


LONDON BOROUGH OF BARKING & DAGENHAM
PLANNING COMMITTEE
20 December 2021
Application for Planning Permission

Case Officer:	Olivia St-Amour	Valid Date:	06/07/2021
Applicant:	Dagenham Propco 1 Ltd	Expiry Date:	05/10/2021
Application Number:	21/01101/FULL	Ward:	Eastbrook
Address:	333 Rainham Road South, Dagenham RM10 8SX		

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 333 Rainham Road South, Dagenham RM10 8SX.

Proposal:

Application description:

Demolition of existing buildings and erection of commercial units (Use Classes E(g)(iii), B2 and B8) together with access, parking and landscaping

The proposed development seeks to introduce 15,998sqm of industrial floorspace across 15 small to medium commercial/industrial units with mezzanine levels to each unit.

The proposed development would divide the site into two parts, with a retaining wall building due to the level difference across the site. Access for units 1-7 would be from Oxlow Lane to the north with a new gate provided at the existing access. Units 1-8 would be accessed from Rainham Road South using the existing access in the south-eastern corner of the site which will be altered to serve the development.

The proposed units in the east of the site comprise 8 small-medium units of 510sqm – 1,347sqm arranged in two terraces. The proposed units in the west of the site comprise 1 larger unit of 3,221sqm and 6 smaller units of 605sqm – 695sqm along the southern site boundary.

The units would be of standard steel portal frame construction with internal steel frame haunch heights of 8.4m, with the exception of western unit 1 which will have a haunch height of 10m. The units will be built as shells only, with the final fit out the responsibility of the end occupier.

In total 103 car parking spaces will be provided to serve the 15 units, including 15 designated disabled parking spaces. A dual electric vehicle charging point will be provided for all units. 64 secure cycle spaces will also be provided within the units and 16 short stay spaces will be provided across the site.

The TPO trees to the north of the site along Oxlow Road would be retained (and protected during the construction period). The boundary fencing would comprise paladin fencing.

Officer Recommendations:

Planning Committee is asked to resolve to:

1. agree the reasons for approval as set out in this report; and
2. delegate authority to the London Borough of Barking & Dagenham's Director of Inclusive Growth in consultation with LBB Legal Services to grant planning permission subject to any direction from the Mayor of London, the completion of a Section 106 legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) based on the Conditions listed at Appendix 5 of this report and the Heads of Terms identified at Appendix 6 of this report; and
3. that, if by 20th June 2022 the legal agreement has not been completed, the London Borough of Barking & Dagenham's Director of Inclusive Growth is delegated authority to refuse planning permission or extend this timeframe to grant approval.

Conditions Summary:

Mandatory conditions

- Time
- Approved Drawings & Documents

Prior to all works/commencement Conditions

- Construction Logistics Plan

Prior to first use Conditions

- Land contamination – verification report
- Details of Any Commercial Kitchen Extract Ventilation System
- Car Park Management Plan
- Details of all boundary treatment
- Secure by Design
- Whole Life Carbon Assessment
- Bat and bird boxes

Six months post completion

- BREEAM
- Energy Statement
- Circular Economy Statement
- Air Quality

Monitoring & Management Conditions

- Details of all facade meetings
- Land contamination
- Construction Environmental Management Plan
- Noise from Non-Residential Uses and Plant and Structure Borne Noise Emissions

- External Lighting
- Electric Vehicle Charging
- Cycle Parking
- Site Specific Non-Road Mobile Vehicles
- Flood Risk Assessment
- Site Clearance
- No Open Storage
- Industrial Use of the Site

S106 – Summary of Heads of Terms:

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 £4,500 in monitoring and implementing the Section 106 and payable on completion of the deed (excluding Travel Plan Monitoring fee set out separately below); and,

3. Indexing – all payments are to be index linked from the date of the decision to grant planning permission to the date on which payment is made, using BCIS index.

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 35% reduction in carbon emissions over Part L of the Building Regulations 2013 through on-site provisions.

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

5. Energy Be Seen energy performance.

Transport and Highways:

6. S278 Agreement

The Owner will enter into a s278 Agreement for the carrying out of the offsite highways works associated with the development. The works shall be include:

- For “CBC Park West”: Works to Oxlow Lane associated with Access (drawing title Proposed Oxlow Lane Access Arrangement and Tracking Assessment drawing reference J32-5498-006 dated 12/10/2021, appended to Transport Assessment Addendum dated October 2021)
- For “CBC Park East”: Works to Rainham Road South associated with Access (drawing title Proposed Rainham Road South Access Arrangement, drawing reference J32-5498-005 dated 12/10/2021, appended to Transport Assessment Addendum dated October 2021)

Trigger: All off-site s278 works shall be implemented prior to the first use of the part of the development to which it relates (Oxlow Lane works to be implemented prior to first use of CBC

Park West and Rainham Road South works to be implemented prior to first use of CBC Park East).

7. Replacement On-Street Car Parking

Should the off-site highways works as agreed and undertaken through the s278 Agreement result in the removal of any on-street car parking to Rainham Road South, the Owner will replace the car parking spaces in accordance with consultation with LBBB's Parking and Environmental Design Team. The parking spaces shall be provided within 6 months of the first occupation of the site.

Trigger: details submitted to LPA prior to occupation, works to be completed within 6 months of first use of CBC Park East.

8. Travel Plan

The Owner shall develop a Site Travel Plan that accords with the approved Framework Travel Plan, prepared by Mode Transport Planning dated October 2021 in consultation with TfL.

A Travel Plan Monitoring fee of £3,500 shall be secured for the monitoring for years 1, 3 and 5.

Trigger: submitted to the Council for their approval before practical completion. Travel Plan Monitoring Fee to be paid prior to practical completion.

Employment, Skills and Training:

9. Employment and Skills Plan – Construction Phase

The Owner will use reasonable endeavours to ensure that construction jobs are provided to LBBB residents, during the construction phase, in accordance with the submitted Employment and Skills Plan, dated 21 October 2021 (to be appended to S106).

10. Employment and Skills Plan – End User Phase

The Owner will use reasonable endeavours to ensure that jobs are provided to LBBB residents, during the end user phase, in accordance with the submitted Employment and Skills Plan, dated 21 October 2021 (to be appended to S106).

11. Employment and Skills Plan – General Provision

Air Quality

12. Air Quality off-setting contribution.

OFFICER REPORT

Planning Constraints:

- Locally Significant Industrial Site (LSIS)
- Tree Preservation Order (TPO)
- Flood Risk Zone 1
- PTAL 2-3
- Adjacent to a designated Neighbourhood Centre (ref: NC29)

Site, Situation and relevant background information:

The site is located on the junction of Rainham Road South and Oxlow Lane, in the Sterling Industrial Estate.

The site is approximately 2.5ha and relates to the former Rexel site, that has been the subject of recent demolition works for the existing buildings which comprised approximately 21,300sqm of industrial floorspace, within two buildings, running east to west. The buildings are set back from Rainham Road South, behind car parking areas. The southern building, which spans the entire length of the site, has a three-storey frontage onto Rainham Road south.

The site benefits from three vehicular access points, two from Rainham Road South, with further access from Oxlow Lane. The site has a dense tree line along the entire boundary to Oxlow Lane.

Whilst the site is located in Sterling Industrial Estate, it is in area that has a mixed character. A retail parade (designated neighbourhood centre) is located to the east of the site, with residential dwellings to the north.

The site is designated as a Locally Significantly Industrial Site (LSIS), within the adopted local development framework. The latest draft of the emerging Local Plan (Regulation 19 2021 version) retains the site within the LSIS designation.

An application for the prior approval for the proposed demolition submitted in June of this year (application reference 21/01085/PRIDEM) and the buildings have since been largely demolished.

Key issues:

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

Planning Assessment:

1.0 Principle of the development:

Existing use(s) of the site

21,367sqm of Industrial ((Use Class B2, B8, E(g)(iii))

	The existing structures have now been demolished.
<i>Proposed use(s) of the site</i>	15,998sqm of Industrial ((Use Class B2, B8, E(g)(iii))
<i>Net gain/loss in number of jobs</i>	Existing jobs (prior to demolition): 145 FTE at the height of the use; 25 FTE at the time the application was submitted. Estimated total average FTE construction jobs: 60 Estimated total FTE operational phase jobs: 310

Principle of Industrial Redevelopment

- 1.1 At a national level the National Planning Policy Framework 2021 (NPPF) encourages planning policies and decisions to help create conditions in which businesses can invest, expand and adapt. Paragraph 81 places significant weight on “the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.”
- 1.2 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. Policy GG5 seeks to promote and enable the continued development of a strong, sustainable and increasingly diverse economy.
- 1.3 The London Plan Policy E4 provides a clear policy structure to ensure a sufficient supply of land and premises to meet current and future industrial demands, and specifies the type of operational requirements that provision should be made for. The policy states that the retention, enhancement and provision of industrial capacity across SIL, LSIS and non-designated industrial sites should be planned, monitored and managed. “Any release of industrial land in order to manage issues of long-term vacancy and to achieve wider planning objectives, including the delivery of strategic infrastructure, should be facilitated through the processes of industrial intensification, co-location and substitution set out in Policy E7.
- 1.4 Policy CM1 of the adopted Core Strategy seeks to ensure employment growth is focussed on the boroughs industrial locations. Policy CE4 encourages an appropriate mix of employment uses, including B1 light industrial (now E(g)(iii)), B2 (general industrial) and B8 (storage and distribution).
- 1.5 The emerging Local Plan (Regulation 19) Strategic Policy SPDG1 (Delivering Growth in Barking and Dagenham) sets out ambitions to support some 20,000 new jobs across the borough. Strategic Policy SP5 states that the Council will promote efficient use of employment land to support economic growth sectors, retention of suitable locations and capacity, intensification with innovative approaches to building design and a plan-led managed release of land as set out in the Borough’s Industrial Strategy. The Policy further states that the Council will support businesses who seek to evolve, diversify and contribute to a more thriving, inclusive local economy through supporting the provision of flexible, affordable, modern employment spaces in suitable locations.
- 1.6 Policy DME1 of the Draft Local Plan (Regulation 19, 2021 version) sets out that the Council will protect local business’ needs, highlighting those industrial uses within use class B2, B8 and E(g)(i), E(g)(ii) and E(g)(iii), only where the permitted function cannot change to any other E use class. The policy requires applicants to demonstrate that the proposal contributes to meeting the future industrial capacity targets, setting out in Table 1 that Wantz Road LSIS has an indicative future capacity of 114,861sqm.
- 1.7 The proposed development would comprehensively redevelop a brownfield site that has been underutilised for a number of years, bringing the site back into active industrial use, in accordance

with the NPPF and Policy GG2 of the London Plan. The type of industrial use proposed is also fully in accordance with the LSIS designation of the site. The generation of employment uses at this site it therefore supported in principle. Should planning permission be granted, it is recommended that a condition is imposed to ensure the development will be used for industrial purposes only.

- 1.8 *Loss of existing industrial floorspace:*
- 1.9 The National Planning Policy Framework recognises that local planning policies should set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration. This is echoed through the Publication London Plan which speaks of the need of providing sufficient employment and industrial space, in the right locations, which support economic development and regeneration.
- 1.10 The London Plan policy E7 'Industrial intensification, co-location and substitution' highlights that development proposals should be proactive and encourage the intensification of industrial uses through:
- "1) introduction of small units
 - 2) development of multi-storey schemes
 - 3) addition of basements
 - 4) more efficient use of land through higher plot ratios having regard to operational yard space requirements (including servicing) and mitigating impacts on the transport network where necessary".
- 1.11 The London Borough of Barking and Dagenham's Core Strategy sets out that the Council will safeguard designated Locally Significant Industrial Sites for employment uses, stating that a partial release of sites will only be considered acceptable where it can be demonstrated that the remaining part of the site will be more intensively developed to ensure no net loss in employment provision (Policy CE3). Development satisfying this requirement which also provides for the needs of small and medium enterprises through the provision of affordable workspace would be particularly supported. The policy identifies that a local (or, where appropriate, strategic) assessment of industrial demand should form the basis of any such proposals.
- 1.12 Draft Policy DME1 highlights that the Council will protect local business' needs, and support LSIS development that is in accordance with the Local Plan.
- 1.13 The proposed use of the site for flexible B2, B8 and E(g(iii)) floorspace is supported, in line with local and regional policies for the use of industrial land. Officers welcome the creation of modern, flexible units that support the provision of circa 300 jobs at this employment site. Whilst the quantum of floorspace will be reduced (from 21,367sqm to 15,998sqm), the number of FTE jobs at the site is set to increase (from 25 jobs at the time the application was submitted to an estimated 310 FTE jobs).
- 1.14 The applicant has submitted evidence that a marketing exercise was undertaken for the re-use of the existing industrial buildings, which involved a 6-week marketing period primarily online and received interest from 140 developers and investors across a range of uses, most of which sought the wholesale redevelopment of the site, with commercial developers all looking to redevelop the site to meet modern standards and tenant requirements. Whilst the marketing period commenced in May 2019, the site was not sold until December 2020. Officers consider that the marketing on-site and period that the site was up for sale suitably demonstrates that the existing condition of the site was not attractive to commercial buyers, who all favoured the comprehensive redevelopment of the site.
- 1.15 The applicant has also sought to demonstrate that consideration has been given to maximising the quantum of floorspace at the site, including exploring potential for a multi-storey industrial development to optimise a higher plot ratio, but the Viability Assessment submitted to accompany the application demonstrated that whilst an industrial stacked scheme at the site could be accommodated physically on the site, two varying options for stacked industrial units were found to be unviable. The submitted documents also concluded that due to site constraints which

informed the layout, form and scale, and proximity to residential units, a multi-storey development at the site was not considered compatible.

- 1.16 The proposed plot density of the site is calculated as 64.4%. The Industrial Strategy July 2021 highlights that the existing plot ratio of the site (and adjacent site) is 0.86/86%, which is considered high for this type of site. The Industrial Strategy also highlights that the stock across Wantz Road industrial estate is dated and relatively old and considers this a factor to support redevelopment considerations. The strategy considers the site to have limited suitability for intensification. In terms of industrial capacity within the borough overall, the strategy considers that in the long terms, an overall plot ratio of 60% could be achieved on SIL sites and 40% on other sites (including LSIS), where this is not currently achieved.
- 1.17 Officers consider that the applicant has suitably demonstrated that options for floorspace intensification have been explored at the site and the proposed development represents the optimisation of the site. Whilst there would be a reduction in floorspace at the site (from the demolished units), there would be an increase in predicted employees, from 145 FTE employees at the height of the existing building's use, to 310. The quality, efficiency and sustainability of the industrial units will also be improved through the site's redevelopment. In terms of plot ratio, it is acknowledged that the existing plot ratio of the site is higher than average and the proposed plot ratio of 64.4% sits comfortably within the capacity identified for the borough, and as such overall it is not considered that there would be an adverse impact in terms of employment capacity as a result of the development proposals – on the contrary, the development would renew and redevelop the site to modern standards, and would be developed to a suitable plot ratio for an industrial site.
- 1.18 The proposed development would bring this designated industrial site back into use, delivering 15 modern industrial units, securing the potential for 310 FTE jobs at the site. Officers therefore support the principle of development, which is considered commensurate with the industrial designation of the site, in accordance with the aforementioned national, regional and local land use planning policies.

2.0 Design and quality of materials:	
<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

- 2.1 The National Planning Policy Framework through Chapter 12 recognises that good design is a key aspect of sustainable development in helping to create better places in which to live and work. Further it outlines that developments should function well and add to the overall quality of an area not just for the short term, but over the lifetime of the development.
- 2.2 The London Plan expects development proposals to give regard to the form and structure of surrounding buildings proposing high quality materials in the interests of preserving established local character and delivering high quality urban design. Design policies in Chapter 3 of the London Plan seek to ensure developments optimise site capacity at an appropriate form and scale, achieves high quality design and enhances the public realm and provides for green infrastructure.
- 2.3 Core Strategy policy CR3 sets out that all development proposals will be expected to achieve high quality standards in relation to the design and layout of new buildings and spaces. Policy BP11 seeks the protection and enhancement of the character and amenity of the area and sets out that new development should comply with urban design principles, to provide attractive, high quality architecture and landscaping, inclusive design, and provides durable, flexible and adaptable buildings.
- 2.4 The London Plan and the Local Plan both emphasise the need for detailed design at application stage to avoid later design amendments and to ensure scheme quality is maintained through to completion, and additionally the need to avoid deferral of assessment of aspects of the design quality to consideration of a planning condition.

Layout

- 2.5 The site has been divided into two separate plots, with no permeability between the 'east' and 'west' sites. The western plot has access from the existing Oxlow Lane access and comprises 1 large and 6 small units. The eastern plot is accessed from Rainham Road South and comprises 7 medium units and 1 small unit. The buildings sit forwards of the existing building along Rainham Road South where the previous car park was located, and the buildings are therefore likely to appear more prominent in the streetscene.
- 2.6 The applicant considers the layout to be the most appropriate given the site constraints including changing site levels (circa 6m), proximity of residential properties and the TPO tree line. The layout of the site is such that it becomes an inward facing industrial development with central serving yards, which whilst differing from the existing buildings, is a fairly traditional approach for industrial developments. Given the overall floorspace has been reduced, yet optimised, officers consider the site layout to be responsive of the site context, and an acceptable approach.

Scale and Massing

- 2.7 In design terms, the scale and height of the proposed units is comparable to existing buildings, and other buildings in the area. The proposed buildings would be up to 10m in height, ranging from 8.4m-10m across the development site. Officers consider this to be a typical scale and massing for a modern industrial development and takes into consideration operator attraction but also the context of the neighbouring residential developments. As highlighted above, multi-storey stacked industrial developments were considered but discounted for the site due to viability and neighbouring amenity. Officers consider the scale and massing to be appropriate in the context, optimising site capacity at an appropriate form and scale, in accordance with the London Plan.

Architectural quality

- 2.8 The application site is a designated industrial site located in an area of mixed character, on a main corner junction adjoining a neighbourhood centre and residential developments, with further industrial sites to the west and south.

Officers acknowledge that the previous building on the site which was a 1930's style office building fronting Rainham Road South had some positive qualities, which enhanced the streetscene. However as set out in the principle of development section above, the re-use of the building was explored through marketing in the first instance and was discounted due to the poor quality of the buildings and unconventional industrial layout. Moreover, the buildings are not protected, and have now been demolished.

The applicant has sought to activate the Rainham Road South elevation to ensure that the buildings are not entirely introspective, and introduce elevations with visual interest, seeking to create a high-quality development that acknowledges the mixed character of the area, and the high visibility of the site in the locale. Officers welcome the enhancements along the more visible areas of the development and consider the overall robust warehouse style development to be appropriate within the mixed character street scene.

Fire Safety and inclusive access

- 2.9 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 (LBBD Draft Local Plan, Reg 19, 2021) promotes high-quality design, providing safe, convenient, accessible and inclusive developments. A Fire Strategy 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 development is undertaken in accordance with the aims of the strategy. LBBD'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.

Heritage

- 2.10 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) places a general duty on the Council in respect of listed buildings in exercising its planning functions. In considering whether to grant planning permission for development which affects a listed building or its setting, the LPA shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 2.11 Chapter 16 of the NPPF (Conserving and enhancing the historic environment) advises Local Planning Authorities to recognise heritage assets as an “irreplaceable resource” and to “conserve them in a manner appropriate to their significance” (para.189). Paragraph 195 goes on to say LPAs need to consider whether a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset. Paragraph 200 requires any harm to a designated heritage asset to be clearly and convincingly justified. Paragraph 202 states that ‘less than substantial harm’ to designated heritage assets should be weighed against the public benefits of the proposal. Paragraph 206 highlights that LPAs should look for opportunities for new development within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.
- 2.12 London Plan Policy HC1 states that “development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets’ significance and appreciation within their surroundings.”
- 2.13 The above policies are reiterated at a local scale within Policies BP2 and CP2 of the Local Plan and policy DM14 of the Draft Local Plan which seek to conserve heritage assets and avoid harm.
- 2.14 The application site is not in a conservation area, nor does it contain any listed buildings. The Eastbrook Public House is a Grade II* listed building that lies along Oxlow Road, to the east of the junction. The building was built in 1937-38 and was designated for its smart Neo-Georgian exterior with good detailing and materials, contrasting aesthetic in the Oak and Walnut Bars, as an archetypal interwar improved roadhouse and its high quality interior. The listing notes that the building is virtually unaltered. The building was listed in 2009.
- 2.15 The existing site contains two large warehouse buildings, greater in height than the proposed development that have been deteriorating in quality and use over the years. The existing buildings do not contribute positively to the setting of the nearby listed building, and are physically separated by the pub carpark, and Oxlow Lane/Rainham Road South junction and associated infrastructure, as well as the treeline to the corner of the application site.
- 2.16 The proposal would introduce modern industrial buildings to an existing industrial site. Whilst the buildings would be closer to the listed building at the closest point, when compared to the existing buildings, the overall height of the development would be reduced to between 8.4m-10m, compared to the highest part of the existing site at 11.8m. A substantial separation between the buildings would remain.
- 2.17 In comparison to the existing situation, it is therefore not considered that there would be any harm to the setting or significance of the listed building as a result of the proposed development. The quality of the buildings would be an improvement than the majority of the industrial stock as existing. Moreover, the public benefits in the form of significantly increased job numbers are also a benefit that would outweigh any potential harm from the development.
- 2.18 The comprehensive redevelopment of the site would make the most efficient use of land and replace two existing large warehouse buildings which are of a similar scale to the proposed buildings. In assessing the impact of the proposed development in heritage terms, officers consider that the development would be acceptable and in accordance with Chapter 16 of the NPPF and local and regional policies.

Summary

- 2.19 In design terms, officers consider that the development would be appropriate in scale and massing, pays adequate attention to the street scene, would revive an under-used and deteriorating industrial site and would not harm the nearby listed building. Overall, the design

quality is fitting for the site, and would introduce modern, high quality industrial units, in accordance with the aforementioned design policies.

3.0 Impacts to neighbouring amenity:

- 3.1 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.
- 3.2 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.
- 3.3 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.
- 3.4 The site is located within an existing designated LSIS site where industrial uses are considered appropriate and encouraged; the site has an historic industrial use. However, the site is in a mixed-use area where there are a number of residential properties in close proximity to the site, most notably to the north of the site across both Oxlow Lane and Rainham Road South.

Outlook, Privacy and Daylight/Sunlight

- 3.5 The closest residential properties to the site are located to the north of Oxlow Lane and to the east of Rainham Road south. The proposed buildings maintain a distance of at least 10m to the northern boundary, set behind the existing TPO tree line, which is proposed to be enhanced with additional planting. To the eastern boundary, the buildings are approximately 3.5m to the boundary at the tightest point. The buildings are approximately 8-10m in height. Oxlow Lane is approximately 15m wide at its tightest point, with Rainham Road South at approx. 18m. Given the separation distances and the height of the proposed buildings, it is not considered that there would be any adverse impact in terms of outlook, privacy or daylight/sunlight to any neighbouring properties as a result of the proposed development, particularly when considered against the existing buildings. It is therefore considered the development accords with the development plan in this respect.

Noise

- 3.6 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.
- 3.7 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.
- 3.8 The Council's Environmental Protection Officer has assessed the application, and notes that the E(g)(iii), B2 & B8 uses as proposed have significant potential to be noisy. It is also noted that the proposal seeks a 24-hour use. Officers accept that owing to the nature of industrial developments,

that limiting the operating hours may be unduly harmful to the viability of a business, however as highlighted in the policies above, proposed noise generating uses should put in place measures to mitigate and manage noise impacts. As such the Environmental Protection Officer has recommended a condition requiring details of any commercial kitchen extraction ventilation systems be submitted in the event these are used and limiting the noise to be inaudible inside adjoining and other noise-sensitive premises in the vicinity of the development. This condition has been recommended on the basis of the information provided in relation to the noise impact assessment, proposed hours of use and that the end-occupiers are as yet unknown. It is recognised that the site is an existing industrial use and therefore existing operations are likely to be noisy, however the proposed buildings should be designed to enable the noise generating uses to be contained without unduly impacting the nearby neighbouring residents.

Light pollution

- 3.9 Paragraph 185(c) of the NPPF sets out that planning decisions should “limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.”
- 3.10 An External Lighting Assessment has been submitted alongside the application which assesses potential obtrusive light impacts. The report notes that the existing site is illuminated by halogen type lighting mounted on the building and on columns. The proposed lighting design introduces LED fittings which comply with BREEAM requirements and building regulations. The assessment sets out that the lighting will be switched off at times when the development is not in operation to prevent night-time lighting pollution; utilising LED luminaires will also help reduce light pollution.
- 3.11 Officers consider the proposed approach to lighting to be acceptable and in accordance with policies that seek to protect neighbouring amenity from light pollution.

Agent of Change

- 3.12 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.
- 3.13 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.”
- 3.14 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 DMS13.
- 3.15 The proposed development seeks to redevelop an existing industrial site on a designated LSIS site. Officers have assessed the impacts of the proposed development on the neighbouring residential uses and consider that subject to the conditions highlighted, the proposed development is appropriate at this site, and would not give rise to any issues associated with Agents of Change, in accordance with Policy D13.

Land Contamination

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

Summary

- 3.17 Overall, the proposed use is compatible with the existing and designated use of the site, and in accordance with local, regional and national policies, and subject to the conditions highlighted above, the development would not have an unduly detrimental impact on the amenity of neighbouring properties.

4.0 Sustainable Transport:

<i>Proposed number of car parking spaces:</i>	103 spaces	<i>PTAL Rating</i>	2/3 (poor/moderate accessibility to public transport)
<i>Proposed number of cycle parking spaces:</i>	64 long stay 16 short stay	<i>Closest Rail Station / Distance (m)</i>	Dagenham East 800m
<i>Restricted Parking Zone:</i>	No	<i>Parking stress survey submitted?</i>	No

- 4.1 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.
- 4.2 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
- 4.3 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.
- 4.4 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.
- 4.5 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.
- 4.6 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.

Access

- 4.7 The existing two-way access and separate HGV access will essentially be rationalised into two separate in and out access/egresses, one along Rainham Road South and one along Oxlow Lane. The existing 'keep clear' sign along Rainham Road South will be relocated.
- 4.8 Revisions were sought to the Rainham Road Access during the course of the planning application to ensure arrangements for safe access and egress were made, paying particular attention to the location of the access directly adjacent to another industrial site, and in close proximity to a main junction. Be First Officers have reviewed the amended access arrangements and consider that the arrangements for safe LGV right turn movements are acceptable and the planning submission identifies that HGV movements to the site will be low. On this basis officers accept the new designs subject to the applicant agreeing to conduct deliveries outside of peak hours. It is therefore recommended that this requirement is imposed as a condition to maintain safe access and egress for the duration of the development.

Car Parking

- 4.9 The site is in PTAL 2/3 meaning it has poor/moderate access to public transport and it does not fall under any CPZ area. Therefore, it is likely that most of the visitors/employees could be driving to the premises if there are excess car parking spaces available and no other alternate solutions are provided.

- 4.10 The proposed development will provide 103 car parking spaces (reduced from 108 as originally submitted). The London Plan (March 2021) states, in reference to parking standards for industrial sites: '*For industrial sites, the role of parking – both for workers and operational vehicles – varies considerably depending on location and the type of development proposed. Provision should therefore be determined on a case-by-case basis, with the starting point for commuter parking being the standards in Table 10.4.*'
- 4.11 The proposed 103 car parking spaces represents a ratio of 1 car parking space per 155sqm of GEA. The applicant has provided a breakdown of the spaces, which includes a total of 17 operational parking bays will be provided on the basis of 1 operational parking space per unit, with the exception of the much larger unit 1 on the western side of the site, which will have 3 operational parking spaces. The allocation of 17 operational car parking spaces will mean that 86 spaces will remain for use by staff and third-party visitors, and with the operational spaces being considered and justified separately, it is the 86 spaces that should be assessed aside the London Plan car parking standards for the proposed industrial land uses.
- 4.12 A further breakdown of the 86 spaces is also provided within the Transport Assessment Addendum, where 48 spaces will be made available for the visiting customer in line with the London Plan and the remaining 38 car parking spaces being allocated to on-site or visiting staff of the units.
- 4.13 Based on the information that has been provided within the TA Addendum and having considered merits of this application, officers consider that the proposed number of car parking spaces will not have apparent major adverse impact and the justification provided is deemed reasonable and in accordance with the NPPF.
- 4.14 Each unit within the development will have an accessible parking bay as well as a dual charging point for 2 Electric Vehicle (EV) equipped bays per unit. All remaining car parking spaces will be fitted with passive EV ducting to enable future provision of charging points as led by demand and occupier preferences, including for the charging of the operational fleet of occupiers. Officers consider this to be acceptable and in accordance with London Plan policy T6.3.
- 4.15 A Car Parking Management Plan has been submitted with the application; however, officers acknowledge that the end users of the development are not yet identified and as such it is recommended that a further Car Parking Management Plan is submitted prior to first occupation to ensure that the management of the car park is compatible with the end user requirements.

Cycle Parking

- 4.16 The London Plan sets out minimum standards for cycle parking provision for development proposals, which includes long-stay and short-stay cycle parking. The standards differ for different land uses and differs between Class B2 and Class B8 and Use Class E. The development will provide 64 long stay and 16 short stay cycle parking spaces. Officers consider this to be acceptable, in accordance with the London Plan policies for cycle provision. It is recommended that a requirement for cycle parking is conditioned to be installed prior to first use of the development.

Travel Plan

- 4.17 A Framework Travel Plan has been submitted, which officers are happy with in principle. As a Travel Plan is a live document and may require additional or on-going changes when the end user is identified, and a monitoring fee for year 1, 3 and 5 will be secured through a S106 agreement, TfL best practice guidance identifies that Travel Plans should be secured via S106 agreement to ensure that all the key elements of the approved Travel Plan are effectively protected and to facilitate monitoring and compliance with the outcomes anticipated. Officers therefore consider it appropriate to secure the Travel Plan and associated monitoring fee as S106 obligations.

Other highways matters

- 4.18 Officers are accepting of the principles of the Construction Logistics Plan and consider that a detailed and up to date Construction Plan, in line with TfL guidance should be submitted as a condition to ensure all matters are suitably addressed, having regard to the detail and timing of the construction of the development.
- 4.19 The proposed development requires works to the public highway in order to accommodate the new accesses and right turn along Rainham Road South. A S278 agreement will therefore need to be entered into and this should be secured through a S106 agreement.

4.20 It is also noted that the amended plans appear to interfere with on street car parking; however the plan does not appear to be based on an up to date OS map and as such the extent to which the existing car parking spaces is unclear on the basis of the application documents submitted. To ensure that there would be no adverse impact to the existing on street car parking situation as a result of the proposal development, it is recommended that a planning obligation require the replacement of on-street car parking bays to Rainham Road South, in consultation with LBBD's Parking and Environmental Design Team, as required.

Summary

4.21 In summary, subject to the planning conditions and obligations outlined above and set out in detail in Appendix 5 and 6, officers consider that there will not be a severe impact on the highway as a result of the development, and the proposals accord with the provisions of the NPPF, national and regional policies. The highways impacts are therefore considered acceptable.

5.0 Employment:

- 5.1 The Borough has the largest stock of industrial floorspace in London and provides important support services to central London. Currently the borough is characterised by a large number of low pay, low value businesses that are neither able nor willing to invest in higher skill, more intensive means of production.
- 5.2 The London Plan directs that development proposals should support employment, skills development, apprenticeships and other education and training opportunities in both the construction and end-use phases, including through Section 106 obligations. In relation to affordable workspace, the London Plan encourages the use of obligations to secure affordable workspace at rents maintained below the market rate. Policy E4 of the London Plan supports access to supply chains and local employment in industrial and related activities. 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.
- 5.3 Within the London Plan 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. Part B the policy 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.
- 5.4 Strategic Policy SP5 of the Draft Local Plan (Regulation 19) sets out that the Council will support businesses who seek to evolve, diversify and contribute to a more thriving and more inclusive local economy, including through the provision of employment and training opportunities for local people. Policy DME1 seeks to utilise the borough's employment land more efficiently and state that the Council will support development proposals where they can deliver employment floorspace that "contributes to meeting the strategic target of a minimum 20,000 new jobs, focusing on enabling skills development and lifelong learning". Policy DME2 sets out specific requirements for the provision of affordable workspace.
- 5.5 The applicant has worked closely with LBBD's Employment Officers to secure commitments to construction related and end user obligations. LBBD Officers have confirmed acceptance of the proposed approach. An Employment and Skills Plan has been submitted to set out the commitments, which will be secured by way of S106 agreement.
- 5.6 The commitments in the document are considered appropriate and proportionate to the development, enabling local employment benefits to be secured, which will improve access and training to local people. The development will encourage and support local skills and opportunities and is therefore considered to accord with the aforementioned policies.

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 The Applicant has submitted a Circular Economy Statement applying the pre-consultation draft Circular Economy Guidance. 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 Delivering Sustainable Development (Energy / CO2 reduction / Water efficiency):	
<i>BREEAM Rating</i>	Excellent
<i>Renewable Energy Source / %</i>	Air Source Heat Pumps, PV panels
<i>Proposed CO₂ Reduction</i>	101%

- 7.1 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
- 7.2 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.
- 7.3 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
- 7.4 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.
- 7.5 Further policies within Chapter 9 of the London Plan seek to improve air quality (SI1), manage heat risk (SI4), reduce waste and support the circular economy (SI7) and promote sustainable energy production (SI3).
- 7.6 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.
- 7.7 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

- 7.8 An Energy Statement has been submitted in support of the planning application. The Statement considers the options available for low carbon and renewable technologies and sustainable construction. The applicant has explored options for connection to a CHP but there are no existing or planned CHPs in the area. The proposal includes the use of Air Source Heat Pumps and

photovoltaic panels. Overall, the development will achieve a total carbon saving of 101% from the baseline, without the need for a cash in lieu contribution. However, it is recommended that a condition is added to demonstrate that these measures have been achieved post completion and a s106 obligation secured requiring a contribution of £95 per tonne should the carbon reduction not be achieved.

BREEAM

- 7.9 The BREEAM Pre-Assessment submitted sets out that the development is anticipated to achieve a BREEAM score of 73.7%, which is BREEAM Excellent. Officers support this, in accordance with Local Policies for this size and type of development. With regards to water consumption/water efficiency, it is acknowledged that 4 BREEAM credits will be secured to accord with London Plan policy SI5. It is recommended that a planning condition is imposed to ensure that the Excellent target is met.

Air Quality

- 7.10 Policy GG3 of the London Plan states that new developments should seek to improve London's health and reduce inequalities, including seeking to improve air quality. Policy CR1 of the Core Strategy highlights the importance of climate change and environmental management matters including air quality. The Borough Wide Development Policies DPD policy BR14 sets out that proposals should be submitted with an air quality impact assessment. 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.
- 7.11 An Air Quality Assessment has been undertaken and submitted alongside the planning application, which assesses impacts of the development from construction activities, road transport activities and the end use. The Air Quality Neutral Assessment within the document found that across the local road network, there is a reduction in annual emissions between the existing and proposed use of the site. It is recommended that a condition and linked obligation are imposed to ensure the development meets the air quality neutral requirements and requiring an air quality off-setting obligation if this is not achieved.

Summary

- 7.12 Overall officers are satisfied that the development is sustainable, utilising green technologies where feasible and including measures to reduce carbon emissions. Subject to the conditions and obligations set out above, overall, it is considered that the development complies with the relevant energy and sustainability policies.

8.0 Biodiversity & Sustainable drainage:

- 8.1 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.
- 8.2 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.
- 8.3 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. 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.

Landscaping

- 8.4 The site benefits from a green buffer to the northern boundary, comprising TPO'd trees. The trees would be maintained and enhanced with additional planting as a result of the proposal. A tree protection plan has been submitted to ensure that the TPO'd trees will not be harmed during

construction, and it is recommended that this document is conditioned to ensure compliance. Officers are supportive of the retention of these trees.

- 8.5 Aside from the TPO's tree line along Oxlow Lane, the existing site has limited greening; however, some additional planting will be introduced along Rainham Road South which is welcomed, with some planting to the Oxlow Lane entrance. Due to the nature of the industrial scheme, there are limited opportunities to green the site within the development. Officers consider the proposed landscaping to be acceptable.

Biodiversity and urban greening

- 8.6 The applicant has calculated the UGF for the proposed development to be 0.18, and it is understood that the applicant has sought to balance this against other development requirements such as on-site renewable technologies including PV panels, which limits opportunities for green/brown roofs. Given that the development is predominantly B2/B8 use, and therefore the 0.3 UGF target is excluded, officers consider on balance a satisfactory UGF factor has been achieved in this instance.
- 8.7 An Ecology Assessment was submitted alongside the application to review the impacts of on site and nearby biodiversity, concluding that there are not likely to be any significant direct adverse effects on the nearby SINC or on-site habitats as a result of the proposed development. The assessment recommends the inclusion of bat and bird boxes to increase roosting potential, thereby contributing towards net gains in biodiversity on site. It is recommended that a condition is included to secure these gains.

Sustainable Drainage

- 8.8 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 SI12 states that development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed.
- 8.9 The site is located within Flood Risk Zone 1, with a low probability of flooding. A Flood Risk Assessment submitted with the application. Limited SUDs are incorporated within the proposed development, however the site does include permeable paving and 50% betterment on the current situation. The Lead Local Flood Authority / LBBD Flood Risk Manager has reviewed the information submitted and has confirmed that the development is acceptable. It is noted that the GLA response questioned the approach to drainage and a response has been received by the application, which includes a Drainage Planning Strategy. It is recommended that this is included as an approved document to ensure the development is undertaken in line with the details submitted.
- 8.10 Overall, officers are satisfied with the approach to drainage.

9.0 Conclusions:

- 9.1 The proposed development accords with the designated land use of this LSIS site, and would contribute towards renewing an underused industrial site to provide modern, sustainable units. The development will optimise opportunities for local employment, skills and training.
- 9.2 Officers consider this application makes best use of the site to provide a development that is appropriate of the character and setting of the area. The design, scale and massing are considered to comply with the aims of the development plan in delivering high quality sustainable development.
- 9.3 The development will significantly reduce carbon dioxide emissions, with any off set to be secured through s106 agreement.
- 9.4 In highways terms, officers are satisfied that the development will facilitate safe access, and measures are included to encourage modal shift for travel patterns.

9.5 Considered as a whole, the proposed development is considered to accord with the Development Plan. On this basis and the basis of all other material considerations, subject to the conditions and obligations, it is recommended that planning permission is granted.

Appendix 1:

<p>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:</p>	
<p><i>National Planning Policy Framework (NPPF) (MHCLG, July 2021)</i></p>	
<p><i>The London Plan (March 2021)</i></p>	<p>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</p>
<p><i>Local Development Framework (LDF) Core Strategy (July 2010)</i></p>	<p>Policy CM1 General Principles for Development Policy CM4 Transport Links Policy CE3 Safeguarding and Release of Employment Land Policy CE4 Mix and Balance of Uses within Designated Employment Areas Policy CR1 Climate Change and Environmental Management</p>

	<p>Policy CR2 Preserving and Enhancing the Natural Environment Policy CR4 Flood Management Policy CP3 High Quality Built Environment Policy CC3 Achieving Community Benefits through developer contributions</p>
<p><i>Local Development Framework (LDF) Borough Wide Development Plan Document (DPD) (March 2011)</i></p>	<p>Policy BR1 Environmental Building Standards Policy BR2 Energy and On-site Renewables Policy BR3 Greening the Urban Environment Policy BR4 Water Resource Management Policy BR5 Contaminated Land Policy BR9 Parking Policy BR10 Sustainable Transport Policy BR11 Walking and Cycling Policy BC11 Utilities Policy BP11 Urban Design</p>
<p><i>The Mayor of London's Draft London Plan - Intend to Publish version Autumn 2021 is under Examination. Having regard to NPPF paragraph 48 the emerging document is a material consideration and appropriate weight will be given to its policies and suggested changes in decision-making, unless other material considerations indicate that it would not be reasonable to do so.</i></p>	
<p><i>The London Borough of Barking and Dagenham's Draft Local Plan: (Regulation 19 Consultation Version, Autumn 2021)</i></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</p>

	POLICY DMM 1: Planning obligations (Section 106)
<i>Supplementary Planning Documents</i>	LBBB Planning Advice Note 5 'Sustainable Design and Construction' (2014); GLA Supplementary Planning Guidance (SPG) 'Land for Industry and Transport' (2012); and, GLA SPG 'The Control of Dust and Emissions during Construction and Demolition' (2014).

Additional Reference:

Human Rights Act

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

Equalities

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

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

Appendix 2:

Relevant Planning History:			
<i>Application Number:</i>	21/01085/PRIDEM	<i>Status:</i>	Prior Approval Not Required
<i>Description:</i>	<i>Application for prior approval of proposed demolition of existing buildings at the site.</i>		
<i>Application Number:</i>	13/00743/FUL	<i>Status:</i>	Approved
<i>Description:</i>	<i>Installation of external cladding to part of building, construction of new wall across yard area and installation of 8 brise soleil grills to front elevation.</i>		
<i>Application Number:</i>	14/01018/FUL	<i>Status:</i>	Approved
<i>Description:</i>	<i>Retention of solar PV panels on roof.</i>		
<i>Application Number:</i>	99/00272/FUL	<i>Status:</i>	Approved
<i>Description:</i>	<i>Erection of external loading dock and canopy</i>		
<i>Application Number:</i>	98/00033/TP	<i>Status:</i>	Approved
<i>Description:</i>	<i>Installation of derv storage tank and bunding</i>		
<i>Application Number:</i>	94/00435/TP	<i>Status:</i>	Approved
<i>Description:</i>	<i>Erection of 9.6-metre-high cylindrical water storage tank plant room and alterations to extensions to existing building involving installation of loading bay and fire escape doors extensions of canopy and construction of external staircase</i>		
<i>Application Number:</i>	88/00419/TP	<i>Status:</i>	Approved
<i>Description:</i>	<i>Erection of second floor extension to existing office building to provide additional accommodation</i>		
<i>Application Number:</i>	84/00034/TP	<i>Status:</i>	Approved
<i>Description:</i>	<i>Erection of first floor office extension (4600 sq.ft.)</i>		
<i>Application Number:</i>	80/00417/TP	<i>Status:</i>	Approved
<i>Description:</i>	<i>Alterations to north elevation of existing building and erection of canopy</i>		
<i>Application Number:</i>	74/00161/TP	<i>Status:</i>	Approved
<i>Description:</i>	<i>Alterations to existing building by provision of new door and window openings and erection of two canopies</i>		
<i>Application Number:</i>	73/00864/TP	<i>Status:</i>	Approved
<i>Description:</i>	<i>Use of factory premises (Class IV) for warehouse puposes (Class X) with ancillary office accommodation (total floor area 128866 sq ft)</i>		

Appendix 3:

The following consultations have been undertaken:

- LBBB Employment and Skills Team
- GLA
- TfL
- LBBB Access Officer
- Environmental Agency
- LLFA
- Metropolitan Police Designing Out Crime Office
- Be First Transport Development Manager
- LBBB Environmental Protection Officer
- LBBB Arboricultural Officer
- LBBB Parking and Environmental Design
- TfL London Underground
- London Fire Brigade
- LBBB Street Light Manager
- LBBB Heritage and Culture
- LBBB Affordable Workspace
- LBBB District Heating/Energy
- LBBB Refuse Services

Summary of Consultation responses:		
Consultee and date received	Summary of Comments	Officer Comments
LBBB Employment and Skills Team 11/11/2021	Happy with the attached ESSP for this particular application.	The Employment and Skills Plan has been prepared in accordance with direct liaison with the Employment and Skills team and it is recommended that this be secured by way of S106 obligation.
Greater London Authority (Stage 1 referral) Stage 1 report received 23 August 2021	<p>Land Use Principles - GLA Officers support the proposed employment space renewal.</p> <p>Urban Design – The proposed design maximises industrial provision and responds well to typical operational requirements. The applicant must provide a fire strategy for the development.</p> <p>Heritage - The proposed redevelopment of the site would not cause any harm to the historic significance of the Grade II* listed Eastbrook Public House.</p>	<p>The applicant has sought to address the comments raised by the GLA officer through correspondence with the GLA and the submission of additional detailed documentation, namely:</p> <ul style="list-style-type: none"> • Fire Strategy Statement, dated 16/11/2021 • Transport Assessment Addendum, dated October 2021 • Amended Proposed Site Plan C-379-TP-02 Rev B • Whole Life Cycle Assessment, revision 3 dated 12/11/2021

	<p>Transport - The applicant should seek to address strategic transport issues and make revised submissions in respect to; the transport assessment, road safety, pedestrian movements and site permeability and vehicle parking.</p> <p>Sustainable Development - The Applicant is required to make further submissions in respect to; energy, whole life carbon, circular economy, urban greening, flood risk and drainage before London Plan compliance can be confirmed</p> <p>Stage 1 Report Recommendation - Barking and Dagenham Council be advised that the application does not yet comply with the London Plan for the reasons that further submissions are required.</p>	<ul style="list-style-type: none"> • Circular Economy Statement, revision 3 dated 12/11/2021 • Response to Flood Risk and Drainage 10/11/2021 • Email response regarding urban greening <p>The GLA officer responded on the additional submissions to recommend planning conditions regarding:</p> <ul style="list-style-type: none"> • Drainage Strategy Plan for detailed design scheme • Suitably worded condition to ensure water efficiency is reduced in line with BREEAM 'Excellent' • Post Construction Whole Life Cycle Carbon Assessment condition <p>It is noted that no further response has been received from TfL regarding transport matters, however comments have been received from Be First Transport Officers to confirm they are happy with the proposed development in transport terms.</p> <p>Be First Officers consider that the applicant has suitably addressed the comments raised at Stage 1.</p>
<p>LBBB Access Officer</p> <p>25/07/2021</p>	<p>Happy with the proposal</p>	<p>n/a</p>
<p>Environmental Agency</p> <p>23/07/2021</p>	<p>The site is located outside of any source protection zone and therefore low environmental risk. No comments.</p>	<p>n/a</p>
<p>LBBB Flood Risk Manager / LLFA</p> <p>30/07/2021</p>	<p>Reviewed the application and have no comments to make.</p>	<p>n/a</p>
<p>Metropolitan Police Designing Out Crime Office</p> <p>27/07/2021</p>	<p>DOCOS have not met with the project architects to discuss their intention around security for the proposed scheme and the Design and Access Statement makes no reference to Secured by Design.</p> <p>The Metropolitan Police have no objection to the proposed</p>	<p>Officers recommend a planning condition on the basis of the recommendation:</p> <p><i>The development shall achieve Secure by Design (SBD) certification or security standards to the satisfaction of the local authority and the Metropolitan Police, details of which shall be provided in writing to</i></p>

	<p>development subject to an appropriate SBD condition being added.</p> <p>Boundary treatment – suitable boundary treatment is recommended to ensure the site doesn't become vulnerable. Strongly recommend fencing to be of LPS 1175 SR2 standard.</p> <p>Site design – places where people can dwell should be designed out ,</p> <p>Intruder alarms – all units must be fitted with NSI accredited level alarm system to BS8243</p> <p>CCTV and Lighting – adequate uniform lighting should cover the entire scheme. The emphasis should be on installing low glare/high uniformity lighting levels in line with British Standard 5489-1 of 2020.</p> <p>Pedestrian entrance doors and windows – commercial aspects should be fitted with PAS 24 2016 security accredited doors and windows in conjunction with P4A level of glazing and with restrictors fitted to the ground floor window elements to mitigate the risk from 'reach in'.</p> <p>External walls – The cladding used for walls should be security rated and not easily removable.</p> <p>Loading bay and commercial vehicle parking – any commercial vehicle parking or loading bay should be only available to legitimate uses.</p> <p>Roller shutter or sectional up and over door – should be certified security product</p> <p>Fire exits – should not have external door features.</p>	<p><i>the Local Planning Authority prior to first habitation or use. All security features are to be retained and maintained for the lifetime of the development.</i></p> <p><i>REASON: To provide a safer environment for future residents and visitors to the site and reduce the fear of crime.</i></p>
<p>Be First Transport 22/07/2021 03/11/2021 04/11/2021</p>	<p>Originally raised concerns with regards to Site Access and Level of car parking.</p>	<p>Highways issues are summarised in the assessment above, and a number of planning conditions and planning obligations are recommended to be secured.</p>

16/11/2021
01/12/2021

Further to additional submissions the updated response was received recommending a number of conditions and obligations:

Car parking – Regarding the car parking spaces proposed, we were at a view that the proposed quantum of car parking is not compliant with the New London Plan car parking standards and the proposed provision should be reduced further. In the TA addendum, the car parking provision has been reduced further in response to the planning application consultation and the total number of spaces on the revised layout is now 103. This represents a ratio of 1 car parking space per 155m² of GEA. Applicant has also provided further detailed breakdown of the spaces. A total of 17 operational parking bays will be provided on the basis of 1 operational parking space per unit, with the exception of the much larger unit 1 on the western side of the site, which will have 3 operational parking spaces. The allocation of 17 operational car parking spaces will mean that 86 spaces will remain for use by staff and third-party visitors, and with the operational spaces being considered and justified separately, it is the 86 spaces that should be assessed aside the New London Plan car parking standards for the proposed industrial land uses.

Further breakdown of the 86 spaces is also provided within the TA addendum, where 48 spaces will be made available for the visiting customer in line with the New London Plan and the rest 38 car parking spaces being allocated to on-site or visiting staff of the units. Based on the information that has been provided within the TA addendum and having considered merits of this application, it is of a view that the proposed number of car parking spaces will not have apparent major adverse impact and the justification provided seems reasonable.

EV charging and Accessible bays – Applicant states that “Each unit will also have an accessible parking bay as part of its provision (although not part of the operational provision), as well as a dual charging point, providing for 2 Electric Vehicle (EV) equipped bays per unit. All remaining car parking spaces will be fitted with passive EV ducting to enable future provision of charging points as led by demand and occupier preferences, including for the charging of the operational fleet of occupiers.”

According to the New London Plan Policy T6.3 – “Where car parking is provided at retail development, provision for rapid electric vehicle charging should be made.”

Applicant has submitted a CPMP, this should be conditioned to be submitted prior to the occupation of the units when the end user might be known.

Cycle Parking – Adequate cycle parking provision is proposed. This should be conditioned so that it will be implemented prior to the occupation of the units.

Travel plan – A framework travel plan has been submitted, since travel plan is a live document which may require additional changes when the end user of the units are identified, this should be conditioned to be submitted with any revised information prior to the occupation of the units. A Travel Plan monitoring fee for year 1, 3 and 5 shall also be secured through s106.

Highway works - Applicant will be expected to enter into a section 278 agreement with the council to do necessary highways works around the development at the applicants cost.

	<p>Access - that since the applicant has made arrangements for safe LGV right turn movements and confirmed the HGV movements are low to the site. We can accept the new designs subject to applicant agreeing to conduct deliveries out of peak hours and providing drawings of confirmation that no on street parking is compromised as discussed during the meeting (this may require separate consultation with PED).</p> <p>CLP – A detailed CLP was submitted and reviewed. a CLP is a live document and should be prepared in conjunction with the current construction activities. Detailed recommendations are made as to what should be included with the CLP.</p>	
<p>LBBB Environmental Protection Officer</p> <p>31/07/2021</p>	<p>Contaminated land –An investigation and risk assessment has been undertaken along with a detailed remediation scheme. A condition is required for the submission of a verification report and that any contamination be found when carrying out the approved development, that this be reported in writing to the local planning authority.</p> <p>Reason: Contamination must be identified prior to commencement of development to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy BR5 of the Borough Wide Development Policies Development Plan Document</p> <p>No development shall commence, including any works of demolition, until a Construction Environmental Management Plan (CEMP) and a Site Waste Management Plan (SWMP)</p>	<p>The conditions are to be secured as recommended. Further to the recommendation for a CEMP, the applicant submitted a detailed CEMP, which LBBB’s Environmental Protection Officer confirmed was acceptable as an approved document.</p> <p>With regards to air quality, it is noted that a number of the mitigation measures proposed are incorporated into the development and the AQA submitted with the assessment demonstrates that the development would be air quality neutral, in accordance with the relevant planning policies.</p>

	<p>have been submitted to and approved in writing by the Local Planning Authority.</p> <p>Noise - E(g)(iii), B2 & B8 has significant potential to be noisy. It appears that the proposal is for 24 hours a day although this is not specified in the application form. Recommends two noise conditions.</p> <p>Air quality - The whole of LBBD is an Air Quality Management Area (AQMA). The types of mitigation we might expect, include, but are not limited to:</p> <ul style="list-style-type: none"> • EV recharging infrastructure within the development. • Use of ultra-low emission vehicles. • Support local walking and cycling initiatives • On-street EV recharging • Contribution to low emission vehicle refuelling infrastructure • Bike/e-bike hire schemes <p>Alternatively, a one-off s106 payment to be used to implement the Air Quality Action Plan can be paid.</p>	
<p>LBBD Arboricultural Officer 03/09/2021</p>	<p>Satisfied to have a condition attached for tree protection. The fact that no trees are being proposed for removal is good. That row of TPO trees is one of the older orders on the borough. Pleased to see it honoured.</p>	<p>The tree protection plan and proposed landscaping plan shall be conditioned as approved documents.</p>
<p>LBBD Parking and Environmental Design 26/11/2021</p>	<p>The proposals may affect highways/my Place. Without further details it is difficult to determine the necessity of this scheme, but anything that improves pedestrian accessibility and safety is welcomed and supported. I acknowledge we would be impacting parking outside the local shops which local shop owners will not be happy about. Recommend that liaison is made with local shop owners and then this team will need to be consulted regarding the traffic management order process.</p>	<p>The impacts to on-street car parking are assessed in the report above, and a s106 obligation is recommended to ensure these matters are satisfactorily dealt with through the detailed design process.</p>
<p>TfL London Underground</p>	<p>Can confirm that London Underground/DLR Infrastructure</p>	<p>n/a</p>

09/07/2021	Protection has no comment to make on this planning application as submitted.	
London Fire Brigade 12/08/2021	Thank you for your email and plans received by our office on 6 July 2021 regarding fire hydrant requirements for the development at the above address. I can confirm no additional hydrants are required and no further action is required by our office. We are happy for the works at this site to go ahead as planned	n/a
LBBD Street Lighting 06/07/2021	This development will have no impact on the highway and we therefore have no comments with regard to street lighting.	n/a

Appendix 4:

Neighbour Notification:	
Date of Press Advertisement:	07/07/2021
Number of neighbouring properties consulted:	600
Number of responses:	1
Address:	Summary of response:
<i>287 Oxlow Lane</i>	<p>Received a letter referencing the planned demolition of existing buildings and erection of commercial units, with a link to a website where the proposal can be viewed and people can make comments about the likely impact of the development, among other things. However, our focus is more about the earlier planning application No. 19/01917/FUL which is a 5-floor residential development just behind our house.</p> <p>The development will be impacting our current easements, as the gate leading to the back of our property which has been installed and in use prior to our acquisition of the property in 2004, can no longer be used.</p> <p>Also, because of the high traffic on Oxlow Lane, and inadequacy of parking space in the front, we have been parking our cars at the back, including renting of one of the garages sometime in the past, but these will now also become inaccessible when the new development begins.</p> <p>Also, the new building, which is on 5 floors, as against the existing 3 floor buildings that will be demolished, will impact on our access to light.</p> <p>While we do not intend to stand in the way of the council on its regeneration programmes, we believe proper compensation payments should be made to us, for the denial of these easements and rights we previously enjoyed, when these new developments are commenced.</p>

Officer Summary:

Officers note receipt of the letter listed above. The detail of the letter refers to a separate development that has received planning permission. Material planning considerations for the current application are addressed within the planning assessment.

Appendix 5:

Conditions & Informatives:

Mandatory

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 C-379-TP-01, dated 04/2021
- Proposed Site Plan, drawing reference C-379-TP-02 Rev B, dated 27/09/2021
- Unit 1 – Proposed Floor and Roof Plans, Section and Elevations, drawing reference C-379-TP-03 Rev A, dated 12/10/2021
- Units 2-7 Proposed Floor Plans, drawing reference C-379-TP-04 Rev A, dated 12/10/2021
- Units 2-7 – Proposed Roof Plan, Section and Elevations, drawing reference C-379-TP-05 Rev A, dated 12/10/2021
- Units 1-4 Proposed Floor Plans, drawing reference C-379-TP-06 Rev A, dated 12/10/2021
- Units 1-4 Proposed Roof Plan, Section and Elevations Rev A, drawing reference C-379-TP-07 Rev A, dated 12/10/2021
- Units 5-8 Proposed Floor and Roof Plans, drawing reference C-379-TP-08 Rev A, dated 12/10/2021
- Units 5-8 Proposed Section and Elevations, drawing reference C-379-TP-09 Rev A, dated 12/10/2021
- Proposed Street Elevations, drawing reference C-379-PA-10 Rev B, dated 10/06/2021
- Tree Protection Plan, drawing reference 825.TP.01, dated 06/2021
- Landscape Layout – East & West, drawing reference 825.10.02, dated 05/2021
- Planting Layout – West Sheet 1 of 2, drawing reference 825.19.02, dated 05/2021
- Planting Layout – East Sheet 2 of 2, drawing reference 825.29.02, dated 05/2021
- Unit 1-4 East PV Layout, drawing reference DAGENHAM EAST 1-4 Rev P01
- Unit 1 West PV Layout drawing reference DAGENHAM WEST 1 Rev P0, dated, dated 05/2021
- Units 2-7 West PV Layout, drawing reference DAGENHAM WEST 2-7 Rev P01, dated 05/2021
- Units 5-8 East PV Layout, drawing reference DAGENHAM EAST 58 Rev P01, dated 05/2021

- Planning Statement, prepared by Savills, dated 06/2021
- Air Quality Assessment prepared by TRC;
- BREEAM Assessment prepared by Cudd Bentley;
- Circular Economy Statement prepared by Cudd Bentley, Revision 3 dated 12/11/2021;
- Construction Management Plan and Site Waste Management Plan prepared by Chancerygate, V3;
- Design and Access Statement prepared by Ian C King Architects;
- Ecological Assessment prepared by Ecology Solutions;
- Economic Benefits Assessment and Infographic prepared by Savills;
- Employment and Skills Plan, dated 21/10/2021
- Energy Statement prepared by Cudd Bentley, dated 04/06/2021;

- External Lighting Assessment prepared by Cudd Bentley;
- Fire Strategy Statement, prepared by Affinity Fire Engineering, dated 16/11/2021
- Flood Risk Assessment and Drainage Strategy prepared by I & L Consulting;
- Response to Flood Risk and Drainage Comments (2), I & K Consulting
- Framework Travel Plan prepared by Mode, Revision V2.1 dated 14/10/2021;
- Geo-Environmental Assessments (Phase 1 and Phase 2) prepared by T&P and Ramboll;
- Landscape Plans prepared by TALA;
- Noise Impact Assessment prepared by TRC;
- Schedule of External Building Materials, prepared by Ian C King Associates Architects,
- Transport Assessment prepared by Mode;
- Transport Assessment Addendum, prepared by Mode, dated 14/10/2021
- Tree Survey and Tree Protection Plan prepared by TALA;
- Whole Life Cycle Assessment, prepared by Cudd Bentley, Revision 3 dated 12/11/2021
- No other drawings or documents apply.

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

Prior to commencement of development

3. 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.

Prior to occupation

4. Land contamination – Verification Report

Prior to first use of the development hereby approved a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority. The report shall include results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met.

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

5. Details of Any Commercial Kitchen Extract Ventilation System

If Kitchen Extract Ventilation Systems are proposed to any unit hereby approved, prior to first use of the of any non-residential unit hereby permitted, details of any ventilation system for the removal and treatment of cooking odours from any commercial catering, including its appearance and measures to mitigate system noise, are to be submitted to and approved in writing by the Local Planning Authority. The measures shall have regard to and be commensurate with guidance and recommendations in:

- The current edition of publication "Specification for Kitchen Ventilation Systems", DW/172, Heating and Ventilating Contractors Association, or other relevant and authoritative guidance; and

- Publication, "Control of Odour and Noise from Commercial Kitchen Exhaust Systems – Update to the 2004 report prepared by NETCEN for the Department for Environment, Food and Rural Affairs", Ricardo.com, 2018.

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

Reason: To safeguard the appearance of the premises and minimise the impact of cooking smells, odours and noise in accordance with policies BR13, BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

6. Car Park Management Plan

Prior to first use of the development hereby approved, a management company shall be secured and a Car Parking Management Plan, based on the approved Car Parking Management Plan prepared by Mode dated October 2021 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

7. Details of all boundary treatment

Prior to first use, full details of all boundary treatment of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority.

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

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

8. Secure by Design

The development shall achieve Secure by Design (SBD) certification or security standards to the satisfaction of the local authority and the Metropolitan Police, details of which shall be provided in writing to the Local Planning Authority prior to first use of the development hereby permitted. All security features are to be retained and maintained for the lifetime of the development.

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

9. Whole Life Carbon Assessment

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

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

10. Bat and bird boxes

The development hereby permitted shall not be occupied until bird nesting and bat roosting bricks/boxes have been installed in accordance with the recommendations of the Ecological Assessment. Details of the bird nesting and bat roosting shall be submitted to and approved in writing by the Local Planning Authority.

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

Six months post completion

11, 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.

Reason: In the interest of energy efficiency and sustainability.

12. Energy Statement

A post completion report demonstrating compliance to the approved Energy Statement prepared by Cudd Bentley, dated 04/06/2021, 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.

13. 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.

14. Air Quality

Certification confirming compliance with the approved Air Quality Assessment prepared by TRC be submitted and approved by the Council 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).

Reason: To ensure the development meets the air quality neutral benchmark and improves air quality and reduces inequalities

Compliance conditions

14. Details of all facade meetings

The development hereby permitted shall be carried out in accordance with the external details in the Schedule of External Building Materials document and the Proposed Site Plan C-379-TP-02 Rev B.

Any additional or alternative details shall be submitted to and approved in writing by the Local Planning Authority.

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

15. Land contamination

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

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

16. Construction Environmental Management Plan

The development hereby approved shall be undertaken in accordance with the approved Construction Management Plan and Site Waste Management Plan V3, submitted 16/11/2021.

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

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

Noise from the non-residential uses hereby permitted, shall be controlled so as to be inaudible inside adjoining and other noise-sensitive premises in the vicinity of those uses. The initial test for compliance with the 'inaudibility' criterion will be that noise should be no more than barely audible outside those noise-sensitive premises. In the event there is disagreement as to whether such noise is or is not audible the following numerical limits shall be used to determine compliance with this condition:

- the LAeq (CUAN) shall not exceed LA90 (WCUAN); and
- the L10 (CUAN) shall not exceed L90 (WCUAN) in any 1/3 octave band between 40Hz and 160Hz.

CUAN = Commercial/Community Use Activity Noise Level, WCUAN = representative background noise level without commercial/community use activity noise, both measured 1 meter from the façade of the noise-sensitive premises.

The combined rating level of the noise from any plant installed pursuant to this permission (other than plant which is only to be operated in emergency circumstances) shall not exceed the existing background noise level outside the window to any noise-sensitive room. Any assessment of compliance in this regard shall be made according to the methodology and procedures presented in BS4142:2014. Any machinery and equipment installed pursuant to this permission shall be designed and installed to ensure that structure borne (re-radiated) noise emissions shall not exceed 35 LAeq dB (5 min) when measured in any habitable room in adjoining residential premises.

Reason: To ensure that the proposed and surrounding residential properties and other noise-sensitive premises in the vicinity of site are adequately protected from noise and in accordance with policy BR13 of the Borough Wide Development Policies Development Plan Document and policy 7.15 of the London Plan.

18. External Lighting

Prior to the first use of the development the external lighting shall be installed in accordance with the External Lighting Assessment prepared by Cudd Bentley, and retained and maintained thereafter for the duration of the development.

Reason: In the interests of safety, security and neighbouring amenity.

19. Electric Vehicle Charging

Prior to first use of the development hereby permitted, the electric vehicle charging spaces and passive electric vehicle charging shall be installed in accordance with the Proposed Site Plan, drawing reference C-379-TP-02 Rev B. The provision shall include a minimum of 20% active car parking spaces, with passive provision for the remaining 80%. The spaces shall be constructed and marked out and the charging points installed prior to the occupation of the development and thereafter retained permanently for the accommodation of vehicles of occupiers and visitors to the premises and not used for any other purpose.

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

20. Cycle Parking

The 64 internal long-stay cycle parking spaces and 16 short stay cycle spaces shall be installed prior to the first use of the development hereby permitted and retained for the duration of the development.

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.

21. 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.

22. 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

23. Site Clearance

Any removal of a suitable nesting habitat as identified in the Ecological Assessment shall be undertaken outside the breeding season (March to July inclusive), or areas to be cleared must be checked by a trained ecologist immediately prior to removal.

Reason: to protect potential on site habitats.

24. No Open Storage

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

Reason: To ensure a satisfactory standard of external appearance, and in the interests of neighbouring amenity.

25. 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.

Appendix 6:

s.106 Proposed Heads of Terms:

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

Administrative:

1. Payment of the Council's professional and legal costs, whether or not the deed completes.
2. Payment of the Council's reasonable fees of £4,500 in monitoring and implementing the Section 106 and payable on completion of the deed (excluding Travel Plan Monitoring fee set out separately below); and,
3. Indexing – all payments are to be index linked from the date of the decision to grant planning permission to the date on which payment is made, using BCIS index.

Energy and Sustainability:

9 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 35% 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).

10 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.

Transport and Highways:

11 S78 Agreement

The Owner will enter into a s278 Agreement for the carrying out of the offsite highways works associated with the development. The works shall be include:

- For "CBC Park West": Works to Oxlow Lane associated with Access (drawing title Proposed Oxlow Lane Access Arrangement and Tracking Assessment drawing reference J32-5498-006 dated 12/10/2021, appended to Transport Assessment Addendum dated October 2021)
- For "CBC Park East": Works to Rainham Road South associated with Access (drawing title Proposed Rainham Road South Access Arrangement, drawing reference J32-5498-005 dated 12/10/2021, appended to Transport Assessment Addendum dated October 2021)

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.

Trigger: All off-site s278 works shall be implemented prior to the first use of the part of the development to which it relates (Oxlow Lane works to be implemented prior to first use of CBC Park West and Rainham Road South works to be implemented prior to first use of CBC Park East).

12 Replacement On-Street Car Parking

Should the off-site highways works as agreed and undertaken through the s278 Agreement result in the removal of any on-street car parking to Rainham Road South, the Owner will replace the car parking spaces in accordance with consultation with LBBD's Parking and Environmental Design Team. The parking spaces shall be provided within 6 months of the first occupation of the site.

Details of the replacement parking bays, as agreed with the Parking and Environmental Design Team shall be submitted to the Local Planning Authority prior to first occupation.

Trigger: details submitted to LPA prior to occupation, works to be completed within 6 months of first use of CBC Park East.

13 Travel Plan

The Owner shall develop a Site Travel Plan that accords with the approved Framework Travel Plan, prepared by Mode Transport Planning dated October 2021 in consultation with TfL. The 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.

A Travel Plan Monitoring fee of £3,500 shall be secured for the monitoring for years 1, 3 and 5.

Trigger: submitted to the Council for their approval before practical completion. Travel Plan Monitoring Fee to be paid prior to practical completion.

Employment, Skills and Training:

14 Employment and Skills Plan – Construction Phase

The Owner will use reasonable endeavours to ensure that construction jobs are provided to LBBB residents, during the construction phase, in accordance with the submitted Employment and Skills Plan, dated 21 October 2021 (to be appended to S106).

In accordance with the Employment and Skills Plan, the owner will:

- Secure 25% of the total direct new construction phase jobs to be filled by LBBB residents. The owner will pay £5,000 for every place not filled by a LBBB resident up to 25% of the total construction jobs. This equates to a financial contribution of £75,000.
- Provide a skills forecast prior to commencement of development and highlight any skills shortages to the council's job brokerage service.
- Encourage all sub-contractors to adhere to the Unite Construction Charter
- Sign up to LBBB's Apprenticeship Sharing Scheme to provide up to 10 working weeks of work experience on the construction site and 2 college age work experience placements in Owner's the head office, each lasting 1 week or 1 lasting 2 weeks.

15 Employment and Skills Plan – End User Phase

The Owner will use reasonable endeavours to ensure that jobs are provided to LBBB residents, during the end user phase, in accordance with the submitted Employment and Skills Plan, dated 21 October 2021 (to be appended to S106).

In accordance with the Employment and Skills Plan, through lease agreements and sales contracts with end occupiers, the owner will:

- Encourage and support end users to fill a minimum 25% of the total FTE jobs created with LBBB residents (equating to approximately 77 jobs);
- Advertise all vacancies through the Council's jobs brokerage service.

The Owner will commit to best-in-class employment standards including payment of the London Living Wage.

16 Employment and Skills Plan – General Provision

In accordance with the Employment and Skills Plan, dated 21 October 2021, the owner will:

- Through Chancerygate's Corporate Social Responsibility (CSR) program establish relationships and work with LBBB and Barking and Dagenham college. On invite attend at least 2 local career fairs, assist in careers programmes including participating in mock interviews, and reviewing of students' CVs.

- Provide at least 1 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.
- Through Chancerygate's Corporate Social Responsibility (CSR) program a donation of a minimum of £1,000 will be made to a charitable initiative in the field of education as guided by LBBD.

Trigger: The charitable donation will be made within 6 months of first occupation and confirmation of payment will be submitted to the Local Planning Authority.

Air Quality

12. Air Quality off-setting contribution.

A payment at the off-setting contribution rate of £29,000 per tonne of NOx over the benchmark (or the equivalent rate at the time of reassessment) will be applied if the scheme does not meet air quality neutral standards. This is linked to meeting the requirements of condition 14.

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