PL-200 D Rev D, dated 04/11/2021
- Plot 3 Proposed Ground Floor Plan, drawing reference 31603-PL-201B Rev B dated 25/06/2021
- Plot 3 Proposed First Floor Plan, drawing reference 31603-PL-202A Rev A, dated 25/06/2021
- Plot 3 Proposed Second Floor Plan, drawing reference 31603-PL-203A Rev A, dated 25/06/2021
- Plot 3 Proposed Roof Terrace Plan, drawing reference 31603-PL-204A Rev A, dated 25/06/2021
- Plot 3 Proposed Roof Plan, drawing reference 31603-PL-205A Rev A, dated 25/06/2021
- Plot 3 Proposed Elevations, drawing reference 31603-PL-206A Rev A, dated 25/06/2021
- Plot 3 External Finishes, drawing reference 31603-PL-208, dated 25/06/2021
- Plot 3 Proposed Sections, drawing reference 31603-PL-207A Rev A, dated 28/06/2021
- Plot 3 Proposed Contextual Section, drawing reference 31603-PL-210, dated 29/06/2021
- Roof Terrace Planting Layout, drawing reference 844.39.01, dated 06/2021
- Proposed Site Ground Floor External Lighting Layout, drawing reference 21-077-EX-001 Rev PL1, dated 29/06/2021
- Proposed Site Roof External Lighting Layout, drawing reference 21-077-EX-003 Rev PL1, dated 29/06/2021
- Planting Layout, drawing reference 844.19.02, dated 07/2021
- Design and Access Statement, prepared by Michael Sparks Associates, dated 07/2021
- Planning Statement issue P1a, prepared by Barton Willmore, dated 01/07/2021
- Noise Impact Assessment, prepared by Stantec, dated 07/2021
- Air Quality Assessment Report, prepared by Kairus Ltd, dated 09/07/2021
- Plot 3 SP Dagenham, Urban Greening Factor, prepared by TALA
- External LED Lighting Assessment Report, prepared by MBA Consulting Engineers, dated 30/06/2021
- Transport Assessment issue v1.1, prepared by Motion, dated 09/07/2021
- Highways Response dated 18/10/2021
- Technical Note – Response to Highways England, prepared by Motion, dated 13/09/2021
- Energy Strategy, prepared by MBA Consulting Engineers, dated 28/06/2021
- BREEAM UK New Construction 2018 Pre-Assessment Rev P1, prepared by MBA Consulting Engineers, dated 02/07/2021
- XCO2 WST 06 Design for Disassembly and Adaptability 9.170 – Segro Pre-approvals dated 04/04/2019
- XCO2 Material Durability and Resilience 9.170 – Segro Pre-approvals (Mat 05), dated 08/02/2019
- GLA WLC Assessment Template, dated 12/07/21
- Concept Stage Circular Economy Report, prepared by LCD Consulting Life Cycle Design Services, dated 26/07/2021
- Arboricultural Survey issue 3, prepared by prepared by Delta-Simons Environmental Consultants Ltd, dated 09/07/2021
- Preliminary Ecological Appraisal Issue 3, prepared by Delta-Simons Environmental Consultants Ltd, dated 09/07/2021

- Remediation and Verification Strategy issue 3, prepared by Delta-Simons Environmental Consultants Ltd, dated 09/07/2021
- Flood Risk Assessment and Sustainable Drainage Strategy, prepared by Fairhurst, dated 07/2021
- London Sustainable Drainage Proforma, dated 07/2021
- Historic Environmental Assessment, prepared by MOLA, dated 19/06/2019
- Fire Strategy Statement, prepared by Affinity Fire Engineering, dated 12/07/2021
- Site Waste Management Plan, prepared by Segro, dated 17/06/2021
- Construction Environmental Management Plan, prepared by Segro, dated 17/06/2021
- Utility Assessment Report, prepared by Utility Connections, dated 12/07/2021

No other drawings or documents apply.

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

Prior to commencement of development

3. Contamination

The Delta Simmons Remediation and Verification Strategy ref 17-0084.38, dated July 2021 and Preliminary Risk assessment and Geo-Environmental Assessment ref. 17-0084.38, dated July 2021 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.

- 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.
- 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.
- 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.
- 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.
- 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.

4. Construction Environmental Management Plan (CEMP) and Site Waste Management Plan (SWMP)

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

- a) construction traffic management,
- 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.

Demolition and construction work and associated activities, other than internal works not audible outside the site boundary, are only to be carried out between the hours of 08:00 and 19:00 Monday to Friday and 08:00 and 13:00 Saturday, with no work on Sundays or public holidays without the prior written permission of the Local Planning Authority. Any works which are associated with the generation of ground borne vibration are only to be carried out between the hours of 08:00 and 18:00 Monday to Friday.

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

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

Reason: The CEMP and SWMP are required prior to commencement of development in order to reduce the environmental impact of the construction and the impact on the amenities of neighbouring residents, and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

5. 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.

6. Written Scheme of Investigation

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

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

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

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

Reason: to safeguard the archaeological interest on this site

7. Protected Species Survey (Reptiles)

In accordance with the recommendations of the Preliminary Ecological Appraisal prepared by Delta Simons. The Scope of the Survey shall accord with Table 3 of the Preliminary Ecological Appraisal. The Survey shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason: to identify the presence or likely absence of protected species.

Information required prior to above ground floor works.

8. Details of external materials

Prior to the commencement of works above ground floor slab of the development hereby approved, samples 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 the Local Planning Authority, in accordance with approved External Finishes (Drawing No. 31603-PL-208). The development shall be carried out in accordance with the approved materials.

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

9. 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.

The details including Tree Planting shall accord with the details submitted under landscape plan 844.19.02 dated July 2021. 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.

10. 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

11. Cycle Parking

Prior to above ground floor works 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.

12. 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

Prior to occupation

13. 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.

14. Secure by Design

Prior to occupation of the 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: To provide a safer environment for future residents and visitors to the site and reduce the fear of crime.

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. 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.

17. Delivery and Servicing Plan

Prior to occupation of development, a Delivery and Servicing Plan for all the proposed uses shall be submitted to an 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.

18. Noise Management Plan

In accordance with the approved Noise Impact Assessment prepared by Stantec (July 2021), a Noise Management Plan shall be submitted to and approved in writing by the Local Planning Authority prior to first use of the development. The Noise Management Plan shall specify provisions for the control of noise emanating from the site, demonstrating noise levels shall not exceed the existing background levels outside the window to any residential dwelling.

Thereafter, the use shall not commence until the approved scheme has been fully implemented.

Reason: To protect the amenity of neighbours.

Six months post completion

19. BREEAM

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.

20. Energy Statement

A post completion report demonstrating compliance to the approved Energy Strategy, prepared by MBA Consulting Engineers, 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. The development shall achieve a minimum 35% reduction in carbon dioxide emissions over Part L of the Building Regulations (2013).

Reason: To ensure an energy efficient and sustainable development.

21. 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.

22. Air Quality

Certification confirming compliance with the approved Air Quality Assessment Report prepared by Kairus Ltd and dated 09/07/2021 shall be submitted and approved by the Council within 6 months post completion of the development. Should the completed development result in being air quality neutral or exceeds the offsetting contribution payment as noted in the approved document a revised contribution will be required and where appropriate shall be subject to the off-setting contribution payment at the rate of £29k per tonne of NOx (or the equivalent figure at the time of reassessment) over the benchmark (or the equivalent figure at the time of reassessment).

Compliance conditions

23. Maximum Quantum of Floorspace

The development hereby approved shall be limited to a maximum of 10,128sqm (GIA)

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

24. Site Specific Non-Road Mobile Vehicles

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 maybe granted for specialist equipment or for equipment with alternative emission reduction equipment or run-on

alternative fuels. Such exemptions shall be applied for in writing to the LPA in advance of the use of such vehicles, detailing the reasons for the exemption being sought and clearly identifying the subject vehicles. Exemptions that are granted will be in writing and such vehicles must not be used until written exemption has been received by the applicant. No vehicles or plant to which the above emission standards apply shall be on site, at any time, whether in use or not, unless it complies with the above standards, without the prior written consent of the local planning authority.

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

25. 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

26. Maximum Car Parking Numbers

The maximum number of vehicle parking spaces shall not exceed 63 vehicle parking spaces at any time.

The development shall be carried out in accordance with the Proposed Site Plan reference 31603-PL-200 D, dated 04/11/2021.

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.

27. No Open Storage

With the exception of the ground floor service yard, 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 and amenity

28. Industrial use of the site

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

Reason: To safeguard the industrial use hereby permitted.

29. Site Clearance

Any vegetation removal works, including felling or pruning of the broadleaved and scrub clearance works as identified in the Ecological Assessment shall be performed either before early March or after late August in order to avoid impacting any birds during the main period in which they are nesting. If, however, works are deemed necessary during the nesting period an experienced ecologist will be required to check the Site habitats to confirm that no nesting birds will be affected by the proposed works.

Reason: to protect potential on site habitats.

30. Biodiversity enhancements

The “general site enhancements” as identified in the Preliminary Ecological Appraisal shall be implemented prior to the first use of the development hereby permitted.

Reason: In order to preserve and enhance the Borough's natural environment

Appendix 6 – S106 Heads of Terms

Administrative

1. Payment of the Council's professional and legal costs, whether or not the deed completes.
2. Payment of the Council's reasonable fees of £6,000.00 in monitoring (£1,500 per Head of Term Section) 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 (£8,000.00) 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:

- Preparation of detailed highways works design pack to include a Road Safety Audit
- Creation of new access/egress arrangements to the site
- Adjustments to Choats Road to accommodate safe movements for all road users
- Revised carriageway markings to be identified in the detailed design process
- Agree a scheme of highway works based on the detailed design process and
- 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 financial contribution (£8,000.00) 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).

10. A financial contribution (£250,000.00) towards the enhancement of local bus services to serve the development.

The owner for agrees to pay the Council £250,000.00 (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).

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

11. A financial contribution (£50,000) towards road network improvements

The owner agrees to pay the Council £50,000 (index-linked from the date of planning permission) towards road network improvements.

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

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.

13.0 Site Wide Travel Plan

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

A Travel Plan monitoring fee of £5,500 (index linked) shall be secured for 5 years of monitoring.

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

Air Quality

14.0 Air Quality off-setting contribution.

A payment at the off-setting contribution rate of £29k 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

15.0 A financial contribution (£100,000.00) towards Public Realm enhancements in and around Dagenham Dock station.

The Owner will pay a contribution of £100,000.00 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 (£88,000) 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 £88,000. 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 £2,750 per head for 20 roles in construction phase, and minimum 52 roles during first 5 years of end user phase (based on assumption that of 208 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 LBBB residents, during the construction and remediation phases.

The jobs to be provided in accordance with the following:

- 10% (20) of the total 200 FTE jobs created are new jobs filled by LBBB residents, with at least 10% of these directly employed construction jobs.
- 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 (one training opportunity for every 10 construction workers) young people developing a career in the construction industry.
- Provide 14 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 6 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 45 weeks employment on site. Candidates to be brought through from the training where possible. Up to 3 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 LBBB residents during the end-user phase in accordance with the following:

- a. fill 26 posts, which is **25% of** the 102 **newly created** vacancies (49% of FTE 208) by local residents within the first 5 years of operation.
- b. Fill a minimum of 6 further posts created through turnover in the 106 relocated posts (51% of FTE 208) 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

For end-user jobs, encourage tenants to work closely with the applicant and LBBB to advertise all newly created vacancies through the council's Job Brokerage service including through introducing tenants to LBBB'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.

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.

21. 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.

22. 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 LBBB 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

For end-user jobs, encourage tenants to work closely with the applicant and LBBB to advertise all newly created vacancies through the council's Job Brokerage service including through introducing tenants to LBBB'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.

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.