


LONDON BOROUGH OF BARKING & DAGENHAM
PLANNING COMMITTEE
17th July 2023
Application for Planning Permission

Case Officer:	Kathryn McAllister	Valid Date:	25.04.2023
Applicant:	The Department of Education	Expiry Date:	25.07.2023
Application Number:	23/00631/FULL	Ward:	Alibon
Address:	LBBD Repairs & Maintenance Service, Pondfield House, Wantz Road, Dagenham, Barking and Dagenham, RM10 8PP		

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 LBBD Repairs & Maintenance Service, Pondfield House, Wantz Road, Dagenham, RM10 8PP.

Proposal:

Demolition of existing industrial building and construction of a part single store, part two storey special education needs (SEND) school, together with associated access, parking and landscape works.

Officer Recommendations:

Planning Committee is asked to resolve to:

1. agree the reasons for approval as set out in this report; and
2. delegate authority to the London Borough of Barking & Dagenham's Director of Inclusive Growth in consultation with the Head of Legal Services to grant planning permission subject to the completion of a legal agreement under s106 of the Town and Country Planning Act 1990 (as amended) based on the Heads of Terms identified at Appendix 6 of this report and the Conditions listed in Appendix 5 of this report, confirmation of approval at GLA Stage 2 and;
3. that, if by 17th January 2024 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

- Contaminated Land
- Construction Logistics Plan
- Non-Road Mobile Machinery

Prior to above ground works Conditions

- Materials
- Boundary Treatment
- Soft and Hard Landscaping and Planting Plan
- Fire Statement
- Digital Connectivity

Prior to first occupation and/or use Conditions

- Landscape Ecological Management Plan
- Surface Water Drainage
- Car and Cycle Parking Management Plan
- Refuse and Waste
- Electrical Vehicle Charing Points
- Disabled Parking
- Cycle Parking
- Delivery and Servicing
- Energy and Sustainability
- Circular Economy- Post Construction Assessment
- Whole Life Carbon- Post Construction Assessment
- Bird, Bee and Invertebrate Boxes
- Energy Efficiency
- School Travel Plan
- Secure by Design

Monitoring & Management Conditions

- Noise Insulation and Ventilation Scheme
- Construction Management Plan
- Secure by Design
- External Lighting
- Odour Control
- Air Quality
- Badgers
- Tree Protection During Construction

S106 – Summary of Heads of Terms:

Administrative:

1. Payment of the Council's professional and legal costs, whether or not the deed completes;
2. Payment of the Council's £3,000 fees in monitoring and implementing the Section 106 and payable on completion of the deed; and,
3. Indexing – all payments are to be index linked from the date of the decision to grant planning permission to the date on which payment is made, using BCIS index.

Employment and Skills

4. Employment and Skills

Prior to commencement of the development, an employment and skills plan providing a forecast of the employment and skills opportunities available to local residents over the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority. This must be accompanied by a

method statement setting out how this will be delivered, including who in the organisation will be responsible for managing recruitment and training, how they will ensure compliance by trade contractors and how this will be managed, how health and safety issues will be managed, and how they will engage with the local community and schools.

The owner will use reasonable endeavours to ensure that jobs and work placement opportunities are provided to LBBB residents during the construction and end user phase of the development.

Employment during construction:

The Owner will use reasonable endeavours to:

- Ensure opportunities for educational visits/engagement/activities are made available during the period with which development is underway.
- Ensure one- or two-week work placement opportunities are made available to allow LBBB residents to shadow staff during the construction phase of the development.
- Ensure 1 per 10 FTE members of staff on site upskilling or renewing tickets throughout the course of construction.

Employment- End user obligation

The Owner will use reasonable endeavours to:

- Creation of 1 new FTE job on site for a local person e.g. grounds keeper,
- Access to or an introduction to end user jobs created e.g. who will be doing catering/cleaning/facilities.

A commitment to collaborative working through the employment of a designated Employment co-ordinator to liaise with and where feasible provide access on site for the Councils Job Brokerage service.

Monitoring

- The designated employment coordinator will attend with the Council regular site visits or meetings to ensure compliance with this schedule and discuss how the obligations contained in this schedule are progressing. These site visits and meetings will take place quarterly in cases where the Council has concerns that the Owner or its contractors/sub-contractors have not been adequately complying with their obligations contained in this schedule. Where the Owner can demonstrate to the Council that they are complying with their obligations in this schedule, such site visits and meetings will be held on a less regular basis at the Council's discretion.
- Confirmation that all obligations have been met – or appropriate employment and training compensation agreed – must be provided before the Council will approve a developer's application for discharge of the obligations in this Agreement.
- The Owner shall be responsible for all legal costs incurred by the Council in enforcing or ensuring compliance with this schedule.

Transport and Highways

S.278 Highways Agreement

5. Prior to first use of the development the Owner shall submit to the Council for its approval the specification and detailed drawings for the Off-Site Highway Works and a programme for carrying out and completing the said Off Site Highway Works. This would include the scope of works shown on the 'in principle' drawings (Drawings FS0704-ROB-XX-00-D-H-0001-PM404034 Outline Access Design Junction 1 [Revision P03] dated 20.03.2023; FS0704-ROB-XX-00-D-H-0002-PM404034-P03 Outline Access Design Junction 2 [Revision P03] dated 20.03.2023 and FS0704-ROB-xx-00-

D-H-0011-PM404034-P01 TMO Design Plan [Revision P02] dated 19.04.2023) which includes improvements to access/egress of the site, traffic calming measures, implementation of 20mph speed limit and introduction of CCTV for monitoring and enforcement.

6. Prior to commencement of the Off-Site Highway Works the applicant must enter into a s.278 agreement (Highways Act 1980). The applicant will agree a scheme of highway works and implement all off-site highway works to an agreed schedule prior to occupation.

The applicant is responsible for covering the costs of all associated works.

All highway works must be completed prior to first occupation of the development.

Road Safety Contribution

7. On completion of the deed the application shall pay a Road Safety Contribution of £15,000 (indexed linked) towards road improvements on Wantz Road to reduce vehicle speeds and ensure vehicles, pedestrian and cyclists can access and egress from the proposed school safely. The contribution will go towards the additional highway works required which sit outside the scope of the s.278 to implement the 20mph speed limit.

Carbon Offset Obligations

8. Carbon Reduction

On practical completion of the development, the Developer shall submit to the Council an assessment of the carbon reduction measures implemented within the Development demonstrating it achieves a minimum of 109% reduction over Part L of the Building Regulations 2021 through on-site provisions.

9. Carbon offset financial contribution.

On practical completion of the development the Developer shall pay in full to the Council, the figure for any Carbon Offset Contribution payable for the Development to meet zero carbon.

Air Quality Obligation

10. Air Quality Neutral

Prior to Practical Completion of the development, the Owner shall undertake an Air Quality Neutral Assessment of the Development by suitably qualified expert and provide the assessment to the Council. The Air Quality Neutral Assessment should show how the air quality neutral score has changed from the previous assessment (Air Quality Impact Assessment, prepared Stroma dated May 2023) and set out the reasons for this change.

11. Air Quality Financial Contribution

Air quality off-setting contribution. A payment at the off-setting contribution rate of £29,000.00 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. The development shall not be occupied until the air quality contribution if applicable has been paid in full to the Council.

Be Seen Obligation- post construction monitoring

12. 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 in accordance with the 'Be Seen' energy monitoring guidance using the 'Be Seen' planning stage reporting webform (<https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/london-plan-guidance-and-spgs/be-seen-energy-monitoring-guidance>).

13. 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 submitted to the GLA using the 'Be Seen' as-built stage reporting webform (<https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/london-plan-guidance-and-spgs/be-seen-energy-monitoring-guidance>). 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).
14. Upon completion of the first year of Occupation or following the end of the Defects Liability Period (whichever is the later) and at least for the following four years after that date, the 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 outlined in 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 submitted to the GLA using the 'Be Seen' in-use stage reporting webform (<https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/london-plan-guidance-and-spgs/be-seen-energy-monitoring-guidance>). 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. Timings may need to be adjusted to account for the large phased developments, particularly for energy centre reporting, as per the relevant section of the 'Be Seen' energy monitoring guidance document.
15. In the event that the 'In-use stage' evidence submitted under Clause c) shows that the 'As-built stage' performance estimates derived from Clause b) 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' in-use stage reporting webform. An action plan comprising measures identified in Clause c) 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.

Community Use Obligation

16. Prior to the first use of the development hereby approved, a community use agreement must be submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to the Hydrotherapy Pool and any facilities that would be available for hire and include details of pricing policy, hours of use, changing rooms, car park, access by non-educational establishment users, responsibilities of non-education establishments, and a mechanism for review. The development shall not be used at any time other than in strict compliance with the approved agreement.

OFFICER REPORT

Planning Constraints:

Adopted Policies

- Locally Significant Industrial Site (LSIS)

Draft Local Plan (regulation 19, submission version) Dated December 2021

- Air Quality Management Area
- Strategic Planning Sub Area Boundaries- Dagenham East and The Village
- Intelligent Locally Significant Industrial Sites (LSIS)
- Proposed Education Site

Site, Situation and relevant background information:

The application site is located on Wantz Road and is currently the LBBD Repairs & Maintenance Site. The site is located within a designated Locally Significant Industrial Site (LSIS). However, this site has been allocated within the Draft Local Plan Regulation 19 Submission Version for educational use. The draft local plan is currently under examination, with hearing scheduled for Autumn 2023. In line with national planning policy and national planning guidance this plan and in turn the site allocation can be afforded substantial weight. Notwithstanding, as the plan has not been adopted the site formally remains designated as LSIS. This represents a departure from the adopted Development Plans.

The site is located at the edge of the designated LSIS area. To the south and west lie residential dwelling and to the north and east industrial uses.

This application seeks permission for the demolition of all buildings and construction of a new special education needs (SEND) school, together with associated access, parking and landscape works.

Key issues:

- Principle of the proposed development
- Design and quality of materials
- Impacts to neighbouring amenity
- Sustainable Transport
- Meeting the needs of local residents
- Employment
- Impact to existing Education Provision
- Accessibility and Inclusion
- Waste management
- Delivering Sustainable Development (Energy / CO₂ reduction / Water efficiency)
- Biodiversity & Sustainable drainage
- Habitat Regulation Assessment: Epping Forest Special Area of Conservation (SAC)

Planning Assessment:

1.0 Principle of the development:

- 1.1 The proposal seeks permission for the construction of a new SEND School together with associated access, parking and landscape works. The application site is located within the Wantz Road industrial estate. The Wantz Road industrial estate is a designated Locally Significant Industrial Location (LSIS). The Draft Local Plan (reg 19 version) policy SPP5 again allocates the Wantz Road Industrial Estate as a designated LSIS. However, within the draft local plan the application site 'Pondfield House' has been allocated for educational use. Notwithstanding, officers note that the draft local plan is currently under examination. Given the advance stages of the plan officers afford substantial weight to this document. It is noted a statement of common ground between the Council and GLA was signed in May 2022 which confirms the positive proposed changes in both LSIS and SIL floorspace over the plan period. Therefore, an on-balance assessment of the principle of

development will need to be carried out to confirm the acceptability of the loss of industrial and employment floor space and the introduction of a new school.

1.2 Loss of Industrial Floor Space

- 1.3 Paragraph 8 of the National Planning Policy Framework seeks to ensure sustainable development with three overarching objectives: Economic, Social and Environmental.
- 1.4 Policy GG2 of the London Plan supports the best use of land and properties the development of Opportunity Areas and Brownfield Sites.
- 1.5 Policy E6 seeks to ensure designated locations that have particular local importance for industrial and related functions are safeguarded and protected as local employment land. Policy E7 further supports this noting that developments within LSIS should be proactive and encourage the intensification of business uses in Use Classes B1c, B2 and B8 occupying all categories of industrial land to provide additional industrial capacity in these locations. With regard to acceptable uses policy E6 outlines that boroughs should make clear what range of industrial and related functions would be acceptable in LSIS, where appropriate this should include hybrid or flexible B1c/B2/B8 uses.
- 1.6 Policy E7 'Industrial intensification, colocation and substitution' supports the intensification of land for industry, logistics and services. In relation to Opportunity Areas London Plan Policy SD1 seeks to promote ongoing growth. This policy supports and sustains the growth of LSIS by considering opportunities to intensify and make more efficient use of LSIS. Part B of this policy supports the consolidation of identified LSIS to support the delivery of residential and other uses, such as social infrastructure, or to contribute to town centre renewal. Nevertheless, policy notes this approach should only be considered as part of a plan-led process LSIS intensification and consolidation (and the areas affected clearly defined in Development Plan policies maps) or as part of a co-ordinated master planning process in collaboration with the GLA and relevant borough, and not through ad hoc planning applications. In LSIS the scope for co-locating industrial uses with residential and other uses may be considered. This should also be part of a plan-led or master planning process.
- 1.7 Policy CM1 of the adopted Core Strategy seeks to ensure employment growth is focussed on the borough's industrial locations including LSIS Land with which the site is located.
- 1.8 Policy CE3 of the Core Strategy DPD outlines that the partial release of sites within a designated LSIS will only be acceptable where can be demonstrated that the remaining part of the designated site will be more intensively development to ensure no net loss in employment.
- 1.9 Policy E4 sets out the need for a sufficient supply of land within London to meet the current and future demand for industrial and related functions should be provided and maintained. This policy details what uses would be considered industrial and related functions.
- 1.10 Draft Local Plan Policy SPDG1 'Delivering Growth' supports the delivery of distinct places and ensures that the Council will take a positive approach to development which reflects a presumption in favour of sustainable development. Draft Local Plan Policy DME1 'Utilising the borough's employment land more efficiently' sets out the LBBD's support for proposals which will deliver new employment floorspace.
- 1.11 Policy SP5 of the Draft Local Plan (regulation 19) seeks to ensure land located within designated Locally Significant Industrial Locations (LSIS) are protected, strengthened and intensified to support employment and economic growth. Policy DME1 further sets out that the release of LSIS land will only be considered in accordance with policy E7 of the London Plan. With regard to LSIS sites policies support co-location of industrial land uses were appropriate and where this can meet the requirement of policy E7 of the London Plan. This could involve a mix of industrial and residential and/or other uses on the same site, either side-by-side or through vertical stacking.
- 1.12 The proposal seeks permission for the construction of a new SEND school. The relevant policies are detailed below.
New SEND School
- 1.13 The NPPF seeks to ensure that developments contribute to providing healthy, inclusive and safe places which make provision for social, recreations and cultural facilities and services the community needs. In particular it is important that a sufficient choice of school places are available to meet existing and new communities. As such local planning authorities should take a proactive, positive,

and collaborative approach to meeting this requirement, and developments that will widen choice in education.

- 1.14 Policy S1 of the London Plan outlines that borough's should ensure that the social infrastructure needs of London's diverse communities are met. As such, developments that provide high quality, inclusive social infrastructure that addresses a local or strategic need and supports service delivery strategies should be supported.
- 1.15 Policy S3 of the London Plan has regard to education facilities and seeks to ensure that these facilities are located in areas of identified need, within accessible locations, away from busy road, link to existing footpaths and cycle networks and maximise the extended or multiple use of educational facilities for community or recreational use, through appropriate design measures.
- 1.16 Policy CC2 of the Core Strategy DPD outlines that support will be given to proposals and activities that protect, retain or enhance existing community facilities or lead to the provision of additional community facilities.
- 1.17 Policy SP4 of the Draft Local Plan sets out that a development which provide a range of high quality social and cultural infrastructure facilities will be supported in particular where they will contribute to promoting the growth and expansion of education facilities (both mainstream and special needs) to meet an identified need and demand.

Assessment

- 1.18 The proposal seeks permission for the construction of a new special education needs school. As noted above the application site is located within the Wantz Road industrial estate. The adopted Development Plan designate this site as a LSIS. In the Draft Local Plan the site remains designated LSIS, however, it has been allocated for educational use.
- 1.19 As detailed in policy E7 of the London Plan and policy DME1 of the Draft Local Plan there is support for co-location of industrial uses, however, this approach should only be considered as part of a plan-led approach. It is noted that the Draft Local Plan has not been adopted as such the application is referable to the GLA under category 3E of the Mayor of London Order 2008.
- 1.20 As outlined above, policies protect LSIS as local employment land, however, they also support the collocation of industrial uses where they meet the requirements of policy E7. Co-location would involve a mix of industrial and residential and/or other uses on the same site, either side-by-side or through vertical stacking. The introduction of educational use within this site would result in the loss of industrial uses on the subject site, hence, this would not be considered co-location. However, when looking at the designated LSIS area as a whole officers note this could be considered co-location given the scheme would result in the positioning of industrial and social infrastructure side by side. The Council, as Local Planning Authority, has therefore pursued a plan-led approach. Given the advance stage of the Draft Local Plan the designation for educational use can be given substantial weight.
- 1.21 The draft local plan is supported by the borough's industrial land strategy prepared by Avison Young dated July 2021. This report sets out the boroughs industrial land strategy and how the Borough proposed to plan, manage and monitor our industrial capacity over the next plan period. The review confirms that by combining the planning pipeline, intensification opportunities and general densification compared with future requirements, an oversupply of industrial floor space is expected. The borough therefore meets and exceeds its industrial floorspace requirements. This was confirmed in the Statement of Common Ground Dated May 2022, signed by the GLA.
- 1.22 The outcome of this industrial land strategy forms the basis of justification for the sites LSIS designation and educational use allocation in the Draft Local Plan. This sets out how a plan-led approach has been taken in line with policy E7 of the London Plan to evidence the acceptability of co-location at this location.
- 1.23 At stage 1 the GLA note "The proposed development would accord with the draft site allocations aspiration to deliver a SEND school at this site. The proposed use of the site as a school compromises a use that is not in accordance with the LSIS designation. GLA officers note that the emerging site allocation designates this site for redevelopment to provide a SEND school, however this has not yet been adopted. They state that the Applicant/Council must demonstrate at Stage 2 how these proposals would result in the consolidation and intensification of industrial uses in the wider body of industrial land around the site and how these accords with the requirements of Policy E7, which allows for the provision of social infrastructure on industrial land where it is plan-led and results in the intensification of other existing LSIS sites".

- 1.24 LBBB Policy Officers were consulted regarding the above. They outline the details as set out above regarding the industrial land strategy which justifies the allocation within the Draft Local Plan. As part of the draft local plan examination documents a Statement of Common Ground relating to industrial sites has been signed showing the GLA and LBBB agreed on the proposed findings strategy, although this is not yet incorporated in the Plan they note there should not be a requirement for this information to be submitted again.
- 1.25 Officers, note the GLA policy position needs to be confirmed prior to stage 2 and it would be expected that full details to confirm that a plan led approach has been taken in line with policy E7 of the London Plan are provided ahead of the Stage 2 referral. The Be First Policy Team have met further with the GLA Policy Team to discuss the points raised in the Stage 1 report. The following scheme of proposed works were confirmed at the meeting: *“Officers from Be First and the GLA have agreed to update the Statement of Common Ground signed in May 2022 to reflect the loss of an industrial site within a Locally Significant Industrial Site at Wantz Road. This will be done following the Initial Main Modifications Consultation for the draft London Borough of Barking and Dagenham Local Plan, which closes on Monday 7th August 2023”*. Officers therefore believe that a strategy to address the concerns raised by the GLA has been agreed. It is noted the current Statement of Common Ground does not have special regard to the LSIS at Wantz Road. Nevertheless, it has been confirmed by the GLA that providing an updated Statement of Common Ground to include this will be sufficient to overcome the concerns set out in the Stage 1 report. Officers therefore consider this to have been appropriately addressed at this stage.
- 1.26 Notwithstanding, in terms of local evidence provided it is clear that the loss of the LSIS site has been justified through the intensification of existing LSIS resulting in evidence demonstrating that the borough will meet and exceed its industrial floor space.
- 1.27 The advance stage of the Draft Local Plan also should be considered, with this small site allocated in a plan-led way for educational uses.
- 1.28 On this basis officers consider the loss of LSIS to be supported and in keeping with the development policies.
- 1.29 In terms of the proposed development policies strongly support developments for new educational facilities which address a local need.
- 1.30 *The applicant states “The wider need- The Council has a statutory obligation to provide a school place for every child or young person who wants one in the borough. In short, the demand for places from pupils who have Special Educational Needs and Disabilities (SEND) is steadily increasing and, in response, the London Borough of Barking and Dagenham (LBBB / the Council) plans to create some additional capacity as outlined below. Local authorities have a statutory duty under the 1996 Education Act to provide sufficient school places and to have “particular regard for the need to secure special educational needs provision for pupils with special educational needs.” Further, the Children and Families Act 2014 introduced significant reforms to the special educational needs system which effectively increased the number of children and young people for whom a Local Authority must ensure suitable provision is available. The Council’s Cabinet of 13 July 2021 received a report, minute 24 (Review of School Places and Capital Investment), which provided the background as to why the demand for places for pupils with Special Educational Needs and Disabilities is increasing and the £2.1m made available by the DfE to support the provision of capital grant for SEND places. The DfE have reported in their SEND publication (2020/21) that nationally, the proportion of pupils with an Educational Healthcare Plan has gone up from 3.3 per cent to 3.7 per cent in the last year and the proportion of pupils receiving SEND support has also gone up from 12.1 to 12.2 per cent in the last year. Barking & Dagenham are also following this trend with increased numbers of pupils with either an EHCP or needing SEND support. The local need- As noted in the Council’s Cabinet meetings for the last 2/3 years, the provision of school places is a national issue and in particular, London due to the rising population which has impacted on the demand for school places in general. For Barking and Dagenham, the provision of school places has been a major area of capital investment over the last 12 years and since 2007 there has been a continuous need to create additional high-quality provision to meet that demand. The forecasting of the pupil population is continually reviewed and twice yearly reported to the Council’s Cabinet. This is to ensure that long term plans are developed to ensure that there are sufficient school places for every pupil who lives in the Borough and wants a school place. As noted above, the provision of a school place is a statutory function of the Council, so it is vitally important to balance the demand for school places with the right number of additional school places being created. With regards to Special Educational Needs and Disabilities (SEND), many local authorities particularly in London and this includes*

Barking and Dagenham have tracked information which indicates a significant and progressive rise in pupils and young people with SEND”.

- 1.31 From the evidence provided it is clear that there has been a steady rise in the number of young people who require SEND support. As such, in ensuring that there are sufficient education facilities within the borough to accommodate rising population growth. It is key that sufficient SEND places are provided to responding to this growing demand. As such, officers acknowledge that it is in the Department of Education’s best interest to find suitable sites to provide additional SEND school places to address this growing need. Officers therefore believe that this proposal seeks to substantially address this growing demand. It is clear from the details above that there is a clear need for new SEND school places within the borough. The applicant goes on to state “This proposal is for a Special School, specifically set up to cater for pupils and Profound and Multiple Learning Difficulties (PMLD), most of whom will have associated Physical Difficulties (PD) and Multi-Sensory Impairments (MSI). This school will cater for a broad range of needs with 80-85% pupils non-ambulant from the outset, with this proportion projected to rise to 100%. This is a key factor in future proofing the design of this school. Children with PMLD have more than one disability, the most significant of which is a profound intellectual disability. These individuals all have great difficulty communicating, often requiring those who know them well to interpret their responses and intent. They frequently have other, additional, disabling conditions”.
- 1.32 In terms of the proposed use of the site. It is understood the development will provide a new SEND school to be occupied by 100 pupils and 129 staff. The range of years will run from primary to secondary. The proposed school is required to address a growing need and demand for special educational places within the borough and its wider context. In particular it is clear that this school will cater for those with profound and multiple learning difficulties which will contribute to enhancing educational facilities by ensuring there is a sufficient choice of school places which the borough that meet the needs of existing and new communities.
- 1.33 Officers therefore consider there to be a need for this type of development within the borough which the proposal will address. Additionally, the development will contribute to enhancing the quality and provision of school places to meet the needs of existing and future communities in line with the development policies.
- 1.34 Further, the applicant states that the main hall and hydrotherapy pool will be available for community use during the evenings and weekends on a pre-booking basis. Officers welcome the provision of community facilities on site. It is recommended that an obligation is attached requiring details of how the site will provide community facilities and how these will be managed and maintained. The GLA were consulted who accept the use of the site for community uses and note that a community use agreement should be formalised. Officers consider the obligation proposed to address these points raised, with a pre-occupation requirement to submit a full and robust community use plan.
- 1.35 The GLA Stage 1 report requires a community use agreement to be submitted prior to commencement. Officers acknowledge that the applicant does not yet have the full details of the community use given an end-user has not yet been confirmed. As such, it is accepted that the details provided to the GLA pre-commencement and ahead of Stage 2 will be a framework agreement which outlines how the site will be made available for community use. The obligation will secure the submission of final and complete details once an end-user has been appointed prior to first use of the site. The prior to first use obligation is required to confirm that the arrangements proposed and agreed with the appointed end-user are acceptable and provide reasonable access and opportunities for the site to be used by the local community.
- 1.36 Notwithstanding, as noted above the site is located within a designated LSIS. Policies note that release of sites will only be deemed acceptable where it can be demonstrated that the remaining parts will be more intensively developed to ensure that there is no loss of employment space.
- 1.37 Further, to the policy position detailed above it is acknowledged that the proposal is for a new school which by nature will create new employment opportunities. Further, noting the specialist nature of the development there will be a greater demand for staff with the applicant stating, “given its specialist nature and the need for 1:1 staff per pupil ratio, will employ approximately 120 staff”. At present the site is a repairs and maintenance service building owned by LBBD. The applicant notes “The site is owned by LBBD and is currently occupied BDTP (a property and facilities services group operating on behalf of the Council and its housing stock). BDTP have arranged to move to a new location on the London East (UK) in Rainham Road South, Dagenham. Consequently, the site has been declared surplus to requirements as noted in the Council’s Cabinet report of March 2020”. Further, in its current state “the site employs 4no. of staff by the London Borough of Barking and

Dagenham and informal agreements with local businesses are in place for the use of the car parking on site”.

- 1.38 Officers believe that the proposed use will contribute to enhancing the quality of employment floor space and in return provide much greater employment opportunities than the current use whilst meeting an identified local educational need. It is noted that the development will contribute to providing additional employment floor space which contributes to protecting and enhancing this local employment area and will support wider economic and employment growth within the borough. This speaks directly to the aims of these policies and has taken place in a plan-led way with a Statement of Common Ground agreed by the GLA.
- 1.39 On this basis, noting the development addresses a local need for SEND school places and contributes to enhancing the local employment area through the provision of additional employment opportunities officers consider the benefits arising from the proposal to demonstrably outweigh the harm caused by the release of designated LSIS land. On balance the proposal is considered acceptable and in keeping with development policies and the Draft Local Plan.
- 1.40 Should this application be approved it is recommended that a condition is attached limiting the use of the site to Use Class F1(a) Provision of Education.

Summary

- 1.41 Overall, officers consider the principle of development to be acceptable and in keeping with the development policies and the Draft Local Plan, meeting substantial local need for specialist educational places, offering greater employment opportunities beyond the current use and not compromising the availability of industrial land within the borough.

2.0 Design and quality of materials:	
<i>Does the proposed development respect the character and appearance of the existing dwelling?</i>	Yes
<i>Does the proposed development respect and accord to the established local character ?</i>	Yes
<i>Is the proposed development acceptable within the street scene or when viewed from public vantage points?</i>	Yes
<i>Is the proposed development acceptable and policy compliant?</i>	Yes

- 2.1 Objective 126 of the NPPF outlines that “good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”
- 2.2 Objective 127 states “plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable”
- 2.3 Objective 130 outlines that “planning policies and decisions should ensure that developments:
 - a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
 - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
 - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
 - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

- 2.4 Objective 133 states “local planning authorities should ensure that they have access to, and make appropriate use of, tools and processes for assessing and improving the design of development”.
- 2.5 Objective 134 further outlines that “Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to: development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.
- 2.6 Policy D1 of the London Plan states that development design should respond to local context by delivering buildings and spaces that are positioned and of a scale, appearance and be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan, through appropriate construction methods and the use of attractive, robust materials which weather and mature well. This is also reiterated in Policy D2 of the London Plan which seeks good design.
- 2.7 Policy D3 outlines the need for development to take a design led approach that optimises the capacity of sites. This accordingly requires consideration of design options to determine the most appropriate forms of development that responds to the site’s context and capacity for growth. Proposals should enhance the local context delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape with due regard to existing and emerging street hierarchy, building types, forms and proportions. Likewise, the proposal should contribute to achieving safe, secure and inclusive environments which provide active frontages and positive reciprocal relationships.
- 2.8 Policy D4 has regard to securing sufficient level of detail at application stage to ensure clarity over what design has been approved and to avoid future amendments and value engineering resulting in changes that would be detrimental to the design quality.
- 2.9 Policy D5 of the London Plan seeks to deliver an inclusive environment and meet the needs of all Londoners. Development proposals are required to achieve the highest standards of accessible and inclusive design.
- 2.10 This is further supported by policies SP2 and DMD1 which seeks to ensure development promote high-quality design which makes a positive contribution to the character of the surrounding area. This is further supported by policy BP11 of the Borough Wide DPD and policy CP3 of the Core Strategy DPD.

Mass, Bulk and Layout

- 2.11 The proposal seeks to demolish all existing buildings and construct a new part single, part two storey SEND School together with associated access, parking, and landscaping works. As detailed above policies support developments which are high quality which contribute to promoting the character and appearance of the surrounding area.
- 2.12 The proposed development is a linear building. It is predominantly single storey extending approximately 120 metres in length and 28 metres in width. The single storey areas will have a height of 5.24 metres. The building sits within the south/ southwestern part of the site and comprises of two sections.
- 2.13 The first section makes up the entrance and the schools’ ancillary facilities such as a double height dining room, meeting hall, kitchen etc and classrooms. This part of the building sits adjacent to the southern boundary. The main entrance to the school sits 2.67 metres from the southern boundary with the first set of classrooms sitting 4.57 metres. Officers note the front elevation of the building, and its entrance has a two-storey massing. Further details of this will be provided below. To the rear of this is the second section of the school made up of classrooms and play areas. This part of the building offsets the southern boundary by 14.39 metres and northern boundary by 11.66 metres to make provision for play space to both the north and south of the building.
- 2.14 As noted, the two-storey part of the building is located at the front elevation. This area is 13.93 metres long, 29.99 metres wide and 9.31 metres high. The first floor provides staff office space and

facilities and allows height for a double storey dining room. It is noted that the first-floor level offsets the southern boundary by 4.4 metre.

- 2.15 The applicant states “With the school’s projected rise of accommodating non-ambulant pupils to 100%, the design approach has progressed towards a future-proofed layout, in order to meet the broad range of needs of the non-ambulant pupils while simultaneously respecting the character of the local area. The design approach strategically responds to the constraints of a linear shaped site, surrounded by established and some sensitive land uses, and configuration of existing access points. This presented an opportunity to deliver a north / south classroom orientation for optimum natural daylight, which also prevents overheating. The initial noise survey work determined that the most dominant noise source is from traffic on Wantz Road. Accordingly, the teaching block has been set back (as much as practicably possible) from Wantz Road and from the wider industrial estate to minimise noise disturbance and the impact from air pollution. On the southern boundary, classrooms have been set back into the school site, and new landscaping and fencing has been introduced, to help minimise any opportunity of overlooking the neighbouring land uses and to protect existing residential amenity. Internally, the classrooms have been designed to have direct access to external play. Shared facilities are centrally placed within the teaching block and the strategic positioning of the hydrotherapy pool and the main hall in the support block, at front of the school building, will enable controlled access outside school operation for community use”.
- 2.16 Officers believe that the school has been designed sensitively for its intended uses as such the provision of a predominantly single storey building is welcomed in this location. The ground floor layout is considered to optimise classroom and play space whilst also providing sufficient level access to all amenities. Additionally, officers welcome the two-storey massing at the school’s entrance and consider this to provide a clearly defined entrance and provides it with a presence from the street scene.
- 2.17 The Agent of Change Principles set out in policy D13 of the London Plan places the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise sensitive development. The application is located within a designated LSIS. However, the site borders’ residential units on Alibon Road to the south and Hunter’s Hall Road to the west. Wantz Road sits to the east and an industrial site sits to the north. The site has been designed sensitively so that the main building is positioned to the southwest of the site away from noise sensitive area. The car park has been located to the northeast of the site and sits on the boundary with Wantz Road. This area is likely to be impacted by greatest level of noise generated from the road. As such, the positioning of the car park is welcomed in this location given this use is not likely to be noise sensitive. The main playground areas are located to the south of the site along the boundary shared with residential properties. This area includes a sensory garden, break out space, play areas, seating and outdoor classrooms. Officers welcome the location of these uses and consider the location of these play areas to be positioned away from noise generating location to reduce the impacts of existing noise on this space. It is noted that outdoor space has also been provided to the north of the site including outdoor classrooms, break out rooms and outdoor interactive play. These are positioned adjacent to the boundary with the industrial site to the north. Notwithstanding, it is noted that the area immediately to the north of this space is used for carparking. Similarly, substantial green buffering has been proposed which include perimeter planting- flower mix and hedging. Officers consider this green buffer to further provide separation from the development and its neighbours and act as a boundary to mitigate the noise impacts from surrounding site. It is clear that the development has been designed sensitively to ensure that the existing noise and other nuisance generating activities have been accounted for. The proposed design and location of play areas, outdoor space and car parking ensures that the impacts of existing sites have been mitigated. Officers note the environmental protection officer was consulted who confirmed the proposed noise insulation and ventilation scheme was acceptable. This further supports officers’ comments above. It is considered that sufficient measures have been proposed to mitigate any existing noise impacts on noise sensitive receptors. Officers there consider the proposed design, layout and siting of the development to be compatible with the surrounding existing uses in this location and will not yield further concerns regarding existing noise and other noise generating activities in the future. Therefore, the development is considered acceptable in relation to the agent of change principle and in terms of providing suitable acoustic environment for a use of this nature.
- 2.18 A car park with a one-way system is proposed to the front of the building. This provides staff parking and has a clear entrance and exist point onto Wantz Road. This area also makes provision for drop off and pick up. Care has been taken to ensure that there is an efficient system to prevent congestion. Whist officers note the location, and the siting of the car park provides a very car

dominated appearance from the public realm. Officers acknowledge that this layout has been proposed to minimise noise disturbances on the classroom environment. Additionally, the set back from the highway and introduction of a green buffer further minimised the impact of the bulk and massing on the street scene.

- 2.19 The access officer was consulted who noted some of the accessible WC doors open inwards, these should be revised to sliding or doors which open outwards. Likewise, clarity on whether the Hygiene rooms contain changing rooms should be provided. The GLA also raised concerns here. In particular they note policy D5 seeks to ensure that proposals achieve the highest standard of accessible and inclusive design. To overcome these concerns the GLA have advised that an inclusive design statement should be provided before Stage 2 to explain how the development accords with policy D5 and how an inclusive design approach has been incorporated. Officers therefore consider the concerns raised by the access officer and GLA can be addressed latterly through the submission of additional information prior to stage 2.
- 2.20 Overall, officers consider the mass, bulk and layout of the building to be acceptable and in keeping with the development policies.

Architecture

- 2.21 The site is located on the edge of an existing designated LSIS. To areas to the north and east of the site comprise primarily of industrial buildings. To the south and west sit residential buildings. As noted above the proposal is a linear building which has been designed sensitively to meet the needs of the school. Officers welcome the proposed design and form of the building.
- 2.22 Whilst a large car park has been proposed to the north and northeast of the site. Care had been taken to introduce planting along the boundaries to soften the visual impact of the car park from the public realm. This is design feature is welcomed.
- 2.23 Additionally, the applicant's proposed material palette has been taken from the site's immediate context. They have proposed a brick plinth to base of the development with vibrant, but not basic in colour metal flat cladding to the upper parts of the building. Officers welcome the proposed materials and consider these to speak to the immediate industrial context whilst also remaining sensitive to the nearby residential areas. Officers consider the proposed material palette to be acceptable. Nevertheless, to ensure these materials are high quality officers recommend that a condition requiring all details of external materials to be submitted prior to above ground works is imposed on this application.
- 2.24 Overall, subject to the imposition of conditions officers consider the proposed architecture of the building to be acceptable and remains in keeping with the character and appearance of the area.
- 2.25 The national grid protection team were consulted who confirmed that there are no national grid electricity transmission assets or national gas transmission gas assets affected by this proposal as such they raise no concerns.

Landscaping

- 2.26 The existing site is largely hardstanding. The site currently benefits from a green buffer around the boundary as well as a number of trees on site. It is noted that there are several TPOs which sit to the north of the site. However, these are not included within the redline boundary.
- 2.27 Noting the specialist nature of the school. the building has been designed sensitively to ensure all external spaces have been designed appropriately to meet the required need. Breakout rooms and external play space are located away from Wantz Road. Trees and hedging are proposed along the boundary of the site for screening and privacy. The applicant states "The landscape proposal seeks to create a safe, calming and relaxing environment for the pupils of the SEND school whilst also creating an interactive and enjoyable experience for both pupils and staff. The external environment provides a variety of spaces that have distinct character and different uses to support interactive and positive learning, making use of the outdoors. The proposals include spaces for outdoor learning, outdoor play, discovering, reflecting and growing plants or food within designated raised beds".
- 2.28 A landscape strategy has been submitted to support this application. The proposed landscaping plan shows a series of different external play areas and makes provision for a sensory garden, open play areas, play zone, outdoor classrooms and breakout areas. The majority of these spaces are hard landscaped; however, care has been taken to ensure areas of soft landscaping and planting. Officers

note the proposed scheme reintroduces soft landscaping on site. It is clear that all external spaces have been designed sensitively to meet the needs of the end users of the school.

- 2.29 Further, a green buffer has been proposed along the boundary of the site as well as between different areas of the site. This acts as screening and also improves the overall visual appearance of the site. It is noted that the proposal will reintroduce soft landscaping and planting to an area which was predominantly hard standing previously. Officers consider the proposed landscaping strategy to be acceptable and contribute to improving the visual appearance of the site. Should this application be approved it is recommended that a condition securing details of soft and hard landscaping are submitted.
- 2.30 The GLA were consulted who note that the applicant should explore further opportunities to create a landscape buffer between the proposed development and neighbouring properties. From the details submitted officers acknowledge that attention has been paid to the relationship between the site and neighbouring residents. It is noted that there are significant improvements to the provision of trees and soft landscaping on site. Likewise, it is noted that several trees have been proposed to improve the visual appearance and greening of the site but also to act as a barrier to improve privacy between the site and its neighbours. Notwithstanding, to ensure that the landscape buffer and biodiversity improvements of the site are of high-quality officers have imposed a boundary treatment and hard and soft landscaping conditions. It is considered that these conditions will overcome the concerns raised by the GLA.

Trees

- 2.31 There are a number of existing trees on site. Nevertheless, as shown on the proposals map none of these are TPO trees. Notwithstanding, there are TPO's on the adjoining site which sit close to the shared boundary. The application is accompanied by an Arboricultural survey and implications assessment. A total of 9 trees and three groups were surveyed. It is noted that none of the trees or groups were classed as Category A with 4 trees being classified as Category B and four trees and three groups classed as Category C and one tree was categories U tree.
- 2.32 It is proposed to remove 4 trees and 3 groups of trees. These are all classified as Category C. These trees are located within the site and the groups along the boundary. It is proposed to remove these trees to facilitate the development. Further the groups of trees located at the southern boundary are proposed to be removed to facilitate the retaining wall and group level change.
- 2.33 Further, the 4 trees to the north of the site and the tree to the south of the site which sit adjacent to the site boundary but not within the application site are proposed to be retained. The applicant notes "these trees will have resurfacing works within the root protection areas. This must be done using a no dig methodology and permeable surface". Officers therefore note that a scheme of tree protection works will need to be carried out during the construction phase of the development to ensure that the trees to be retained are protected. Officers note that an Arboricultural method statement is included in this assessment which outlines the proposed tree protection plan. Should this application be approved it is recommended that a condition is attached requiring construction works to be carried out in accordance with this method statement.
- 2.34 It is proposed to plant 33 new trees with the development to mitigate the loss of the trees and shrubs to be removed. These will be located across the site and within the new landscaped areas of the site and along the site boundary. Officers welcome this provision and consider the addition of new trees to enhance the quality and appearance of the site. The LBBD trees officer was consulted who confirmed they had no objections to the proposal.
- 2.35 It is recommended that a condition securing details of hard and soft landscaping including a tree planting strategy is attached to this application.

Crime/Safety

- 2.36 The Met Police's design out crime officer was consulted who confirmed that they had no objections to the proposal subject to the specific concerns set out in their consultation response being addressed. Likewise, they recommend that a secure by design condition is attached to this application. Officers note the details of the specific concerns to be addressed can be submitted latterly and approved via the discharge of condition. Therefore, officers are of the view that subject to the imposition of a secure by design condition the proposal will be acceptable in design terms and will contribute to reducing the risk of crime on site. Subject to the imposition of condition officers

consider the development to be acceptable and in keeping with the development policies.

2.37 Fire

2.38 Policy D12 outlines the need for adequate fire safety to ensure the safety of all building users. As such, all major development proposals should be submitted with a Fire Statement, which is produced by a third-party qualified assessor. London Plan policy D5 seeks to ensure development incorporate safe and dignified emergency evacuation of all building users. The application is accompanied by document number AFF_20831_01_Oxlow Bridge_FSR_05 Fire Strategy Report [Revision 05] dated 21.04.2023 and a Fire Statement Form prepared by Affinity dated 12.05.2023.

2.39 Officers have reviewed these assessments and note they provide details of building construction, methods, products and materials used; means of escape; fire safety and fire prevention measures. Nevertheless, these documents do not reference policy and do not set out how the proposed fire safety measure meet the requirements of the London Plan or policy. It is therefore recommended that should this application be approved a condition is attached requiring an updated fire statement to be submitted which outlines what the proposed fire safety measures are and how they accord with the requirements of the London Plan. This plan should also set out how the development will enable safe and dignified emergency evacuation for all users of the site in line with policy D5. It is noted that the GLA raised similar concerns in their Stage 1 report. Notwithstanding, as detailed above officers consider that the imposition of a condition would address these concerns.

2.40 Subject to the imposition of condition officers consider the development to be acceptable and in keeping with the development policies.

Summary

2.41 Overall, subject to the imposition of condition, officers consider the design of the development to be high quality and safe for all users in keeping with the development policies.

3.0 Impacts to neighbouring amenity:

3.1 The NPPF, The London Plan Policies GG1, GG3 and D14, all have relevance to the importance of quality development which addressing neighbouring amenity and avoiding unacceptable impacts. Policy DMD1 of the Draft Local Plan Reg 19 seeks to ensure all development proposals consider the impact on neighbouring amenity with regard to significant overlooking (loss of privacy and immediate outlook) and overshadowing (unacceptable loss of daylight/sunlight). Policy DMSI3 further expands on this noting development proposals which generate an unacceptable level of nuisance including noise, waste, comings and goings and general disturbances will be resisted. This is supported by policy BP8 of the Borough Wide DPD.

Daylight and Sunlight

3.2 As detailed above policies seek to ensure new developments do not have an adverse impact on neighbouring amenity. The proposal is located on Wantz Road and sits on the edge of a LSIS. To the north and east the site adjoins industrial uses and to the south and west the site is bounded by residential properties. As detailed above in the design section given the nature of use the site and building has been designed so that the building is located away from the main road. As a result, the proposed play areas are located to the western edge of the site and these adjoin residential properties.

3.3 Officers will review the proposal impact on daylight and sunlight below. Following this a review of the noise and odour impacts will be carried out.

3.4 Properties along Hunter Hall Road

These properties sit to the west of the application site. The rear gardens of these dwellinghouses create a separation of approximately 19 metres between the main dwellings and the shared boundary. Similarly, the proposed school building offset the shared boundary by 2.8 metres at the narrowest point. Noting the proposed building will be single storey in height at this location and given the separation officers are confident that the proposal will have an acceptable impact on neighbouring amenity. A daylight and sunlight façade analysis report has been submitted to accompany this application. This assessment supports the above statement and finds the impact

on residents along Hunter Hall Road to be negligible. Further, noting the building adjacent to this boundary will be single storey in height officers are confident it will have an acceptable impact on the outlook and privacy of neighbouring residents.

3.5 *Properties along Alibon Road.*

These properties sit to the south of the site and abut the shared boundary. The rear boundary abuts that of the application site. Notwithstanding, the development has been designed so that the building is set back from the shared boundary by 14 metres at the widest point and 2.95 metres at the narrowest point. At first floor level the building is set back by 4.57 metres. Officers also note that the rear gardens of the properties along Alibon Road provide a further separation of 20 metres between the main dwellinghouse and application site. Noting the proposals sitting officers are confident that the development will have an acceptable impact on daylight and sunlight to neighbouring properties. It is noted that the submitted daylight and sunlight assessment confirms that the proposal will result in acceptable daylight and sunlight on neighbouring gardens.

A number of windows have been proposed on the southern elevation at first floor level. Noting the separation between the proposed building and shared boundary officers consider this to reduce the visual mass and bulk of the development and hence mitigate any negative impacts on outlook. The GLA noted that the council should ensure there would be no undue overlooking or loss of privacy to the residential neighbours as a result of the proposed first floor. Officers note that the development has been design with a setback which will mitigate any loss of privacy as it will reduce overlooking. It is clear that care has been taken to ensure the boundary treatments and proposed trees and landscaping add as a further privacy barrier between the proposal and neighbouring properties. On this basis officers consider sufficient measures have been put in place to reduce the risk of overlooking and the loss of privacy. It is noted that a boundary treatment condition has been attached to this application to ensure that the boundary treatment proposed is of high quality and reduces any unacceptable impact on neighbouring amenity.

3.6 *Industrial Units North of the Site along Wantz Road.*

These units sit to the north of the site. The proposed development will offset the shared boundary by 11.58 metres and will be single storey in height. Additionally, the existing unit to the north already offsets the shared boundary by 7.0 metres. The existing unit has a number of windows which sit on the southern boundary. Notwithstanding, noting the separation officers are confident the development will have an acceptable impact on daylight, sunlight, outlook and privacy.

3.7 Further, it is noted the building has been designed so that the noise sensitive receptors have been designed and located away from this industrial unit and Wantz Road. The main building and main play spaces are positioned along the southern boundary. Noting the distance and location officers consider this to mitigate any noise impacts from the existing industrial site. Whilst officers acknowledged some outdoor spaces such as outdoor classrooms and breakout areas are positioned adjacent to the northern boundary with this industrial site. Care has been taken to ensure these are not the most noise sensitive uses. Likewise, a large green buffer has been proposed along the boundary to further increase the separation. Further details of this can be found in section 2.18 of this report. Officers consider the development has been designed appropriately to take into account the agent of change principles. It is clear that the building has been designed in a way that is compatible with existing uses and will not be negatively impacted by existing noise and noise generating activities.

3.8 Overall, officers consider the proposed development to have an acceptable impact on neighbouring amenity.

Neighbour Comments

3.9 One comment was received regarding this application which raised concerns these are as follows:

- The proposed school was not big enough to support this quantum of students.
- The proposed school does not provide sufficient outdoor and green space.
- The development will be surrounded by busy constant flow of traffic, lorries and industrial buildings.
- 2 existing schools nearby will result in further congestion at pick up and drop off and potential collision or accidents.

In terms of the first two points officers note the applicant is the department for education who has designed the school. As such, officers are confident that the proposed development has been

designed sensitively to provide the facilities and meet the needs of the pupils who will attend. Details of this can be found in section 2.18 of this report.

Regarding the points about the sites location whilst officers accept that this is in an industrial area it is noted that care has been taken to design the building to reduce noise impacts from the surrounding area. Further, details on noise will be assessed below.

In terms of pick up and drop off. Officers acknowledge these points and note a further assessment of this will be carried out in the section below on transport.

Noise

- 3.10 An environmental noise assessment submitted by MACH Acoustics Ltd reference FS0704-MAL-ZZ-ZZ-RP-J-9003 dated 14/04/2023 has been submitted to accompany the application. This document includes a noise break-in assessment and a noise break-out assessment. These assessments confirm the proposed noise insulation and ventilation scheme required for the development to ensure that effects of noise break in and break out are adequately managed.
- 3.11 The environmental protection officer was consulted who reviewed the submitted document and confirmed that the details submitted are acceptable and provide adequate noise insulation and ventilation scheme. Officers have reviewed the submitted document and agree with the points raised by the environmental protection officer. Further, it is noted that the main operating hours will be from 9am to 3pm. Given the specialist nature of the school overall officers consider the harm caused to neighbouring residents is considered to be negligible.
- 3.12 The proposal is for a SEND school for use by 100 pupils and 129 staff. Similarly, the development will have facilities for community use at the weekend. As such, the development is likely to generate more noise, comings and goings and disturbances than currently existing on site given the proposal will result in a greater number of people on site at any given time. Nevertheless, as shown in the documents submitted a system of noise insulation and ventilation has been proposed to prevent noise breakouts. Further, noting the school is a SEND school which is in high demand within the borough. Whilst the proposal will generate some harm to neighbouring residents. Given the site will only be in operation during the main school hours and at reduced capacity at the weekend. On balance officers consider the benefits provided by the scheme to outweigh the harm caused to neighbouring residents. On balance the proposal is considered to have an acceptable impact on neighbouring amenity.
- 3.13 Should this application be approved it is recommended that 2 conditions are attached. The first requiring the development to be constructed in accordance with the environmental noise assessment report and the second requiring all building services plant to comply with the noise limiting levels set out in the noise report. Subject to the imposition of these conditions officers consider the proposal to be acceptable and in keeping with the development policies.

Odour

- 3.14 An odour assessment prepared by noise air acoustics and air quality dated 26th April 2023 has been submitted to accompany this application. The proposal includes the construction of a new kitchen to support the school. As such an odour assessment has been carried out to determine the potential odour impacts as a result of cooking processes within the school kitchen. The assessment concludes that the odour risk of the site is classed as medium. A number of recommendations have been made to mitigate the odour impacts of the new kitchen on sensitive receptors adjoining. It is noted that the proposed kitchen is located adjacent to the shared boundary with the properties along Alibon Road. Finally, the report concludes that if the recommendations are implemented the odour levels produced by the site will be reduced to an acceptable level.
- 3.15 The environmental protection officer was consulted who confirmed the details contained in the submitted documents are acceptable. In particular they note that subject to the recommendations being put in place they consider the development odour control to be acceptable. Should this application be approved it is recommended that a condition is attached requiring the development to be constructed in accordance with the submitted odour assessment.

External Lighting

- 3.16 An external lighting report has been submitted which outlines the development external lighting strategy. The environmental protection officer was consulted who confirmed that the proposed lighting strategy detailed within the lighting strategy is sufficient and will not result in unacceptable light pollution. LBD Street Lighting Team were consulted who confirmed that the lighting is 'off-highway' and not to be adopted as such they have no objections to the proposal. Whilst officers acknowledge that the proposed strategy will not result in unacceptable light pollution. It is noted that the proposed

lighting should result in adequate lighting to minimise the risk of crime. The proposed secure by design condition attached to this application will ensure that the lighting proposed meets this requirement.

- 3.17 Notwithstanding, officers consider the proposed lighting strategy to be acceptable. As such, it is recommended that a condition is included to secure a requirement for the development to be constructed in accordance with this document.

Summary

- 3.18 Overall, subject to the imposition of conditions officers consider the proposed development to have an acceptable impact on neighbouring amenity. The proposal is acceptable and in keeping with the development policies.

4.0 Sustainable Transport:

- 4.1 The NPPF recognises that sustainable transport has an important role to play in facilitating sustainable development but also contributing to wider health objectives. It offers encouragement to developments which support reductions in greenhouse gas emissions and those which reduce congestion. The NPPF also outlines that developments which generate significant vehicle movements should be located where the need to travel will be minimised and the use of sustainable transport options can be maximised. It is also expected that new development does not give rise to the creation of conflicts between vehicular traffic and pedestrians. However, it also stated that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 4.2 This is echoed by the London Plan (2021) through policies T6. It is noted that policy does not provide parking standards for educational use. Nevertheless, it is expected that all parking proposed is sufficiently justified. Further policies require all operational parking to provide infrastructure for electrical charging points. Regarding cycle parking policy T5 sets out the requirements for cycle parking provision and design. This is further supported by policies DMT 2 and DMT3 of the Draft Local Plan Reg 19 and policies BR9, BR10 and BR11 of the Borough Wide DPD.
- 4.3 As detailed above policies support developments which facilitate the use of more sustainable modes of transport. The application site is located within PTAL 1b which represents low access to public transport. The application site is located 15 minutes' walk/ 11-minute bus journey from Dagenham East Tube Station; 17-minute walk/14-minute bus journey from Dagenham Heathway. The site is located in close proximity to a number of bus services along Heathway, Rainham Road South and Oxlow Lane. The application is accompanied by a transport assessment.

Car Parking

- 4.4 A transport assessment was submitted to support this application. The development is proposed to provide a total of 64 car parking spaces of which three will be accessible spaces, three will be enlarged spaces that can be converted to accessible spaces in the future and a further 3 will be minibus spaces for the minibuses owned by the school. As detailed above policies support the use of more sustainable transport. Policy T6 sets out that car-free development should be the starting point for all development proposals in places that are well-connected with developments elsewhere designed to provide a 'car-lite' approach to parking. It is noted that there are no limits to parking for educational uses, however, in line with policies it is expected that car parking is kept to a minimum to encourage the use of more sustainable modes of transport.
- 4.5 As existing the site has provision for 155 spaces as such a reduction to 64 is welcomed. Notwithstanding, officers note this level of provision will need to be justified. The applicant states "58 spaces will be available for use by staff. This includes three enlarged bays which may in due course be required for accessible spaces. The need for staff parking has been considered based on the specialist nature of the school... In particular, it is difficult for schools for pupils with severe needs to recruit from a localised area because highly specialised staff are required to provide the curriculum and necessary supports to the children. This results in a trend of staff living across a wide area and travelling over long distances. In turn this trend results in limited mode choice for staff, with the majority travelling by private car". Officers therefore believe that given the specialist nature of the school staff will need to be recruited from a much wider catchment area, as such, provision needs to be made for those driving to and from the site, given it may not always be feasible for them to travel via more sustainable modes. This level of parking has therefore been proposed to accommodate staff traveling to and from the site. Officers note that prior to this quantum of parking being accepted this needs to be justified. It is understood that pupils will be dropped off by mini-bus

or private car as such the proposed parking provision is not intended for use by pupils or carers. Further details of this will be discussed in the section below.

- 4.6 The school will have capacity for 100 pupils and 129 staff. Information has been provided on where staff are likely to live, based on experience at other SEND Schools in the LBBB area. This includes services contracted out such as catering, part time roles etc. It is clear from the information submitted that not all 129 staff will require access to the site via car. However, there is clear evidence that where staff have to travel from a further distance, they are more likely to arrive by car. The applicant has modelled the likely number of trip generated based on experiences from other SEND Schools in the LBBB area. Similarly, they have carried out a parking stress survey of on-street parking along Wantz Road, Alibon Road and Pondfield Road. It is noted that both CPZ and non-CPZ sections were assessed.
- 4.7 The survey concludes that there is a high demand for on street parking during the school's peak pick up and drop off times some of which is expected to relate to the impact of the local primary school. It is clear that whilst there is some capacity at these times on street capacity is limited. It is noted that the non-CPZ section of Wantz Road which sits immediately outside of the site experiences high demand for on-street parking during business hours. A survey during non-business hours was carried out to compare numbers and it is clear that the high demand is generated by local businesses, their staff visitors and operators. The applicant also carried out a site visit and public consultation which confirmed this. Based on the evidence officers believe that there is limited additional on street capacity to accommodate additional cars. Noting the proposal will bring 129 staff and 100 pupils on site it is considered that where possible the development should be provided additional off-street parking to support the additional cars which will be arriving and requiring parking.
- 4.8 Therefore, based on this information provided regarding the proposed staff travel distance bands, modes of transport, trips generated, and parking stress survey officers consider the provision of car parking proposed to directly meet the requirements of the school without having a further impact on local highways or on street parking provisions. The details submitted clearly justify why this quantum of car parking has been proposed.
- 4.9 TfL were consulted who raised concerns with regard to the provision of on site parking. Notwithstanding, based on this information provided officers consider the evidence to confirm that there is a need for this quantum of parking on site. On this basis officers consider a reduction in parking would result in further harm to the highway and on street parking provision. The transport officer was consulted and agreed with officers.
- 4.10 The LBBB transport officer was consulted who states "The former Council depot had approximately 155 parking spaces and the site was recently used as a car park. Both these previous uses operated with the same number of spaces and generated moderate volumes of traffic. The proposals will retain a total of 64 car parking spaces, of which 58 parking spaces for staff and three will be accessible spaces. The site will also have a drop-off zone. The Transport Assessment (TA) states that due to pupils needs most will travel by mini-bus, taxi or private car. There is an expectation that the specialist staff will be regional rather than local. This will likely necessitate high demand for travelling by private vehicles. To mitigate the impact during the peaks in traffic generation it will require a robust Parking Design and Management Plan (PDMP) and Delivery and Service Plan that promotes as suggested in the TA staggered arrivals and departures to avoid any queuing to get into the site". Officers therefore believe that the proposed quantum of car parking has been sufficiently justified and is acceptable subject to details of parking design and management. It is noted that a framework car park management plan has been submitted which this application, however, It is recommended that should this application be approved a condition is attached securing the submission of an updated parking design and management plan which includes specific details.
- 4.11 Regarding, disabled parking Policy T6.5 note that educational facilities should provide 5% designated blue badge bays with a further 5% as enlarged bays which can be converted to disabled bays should they be required to in the future. The proposal seeks to provide 64 parking spaces of which 3 are blue badge from onset and 3 enlarged bays. Officers consider this to be in line with policy and considers this to be acceptable. Should this application be approved it is recommended that a condition is included requiring the blue badge bays to be installed prior to first use of the site.
- 4.12 In terms of electrical charging points policy T6 states that all operational parking should make provision for EVCP. The applicant states 20% of parking provision has been allocated EV charging points. On review of drawing FS0704-3BM-ZZ-00-D-A Proposed Ground Level Planning [Revision P10] date 21.03.2023 officers note there is provision for 13 active EVCP and 12 passive EVCP. Officers welcome this provision. Notwithstanding, it is noted that none of the minibus or disabled

parking bays have made provision for EVCP. This was raised as a concern by TfL and the access officer. Should this application be approved it is recommended that a condition is included requiring details of the EVCP to be submitted and implemented prior to first use.

- 4.13 Overall, subject to the imposition of conditions officers considered the proposed parking provision to be accountable and in keeping with the development policies.

Cycle Parking

- 4.14 Policy T5 of the London Plan states long stay cycle provision should be provided at 1 space per 8 FTE staff and space per 8 students. Short Stay cycle parking should be provided as 1 space per 100 students. The applicant states "The development proposals are being funded by the DfE and seek to provide a new SEND School for LBBB. The majority if not all will be non-ambulant. It is understood that there is significant need for additional places for children with PMLD in the Borough". Officers acknowledge that due to the needs of the pupils attending the school it is unlikely that they will be able to cycle to school. As such, it would be unreasonable to request excessive cycle parking provision for pupil use. Notwithstanding, it would be expected that cycle parking is provided for staff. Similarly, where possible provision should be made for larger cycle.
- 4.15 The development will provide a new bike store with provision for 16 regular sized cycle parking spaces in the form of two tiered racks and a Sheffield stand to accommodate two larger bicycles. In addition, a Sheffield stand will be provided adjacent to the school entrance for use by visitors. Officers consider the quantum of cycle parking to be sufficient and in keeping with policies. Should this application be approved it is recommended that a condition is attached requiring cycle parking to be implemented prior to first use of the site.
- 4.16 Officers consider the details above to address the points raised by TfL and the LBBB transport officers. Should this application be approved a condition securing a car and cycle parking design management plan should be included.

School Operation

- 4.17 The proposal seeks permission for the construction of a new SEND school which at maximum capacity will be occupied by 129 staff and 100 pupils. It is understood that the staff to pupil ratio will be 1:1 given the highly specialist nature of the school. The applicant notes "Travel choice for pupils will be very limited due to their needs. Local authority transport will be provided using minibuses carrying a maximum of four pupils. This is expected to be the main mode of transport for pupils. A smaller proportion will be brought by parents or guardians in adapted cars. No taxi or private hire transport is envisaged".
- 4.18 As discussed in the section above given the wide catchment ratio for specialist teachers it is likely that there will be a much higher demand for car parking spaces to allow staff to travel to and from the site. It is noted that were staff are employed locally it would be expected that they arrive at the site via more sustainable modes of transport. The applicant has confirmed that they will be encouraging this, and a Schools Travel Plan will be prepared to demonstrate how they will encourage the use of more sustainable modes of transport. This will be discussed further in the section below.
- 4.19 In terms of pupils, it is understood that they will arrive on site via minibus owned by the school or via private car. The applicant states "The school buildings will be open from 06:00 to 18:00 Monday - Friday. Staff will arrive from 06:00 onwards and be on-site prior to the start of the drop-off period for pupils. For pupils the school day will start at 09:15, which is later than other primary schools in the area. Afternoon finish times will be staggered, with three different intervals e.g. 15:00, 15:10 and 15:30. This is proposed to manage demand for transport arriving to collect pupils and to avoid as far as possible the school finish time at nearby primary schools. For pupils, drop-off is expected to occur from 08:45 – 09:15 when the school day starts. Occasionally vehicles could be delayed due to road conditions and pupils needing more time boarding at their home address, or alighting at school, and the drop-off time is extended from 30– 45 minutes. In the afternoon, pupils will be collected at three different finish times. Buses are expected to arrive ahead of the first finish time of 15:00, and will continue arriving ahead of other intervals until 15:30 when the last group of pupils will finish. It is expected that the last busses will leave the site between 15:30 and 16:00".
- 4.20 Officers believe that the operation of the school has been organised so that staff arrive first followed by pupils allowing staff to assist with pick up and drop off. This is considered to limit congestion on site and accessing the site given staff will not be arriving and parking at the same time as pupils arriving. Further, officers note there are two other primary schools in close proximity to this site 'Richard Alibon' and Hunter Hall Primary School'. Access to these schools will be via Alibon Road,

as such, the proposed 30-minute arrival window in the morning and staggered exist in the evening is welcomed to minimise the impact on the highway and transport infrastructure noting neighbouring schools are likely to be arriving and leaving at the same times.

- 4.21 The school has been designed so that entry is from the east of the site and exist from the north. The applicant has modelled the proposed school based on information from a sample school. It is understood that of the 100 pupils to attend 50 will be primary and 50 secondary pupils. At full capacity the school is likely to operate with 75% arriving from within the Borough with 25% arriving from outside the borough. This will be at a model split of 80% via minibus and 20% via private car. The worst-case scenario would result in 25 minibuses and 20 cars arriving and leaving the site. The site has been designed with 4 drop off zones. The applicant notes that “evidence from a sample school suggests dwell times in the morning of average 7 minutes. With a planned drop-off window of 30 minutes, this suggests each space in the drop-off zone could be used four times. The drop-off zone has therefore theoretical capacity for 28 minibuses in the morning. With regard to parent drop-off evidence from the sample school suggests dwell times were quicker than minibuses, at an average of six minutes. This suggests in a 30-minute window, each space would be used five times. The accessible parking spaces (three number) will be used by parents in the morning. Capacity would be 15 on the basis that each bay is used five. Based on a worst-case scenario of 25 minibuses and 20 parent cars would require access to the site in the 30-minute drop-off window. All minibuses would be accommodated. Some short-term queuing of parent cars could be expected, but as identified above some of this accommodated at the site entrance. This is based on a worst-case scenario.”. Officers believe that the proposed layout and design will be able to accommodate all minibuses, similarly provision has been made to allow for short queuing off street. Officers welcome the staggered exist and consider this to further reduce congestion and impact on the highway.
- 4.22 The transport officer was consulted who raised no concerns with regard to the proposed pick up and drop off. However, as stated above they note “To mitigate the impact during the peaks in traffic generation it will require a robust Parking Design and Management Plan (PDMP) and Delivery and Service Plan that promotes as suggested in the TA staggered arrivals and departures to avoid any queuing to get into the site”. As such, should this application be approved it is recommended that these conditions are secured. The GLA were consulted who agreed with the imposition of this condition.
- 4.23 Further, regarding visitors it is understood that 7 specialist visitors would regularly visit the school. Likewise, staff it is understood that visitors will arrive by car. It is noted that all visitors will be made by appointment only, as such, parking demand can be managed. Officers welcome this and note that details of this should be included in the updated car parking management plan. Additionally, during the school day pupils who need to be taken off site will go in the school owned mini-bus. Provision for 3 have been provided as such, officers consider movements and parking can be appropriately managed.
- 4.24 Overall, officers consider the proposed school operation, pupil drop off and pick up to be acceptable and have an acceptable impact on the highway.

Delivery and Servicing

- 4.25 The applicant has submitted a framework delivery and servicing plan. It is noted this provides details of how refuse and waste collection, deliveries and visitors will be managed. Officers welcome the proposed framework plan. However, should this application be approved it is recommended that a condition is attached requiring an updated copy to be submitted. The transport officer and TFL were consulted who agreed with the points raised by officers above.

Access

- 4.26 The existing access points into the site from the north and east will be retained. A separate pedestrian access point has been proposed to the east of the site. There is a dedicated footpath which leads from the public realm into the site. Officers consider the proposed design and landscape improvements to create clear and safe pedestrian access and egress into the site. TfL were consulted who agreed with the points raised by officers noting “the proposed landscaping with the inclusion of trees and other planting, cycle parking and better natural surveillance make the pedestrian areas of the site more pleasant creating a safer enclosed area for the school children and staff”. Similarly, the one-way route through the site further limits the need for vehicles to reverse or turn around on site creating a safer environment. The applicant has submitted two drawings to show the highway improvements proposed to improve access into and out of the site. These are shown in

drawings FS0704-ROB-XX-00-D-H-0001-PM404034 Outline Access Design Junction 1 [Revision P03] dated 20.03.2023 and FS0704-ROB-XX-00-D-H-0002-PM404034-P03 Outline Access Design Junction 2 [Revision P03] dated 20.03.2023. The transport officer was consulted who stated “A proposed mitigation strategy including demand management and physical measures has been submitted to address the impacts of the development These should be secured with the applicant separately in a section 278 agreement (Highways Act 1980). We suggest that in the interest of highway safety, the applicant should enter a section 278 agreement prior to occupation, and this secured in a legal agreement”. Therefore, should this application be approved it is recommended that an obligation is attached requiring the applicant to enter into a s.278 agreement. Officers note that the two drawings submitted will be secured as ‘In principle’ plans, however, the final details will need to be confirmed and agreed with the council through the course of the s.278 agreement.

Road Safety Improvements- s.278

- 4.27 The applicant has provided 3 drawings to detail the preliminary access design. Drawings FS0704-ROB-XX-00-D-H-0001-PM404034 Outline Access Design Junction 1 [Revision P03] dated 20.03.2023; FS0704-ROB-XX-00-D-H-0002-PM404034-P03 Outline Access Design Junction 2 [Revision P03] dated 20.03.2023 and FS0704-ROB-xx-00-D-H-0011-PM404034-P01 TMO Design Plan [Revision P02] dated 19.04.2023. The transport officer was consulted who stated “ In terms of these measures the proposed preliminary traffic design appendix K to address issues with protecting the pedestrian environment, parking restrictions and road speeds the drawing is not acceptable for the following reasons. The school “keep clear” markings (SKC) are in front of the DYs, which you can't do as they are two different restrictions which will conflict each other as the DYs are 24/7 and the SKC will normally be Monday to Friday and during the school hours. These can be enforced by CCTV camera's possibly 2 needed and we would assume these would form part of the mitigation measures and consequently, supplied and installed as part this work. On the vehicle entrance to the school there are some DYs being proposed but there is a section of single yellow line, but no time associated to it. It might be sensible to use double yellow lines with blips adjacent to the school frontage with single yellow on the opposite side of the road. It also proposed that the road is to become 20mph so two TMO's will be required one for the static restrictions and one for the speed limit. Due to no physical measures to self-enforce the new 20mph speed limit restriction the proposed stretch of road will need to be shortened”. It is noted that the submitted transport assessment provides recommendations for the 20mph zone to be extended up Wantz Road to the junction with Oxlow Lane. Officers believe that the transport officer raise concerns with the current proposed markings noting that the double yellow lines and school keep clear zig zag marking conflict as they are two different restrictions, hence, they would not work in practice. Officers note the current proposed designed measures are unacceptable. However, if this application is it approved it is recommended that a s.278 agreement is secure by obligation to secure works to Wantz Road. Whilst it is accepted that the proposed details submitted at this stage are not acceptable it is noted that these can be further amended and finalised to an acceptable standard through the course of the s.278 agreement. Subject to the imposition of this obligation officers therefore consider the details to be acceptable.
- 4.28 Further, the transport officer has sought the implementation of CCTV cameras. These will be used to monitor the zig zag lines. The transport officer notes it will be the responsibility of the applicant to purchase and install the camera's, however, these will then go back to the council for enforcement and monitoring. The installation of these cameras and the associated works will also be covered by the s.278 agreement. Finally, as detailed in the submitted transport statement and submitted ATZ and as detailed by the transport officer. It is recommended that the 20mph zone to the south of Wantz Road is extended up to the junction with Oxlow Lane. Officers welcome this and consider a reduction in speed to improve the local environment and encourage the use of more sustainable modes of transport. Officers welcome this introduction of a 20mph speed limit. Notwithstanding, they note the stretch of road that the applicant proposes to apply this to is limited to the introduction of traffic calming measures and lining along the Wantz Road S bend immediately outside the site and the introduction of a new 20mph speed sign on the junction with Oxlow Lane. The transport officers note a further transport management order (TMO) will be required which sets out the traffic calming measures, and signage proposed to enable this speed reduction. Noting this will sit within the proposed scope of highway works to be carried out by the applicant the transport officer confirms that this too can be covered under the s.278 agreement. However, a separate TMO specific to the road speed reduction will need to be provided.

- 4.29 Notwithstanding, whilst officers welcome the scope of highways works proposed in the submitted TMO Design Plan and Outline Access Design Junction 1 and 2 only show the scope of works to be covered under the s.278 agreement. Further consultation with the transport officer has outlined that these enhancements are to the area of road immediately outside the site with limited works to the site's wider context. It is acknowledged that a 20mph speed limit is proposed to be implemented, however, as proposed the transport officers consider this to only work in practice along the S bend section of the road immediately outside the site given traffic calming measures and lining have been proposed. They note that whilst a sign has been proposed and is welcomed at the junction between Wantz Road and Oxlow Lane. There is a long straight section of road between this junction and the S-bend immediately outside the school. No traffic calming measures, or lining have been proposed along this section. Therefore, whilst the installation of a sign would suggest a 20mph in this area, no measures have been put in place to enforce and implement it. It is unlikely a 20mph speed limit will be kept to along this section. To ensure a 20mph speed limit Officers would expect to see the introduction of additional speed humps, speed radar signs road cushions etc. The transport officer notes that these additional speed reduction measures and lining are not captured in the scope of the s.278.
- 4.30 School safety is the upmost priority. Noting the site is located at the entrance of an industrial estate along a 30mph road. It is important that the development contributes to enhancing the safety of the road through the reduction of speed limits. The transport officer notes all roads immediately outside schools are 20mph and this applies to this new development regardless of the fact that pupils are arriving by vehicle or minibus. As such, the transport officer has recommended that a financial contribution of £15,000 is sought to cover the cost of the introduction of a 20mph speed reduction, traffic calming measures and lining above that of what will be covered by the s.278 agreement. This way officers can be assured that the whole of Wantz Road is a 20mph speed restriction which has suitable measures to reduce the speed of vehicles and allow safe access and egress for pedestrians, cyclists and vehicles. Officers do not consider this to be double counting of requirements noting the scope of works to be covered by the £15,000 contribution would be different and in addition to the works to be carried out under the s.278 agreement.
- 4.31 The £15,000 would cover the cost of installing traffic calming measures, lining and signing between the Oxlow Lane junction and the development, closing the road to carry out the works, permits, and a traffic management order. Noting this area of road does not fall within the scope of works to be carried out under the s.278. This contribution will allow the council to carry out the works required to Wantz Road to ensure it is safe.
- 4.32 Further, The applicant has submitted an active travel assessment with this application which considered the quality of existing pedestrian and cycling infrastructure. This assessment highlights a number of improvements which could made to the wider site to improve and encourage more active modes of transport. TfL and GLA were consulted who note that improvements identified through the ATZ should be secured. As detailed above officers discussed the need for parking and stopping controls outside the site. The details of this can be finalised in the s.278. Likewise, they note that the submitted ATZ does not include any route to the nearby housing estate to the west with all routes being located north, east and south of the site. Whilst officer accept the desire for an east west link through to the site. It is noted that access is not provided from the west. All access will be from the east of the site approaching from the north of Wantz road or south of Wantz road. As such, officers consider it unreasonable to request specific routes from the west.
- 4.33 Notwithstanding, the submitted ATZ highlights opportunities to improve the active travel environment along Wantz Road immediately outside the site. At present there is a speed limit of 30mph directly outside the site. Therefore, for the safety of pedestrians, cyclist and pupils and staff access and egressing the site, in addition to stopping and parking controls officers consider it essential for improvements to be carried out to Wantz Road to reduce the speed, limits and improve lining and traffic calming measures. As a minimum in addition to this development the scheme should contribute to making improvements to Wantz Road. Officers consider the imposition of an obligation securing a s.278 agreement and an obligation securing a financial contribution of £15,000 will improve the environment at Wantz Road and encourage safer pedestrian, vehicle and cyclist access and movement in and out of the site.
- 4.34 Therefore, overall subject to the implementation and obligation securing a s.278 agreement and £15,000 financial contribution to cover the points raised above and ensure improvements to Wantz Road to improve the safety of the road and the pedestrian and cyclist environments. Officers consider the proposal to be acceptable and in keeping with the development policies. The

implementation of these obligations are considered to overcome concerns raised by the transport officer, GLA and TfL.

Construction Logistics Plan

- 4.35 The transport officer and TfL were consulted who recommended that a construction logistics plan is submitted in line with TfL guidance. To ensure the development has an acceptable impact on the highway throughout the construction phase. Should this application be approved it is recommended that this is secured by condition.
- 4.36 Network Rail and London Overground were consulted who raised no objections to this application.

School Travel Plan

- 4.37 The applicant has submitted an outline School Travel Plan. This School Travel Plan confirms that the school aims to obtain TfL STARS bronze accreditation at opening year 2024 and maintain this going forward.
- 4.38 It is noted that given the nature of the proposed use pupils will have to arrive by mini-bus or private car. Nevertheless, officers would still expect that steps are taken to encourage the use of more sustainable modes of transport particularly amongst members of staff which is evident in the submitted School Travel Plan. The transport officer was consulted who agreed with the points noted above. In particular they note "We are satisfied with the detailed programme of suggested travel initiatives to be implemented by the school as shown in Table 9.1, monitoring and review submitted by the applicant which is to be implemented by the whole school community / Applicant to evaluate the effectiveness of the Travel Plan measures".
- 4.39 Officers note London Plan and local policies support developments which encourage the use of more sustainable modes of transport. In particular developments should encourage the use of more sustainable and active travel modes in line with TfL Guidance. For Schools there is a specific requirement for new schools to achieve TfL STARS Accreditation. This is a 3-tiered accreditation which seeks to encourage more active modes of travel through introducing travel activities.
- 4.40 Officers have reviewed this guidance and support the need for London's schools to commit to more active, safe and sustainable travel. Notwithstanding, officers note that this will be a special needs school. Given the special nature of the school whilst the school may be able to set up active travel activities it is unlikely that pupils will be able to take part in these given their special needs. As such, it would be unreasonable to expect the school to achieve all three levels of STARS accreditation.
- 4.41 As such, officers welcome the schools plans to achieve TfL STARS Bronze accreditation and for this to be maintained from the date of occupation. It is therefore recommended that a condition is imposed on this application requiring the applicant to register as a STARS school and complete a TfL STARS travel plan via the online portal.
- 4.42 TfL were consulted who agree to the imposition of a Travel Plan. Whilst they are accepting of the proposed pupil trip generation, they not specific measures should be incorporated to encourage the use of more sustainable modes of transport.

Summary

- 4.43 Overall, subject to the imposition of conditions and obligations securing s.278 agreement and Road Safety Contribution the proposal is considered acceptable and in keeping with the development policies.

5.0 Employment:

5.1 Employment and Skills

- 5.2 Policy SD1 of the London Plan support development which create employment opportunities, support wider regeneration, and ensures that development proposal integrate into the surrounding areas. This is further supported by policy GG5 of the London Plan which seek to ensure development contribute to providing sufficient employment and industrial space in the right locations to support economic development and regeneration.
- 5.3 Policy E4 of the London Plan outlines that land for industrial and related functions should be provided and maintained, considering strategic and local employment land reviews.
- 5.4 Policy E8 of the London Plan sets out that employment opportunities across a number of sectors should be promoted and supported as such developments should contribute to ensuring the availability

of suitable workspaces. This is further supported by policy E11 which states 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 where appropriate.

5.5 Policy CC3 of the Core Strategy further notes that in order to achieve sustainable growth and maximise the quality and contribution of new development. Developer contributions could be used to provide employment, skills and training initiatives and premises.

5.6 Policy SP5 of the Draft Local Plan (Regulation 19, Submission Version) seeks to ensure the Council delivers at least 20,000 new jobs and wider employment base.

5.7 The application is for a special needs school. Given the nature of the school officers accept that the end user jobs are likely specialist jobs so as to provide the services and care the pupils of the school require. Notwithstanding, it would be expected that the development provides some benefit to local residents through both the construction and end user phase. Officers note that whilst jobs such as teachers may need to be carried out by specialist trained individuals. To run, the school will require support staff such as cleaners, caterers etc. Hence, it would be expected that local LBBB residents are looked at to fill these roles where possible. Further, it is noted the councils draft obligations SPD excludes the need for developments of new schools to secure local employment during construction and end use. Nevertheless, noting this is a new school and a public funded project. Officers would expect the development to provide some benefits to local residents. A lighter touch approach is therefore sought and officers consider it necessary to secure this via planning obligation.

5.8 The obligation will require an employment and skills plan to be submitted prior to commencement providing a forecast of employment and skills opportunities available to local residents over the lifetime of the development. This plan should be accompanied by a method statement setting out how this will be delivered, including who will be responsible for managing recruitment and training, how they will ensure compliance by trade contractors and how this will be managed, how health and safety issued will be managed, and how they will engage with the local community and schools.

5.9 The obligations to be secured can be broken down as follows:

Employment during construction:

Obligations securing reasonable endeavours to ensure opportunities for educational visits/engagement/activities are made available during the period with which development is underway; Ensure one- or two-week work placement opportunities are made available to allow LBBB residents to shadow staff during the construction phase of the development and Ensure 1 per 10 FTE members of staff on site upskilling or renewing tickets throughout the course of construction.

Employment- End user obligation

Obligations securing reasonable endeavour to ensure creation of 1 new FTE job on site for a local person e.g. gate keeper, welfare labourer/cleaner, site admin for example and access to or an introduction to end user jobs created e.g. who will be doing catering/cleaning/facilities.

5.10 The LBBB employment and skills team were consulted who welcome with the imposition of the above obligation. They are in agreement that a token contribution to local employment should be provided. It is considered the employment benefits secured via obligation are strongly supported by officers.

Summary

5.12 Subject to the imposition of employment and skills obligations officers consider the proposal to be acceptable and in keeping with the development policies.

6.0 Waste management:

Waste and Refuse

- 6.1 The NPPF and policy SI7 of the London Plan outlines that waste planning authorities should encourage waste minimisation and waste prevention through the reuse of material and using fewer resources in the production and distribution of products.
- 6.2 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 (Regulation 19) through Strategic Policy SP7 and Policy DMSI8.
- 6.3 A bin store has been proposed on site. The outline delivery and servicing plan provides details of the proposed waste management strategy which officers support in principle. However, the plan submitted is only a framework at this stage as such it lacks sufficient details. Therefore, should this application be approved it is recommended that an updated delivery and servicing plan to be submitted which provides full details of the waste management strategy once these can be confirmed.
- 6.4 Further, the LBBD Waste and Refuse Officer was consulted who stated “the swept path analysis indicates reversing of RCVs during the collection process. This distance should not exceed 15 metres. The proposed bin store is in proximity to car parking spaces. Access issues for RCVs due to parked cars should be carefully considered keeping the RCV path relaxed due to length of collection vehicles. There should be provision for Refuse as well as Recycling streams in the refuse provisions. Number of bins should be adequate to service all activities in the school and office. Euro bins should be provided and on hire basis from LBBD commercial services. The bins store should be with secured access”. Officers note the submission of these details can be conditioned and provided latterly it is therefore recommended that a refuse management condition is attached to this application requiring details of storage, design, quantum and capacity to be submitted prior to first use of the development.
- 6.5 Subject to the imposition of conditions, officers consider the proposed development to be acceptable and in keeping with the development policies.

7.0 Land Contamination

Land Contamination

- 7.1 The NPPF sets out at paragraph 174 that policies and decisions should contribute to and enhance the natural and local environment by remediation and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate. Policy SI10 of the London Plan seeks to ensure steps are taken to reduce the environmental impact of aggregate sites and facilities by ensuring that potential impacts, in particular to the natural and historic environment and to human health, are assessed and effectively controlled. Policy BR5 of the Borough Wide DPD further supports this states that development on or near land that is known to be contaminated or which may be affected by contamination will only be permitted where appropriate site investigation and risk assessment has been carried out and if contamination is found suitable remediation measures have been carried out. This is supported by policy DMSI5 of the draft local plan reg 19.
- 7.2 The applicant has submitted a detailed quantitative risk assessment prepared by Soiltechnics [Revision A] dated June 2023. The LBBD Environmental Protection officer was consulted who stated “Soiltechnics Ltd. on behalf of the Client was appointed to investigate any potential pollutant linkages, which could affect the proposed construction of a special needs school with parking and landscaping works. The results of the intrusive site investigation showed risk to human health and controlled waters. Additional Detailed Quantitative Risk Assessment was undertaken to assess the risk of the solvent plume. The outcome of the assessment concluded minimal risk from vapour intrusion affecting nearby residents and no risk to surface waters. A risk identified to groundwater, will decline over time and no remediation is required. The applicant's proposal includes the following points to support site development:
1. Installation of clean cover system in all soft landscape areas or undertake further testing to refine risk assessment,

2. Installation of vapour membrane in all structures with independent verification,
3. Protect water supply pipes from contamination,
4. In the event of reusing any of the site won materials, chemical testing will be provided,
5. Any imported material will be tested to ensure is suitable for the proposed use,
6. School foundations should not impact the existing barrier,
7. A Remediation Strategy, followed by Verification Report will be provided,
8. A watching brief will be applied during the development works.

Due to the sensitive nature of the proposed use, I recommend that the land contamination condition be attached to any approval. Once a contaminated land assessment document has been received and reviewed the attached condition will be considered for discharge”.

- 7.3 Noting the sites’ location and its proposed use it is important that any land contaminants are appropriately removed to reduce the risk of health of proposed users of the site and neighbouring site. Therefore, officers agree with the recommendations made by the environmental protection officer. Should this application be approved it is recommended that a condition is imposed securing contaminated land details.
- 7.4 Further, the environmental agency was consulted who recommended officers sought advice from the local environmental protection officer on aspects of land contamination. Likewise, they recommended that developers follow the approach set out in paragraph 170 of the NPPF to in terms of their land contamination assessments. As detailed above the LBBD environmental protection officer notes the details of the report submitted. However, they have recommended that a condition is secured requiring a further land contamination assessment, remediation and verification to be submitted prior to commencement of the development. Officers are confident that this condition will address the points raised by the EA and ensure that the site is of an acceptable state prior to development commencing.
- 7.5 Overall, subject to the imposition of sufficient conditions. Officers consider the proposal to present an acceptable impact to human health in keeping with the development polices.

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

- 8.1 The NPPF emphasises at paragraph 152 that the planning system should support the transition to a low carbon future in a changing climate and should help to shape places that contribute to radical reductions in greenhouse gas emissions, and encourage the reuse of existing resources, including the conversion of existing buildings.
- 8.2 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 Be Lean, Be Clean, Be Green, Be Seen hierarchy. The policy requires a minimum on-site reduction of at least 35% beyond Building Regulations for major development. Residential development should achieve 10 per cent, and non-residential development should achieve 15 per cent through energy efficiency measures. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough. Policy SI 3 states that major development proposals within Heat Network Priority Areas should have a low-temperature heating system. The heat source for the communal heating system should be selected in accordance with the following heating hierarchy: a) connect to local existing or planned heat networks b) use zero-emission or local secondary heat sources (in conjunction with heat pump, if required) c) use low-emission combined heat and power (CHP) (only where there is a case for CHP to enable the delivery of an area-wide heat network, meet the development’s electricity demand and provide demand response to the local electricity network) d) use ultra-low NOx gas boilers. Policy SI4 sets policies to minimise adverse impacts on the urban heat island and requires major development proposals to demonstrate through an energy strategic how they will reduce potential for internal overheating, following a cooling hierarchy.
- 8.3 Policy CR1 of the Core Strategy sets out measures to address the causes and potential impacts of climate change, requiring all new development to meet high environmental buildings standards and encourage low and zero carbon developments. Policy BR2 ‘Energy and on-site renewable of the Borough Wide Development Policies DPD outlines the expectations for significant carbon reduction targets to be achieved. Draft Local Plan Policy DMSI2 ‘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. The policy also prioritises decentralised energy and sets an expectation for development proposals to connect to any existing or planned low carbon district energy networks.

- 8.4 The application is accompanied by an Energy Statement [Revision P06] dated 05.04.2023 which confirms how the development meets the requirements of the energy hierarchy set out in policy SI2 of the London Plan. This document sets out how the development will achieve 109% on site carbon reduction through a fabric first approach ("Be Lean") and the provision of Air Source Heat Pumps and PV Panels ("Be Green"). The development will achieve a 23% on site carbon reduction through energy efficiency measures ("Be Lean") which speaks to the requirements of policy SI2. Officers note the development will not meet the "Be Clean" stage of the hierarchy. Notwithstanding, the applicant notes there is an absence of a local heat network, as such, it is not possible to connect to any district heating network. Officers accept this reasoning and note that given the development will achieve 109% on site carbon reduction whereby 23% is achieved through energy efficiency measure the development is considered to meet the requirements of the policy. The proposal is considered to present sustainable development in keeping with the development policies. It is advised that a "Be Seen" obligation is attached to this application to ensure that energy performance is continually monitored post construction.
- 8.5 Further, it is recommended that a condition is attached to this application requiring the development to achieve a minimum of 109% on site carbon reduction. An additional Carbon Offset Contribution Obligation should also be secured requiring a financial contribution at a rate of £95/tonne of carbon over the benchmark to be paid in the event that the development fails to achieve net zero carbon targets. The GLA were consulted who agreed with the imposition of this condition and obligation.

Overheating

- 8.6 Policy SI4 of the London Plan requires major developments to demonstrate through an energy strategy how they will reduce the potential for internal overheating and reliance on air conditioning systems. Details of cooling and overheating have been provided in the submitted energy statement. The applicant proposes to manage this through the use of energy efficient design, orientation, shading, albedo, fenestration, insulation, green roofs and walks; use of exposed internal thermal mass and high ceiling; use of passive and mechanical ventilation and active cooling systems. Officers welcome these measures and consider the development has met the requirements of the cooling hierarchy in line with policy SI4 of the London Plan.

Circular Economy

- 8.7 Policy SI7 of the London Plan requires referable application to promote circular economy outcomes and aim to be net zero waste. A circular economy statement should be submitted to accompany this application. The applicant has submitted a circular economy statement and GLA circular economy statement template. The statement concludes "This Circular Economy statement aims to showcase the commitment of the proposed Oxlow Bridge School development in the London Borough of Barking and Dagenham to the principles of the circular economy. This has been achieved by prioritising the minimisation of embodied carbon, the maximisation of material value retention, and the promotion of reuse or recycling to minimise residual waste".
- 8.8 The GLA were consulted who noted that these documents had not been submitted as such the scheme does not yet comply with policy SI7 of the London Plan. Notwithstanding, officers note that the documents were provided a few days before the Stage 1 report was published. As such, the GLA did not have an opportunity to review the details submitted. Nevertheless, noting a statement has now been provided as required by policy SI7 the GLA just need to review and confirm that they are happy that this complies with policy SI7 of the London Plan. Officers consider this can be done prior to the stage 2.
- 8.9 Overall, officers are confident the requirement of policy SI7 can be met through the stage 2 process. It is recommended that a condition is attached securing a post construction assessment condition so that circular economy can be managed following the completion of the development.

Whole Life Carbon

- 8.10 In line with policy SI2 part F of the London Plan developments which are referable to the mayor should calculate whole life carbon emissions (WLC). The applicant has submitted a whole life carbon assessment on the GLA template. The GLA stage 1 report requires this whole life carbon assessment to be submitted to the GLA prior to stage 2 for review. Officers note that the copy submitted by the applicant was submitted only a few days before the stage 1 report was issued, as such, there was insufficient time for the GLA to consult internally and confirm the acceptability of the details.
- 8.11 Notwithstanding, officers note that an assessment has been submitted in line with policy SI2. The details of which should be confirmed with the GLA ahead of stage 2. Noting an assessment has been submitted at this stage and it is clear conversations have commenced with the GLA to ensure that the details are acceptable. On this basis officers consider the proposed requirements of the policy have been met. Noting this is a requirement of the GLA the details should be finalised prior to stage 2.
- 8.12 Overall, officers are confident the requirement of policy SI2 part F can be met through the stage 2 process. It is recommended that should this application be approved a condition is attached securing post-construction monitoring of whole life carbon.

Digital Connectivity

- 8.13 Policy SI6 of the London Plan seeks to secure digital connectivity infrastructure to ensure London's global competitiveness now and in the future. Developments should ensure sufficient ducting space for full fibre connectivity infrastructure is provided to all end users within new development, meet expected demand for mobile connectivity generated by the development, take appropriate measures to avoid reducing mobile connectivity in surrounding areas, support the effective use of rooftops and the public realm to accommodate well-designed and suitably located mobile digital infrastructure. This is supported by policy DMSI 9 of the Draft Local Plan (reg 19) which states development policies should accord with policy SI6 of the London plan and will support where they directly provide and demonstrate in their design and flexibility and adaptability to incorporate smart utilities.
- 8.14 No details of digital connectivity have been provided. It is therefore recommended that a condition is attached to this application which requires these details to be submitted prior to first use of the development. The GLA were consulted who agree to the imposition of this condition. Subject to the details of the condition being agreed. Officers consider the development to be in keeping with policy SI6 of the London Plan.

BREEAM

- 8.15 The NPPF emphasises at paragraph 152 that the planning system should support the transition to a low carbon future in a changing climate and should help to shape places that contribute to radical reductions in greenhouse gas emissions, and encourage the reuse of existing resources, including the conversion of existing buildings.
- 8.16 Policy SI2 of the London Plan seeks to ensure developments contribution to reducing operation carbon on site. This policy seeks to ensure that this is achieved from energy efficiency measures. Achieving energy credits as part of the BREEAM rating can demonstrate that energy efficiency targets have been met. As such, boroughs are encouraged to include BREEAM targets within their local policies.
- 8.17 Policy CR1 of the Core Strategy sets out measures to address the causes and potential impacts of climate change, requiring all new development to meet high environmental buildings standards and encourage low and zero carbon developments. Policy BR1 of the Borough Wide DPD seeks to ensure all developments meet high standards of sustainable design and construction. As a result, all non-residential major developments should achieve a minimum standard of BREEAM 'Very Good-Excellent' rating.
- 8.18 Policy SP7 of the Draft Local Plan seek to ensure major development are new zero carbon and employ low carbon technologies. This is further supported by policy DMSI 1 which outlines that all new non-residential developments over 500sqm floorspace must be designed and built to meet or exceed a BREEAM 'Excellent' rating.

- 8.19 As detailed in the policies above to contribute to achieving energy efficiency measures in line with policies all non-residential developments over 500sqm shall achieve a BREEAM 'Excellent' rating.
- 8.20 It is understood that the applicant (The Department of Education) does not fund BREEAM 'Excellent' projects because it requires all of its appointed contractors to meet the DfE's own specification. The applicant states the DfE specification not only achieves net zero carbon in operation, but also better BREEAM 'Excellent' in many areas.
- 8.21 Officers have sought further evidence from the applicant to justify how the proposed development when constructed in accordance with DfE specification will meet and exceed the requirements of BREEAM Excellent which policy requires. The applicant has submitted a document called Supporting Statement: BREEAM v the Department for Education's S21 prepared by Willmott Dixon dated 14.06.2023. This document states " Since 2021, the DfE have required that all new schools are to be Net Zero Carbon in Operation as part of the S21 Output Specification. S21 embodies an emphasis on a fabric first approach, renewables, green infrastructure, biodiversity, and use of landscape to help deal with issues of climate change. The intention of this approach is to have a meaningful impact on the environmental outcomes and is also viewed by the DfE as a means of embracing innovation as part of modern methods of construction. It is important to note that the S21 also aligns with the DfE's procurement timeframe, compared to BREEAM which requires early engagement and commitment and due to the nature of the DfE's framework; this proves challenging. Whilst BREEAM and S21 are different in their approach to achieving energy efficiencies (S21 is a briefing document whereas BREEAM is a validation system), there are numerous similarities between the two approaches as can be seen from the list of current sustainability measures which are currently being considered as part of the design of the Oxlow Bridge School". The applicant has provided a table which set out the intensions of BREEAM and how the DfE specification is considered to align with this. Officers welcome this detail and are happy that the development whilst not built to BREEAM Excellent Standards will be built to an equivalent standard of energy efficiency. energy efficient.
- 8.22 Noting the application is for a school and given the development will be constructed in accordance with DfE specification to achieve energy efficiency. Whilst it is acknowledged that the proposal will not meet the requirements of the policy. Given the standard of construction will be on par if not better to that required by policy and noting the development will provide an additional SEND school in the borough which is high demand. On balance officers consider the proposed energy efficiency standards to be acceptable and in keeping with the development policies.
- 8.23 It is recommended that a condition is attached requiring a post construction assessment to be submitted within three months of first use to demonstrate that the proposal has been constructed in accordance with the agreed DfE Specification methodology.

Air Quality

- 8.24 The NPPF sets out at paragraph 186 that decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants taking into account the presence of AQMAs and the cumulative impacts from individual sites in local areas.
- 8.25 Policy S11 of the London Plan also states that all development should be air quality neutral as a minimum. This is supported by Policy DMS14 of the draft Local Plan (Regulation 19 version). Core Strategy CR1 sets a policy requirement to protect air quality.
- 8.26 The application is accompanied by an air quality assessment. This assessment concludes "The Air Quality Neutral Building Assessment for the proposed development demonstrated that it is below the benchmark. As such, the development is considered air quality neutral with regards to building emissions and therefore no further mitigation is required'. Officers therefore believe that the development is air quality neutral and no further mitigation measures are required. The environmental protection officer was consulted and raised no objections with regard to the proposal. However, they recommend that a condition securing details of Non-Road Mobile Machinery and a demolition/construction management plan. Officers note that a construction management plan and air quality constraints assessment was submitted with the application. The environmental protection officer was consulted on these and considered the details provided to be acceptable. They recommended a compliance condition to secure this which will be attached should this application be approved. On this basis officers do not consider a revised construction logistics plan needs to be

submitted and the impact of air quality through the course of construction have been assessed and found to be acceptable. In terms of the non-road machinery condition the environmental agency was consulted who recommend that the control of emissions from Non-Road Going Mobile Machinery (NRMM) is conditioned. Officers note that should this application be approved it is recommended that this is included as a condition to ensure acceptable air quality impacts during construction.

- 8.27 The GLA were consulted who confirmed that the Air Quality assessment did not accord with policy SI1 of the London Plan. It is noted that the original assessment did not set out whether the development was air quality neutral or not. A revised assessment was submitted which confirmed that the development was neutral. Officers sought further clarity on this. The GLA officer noted the revised air quality neutral assessment was missed hence the details were not reflected in their stage 1 report. This will be captured at stage 2. Nevertheless, noting the updated air quality assessment confirms the development is air quality neutral officers consider the requirements of the policies have been met.
- 8.28 Officers acknowledge that the submitted assessment confirms an air quality neutral development. Nevertheless, an obligation and condition will be imposed on these applications securing an updated air quality assessment to be submitted. Should the updated assessment find that the development is not air quality neutral. A financial contribution of £29,000/tonne over the benchmark will be required to make the scheme air quality neutral.

9.0 Biodiversity & Sustainable drainage:

- 9.1 The NPPF states that planning systems should minimise impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Policy G6 of the London Plan requires new developments to make a positive contribution to the protection, enhancement, creation and management of biodiversity wherever possible. Policy G5 of the London Plan requires major developments to contribute to the greening of London by including urban greening as a fundamental element of site and building design. Boroughs should develop and Urban Greening Factor (UGF) to identify the appropriate amount or urban greening required. The mayor recommends a UGF target of 0.4 for residential developments and 0.3 for commercial developments. Policy D8 encourages the incorporation of green infrastructure to the public realm to support rainwater management. Policies CR2 and BR3 of the Core Strategy and Borough Wide policies 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 SP6 of the emerging Local Plan (Regulation 19 stage). Emerging policy DMNE2 of the draft local plan supports developments that maximise opportunities for urban greening. This policy requires developments to calculate their UGF in line with policy G5 of the London Plan. Policy DMNE3 of the draft local plan seeks to enhance nature conservation and biodiversity within scheme, as such, all development proposals are required to minimise the impact of development on biodiversity and nature in accordance with policy G6 of the London Plan.
- 9.2 As detailed above in granting planning permission policies seek to ensure that development contribute to enhancing the greening of sites its ability to support of habitats and biodiversity.
- 9.3 The application is accompanied by a landscape statement and biodiversity net gain design report. These set out how the scheme meets policy requirements on UGF and biodiversity net gain. The proposal seeks to enhance the quality of the site through the planting of 33 new trees, flower-rich perennial planting, hedges and the introduction of a new green roof. Likewise, the development will be designed to use permeable paving. The site at present is predominantly hardstanding. Officers welcome the introduction of more planting and green areas and consider this to improve the visual appearance of the development. It is noted that the landscaping statement confirms that the proposed interventions will allow the development to achieve an urban greening factor of 0.3 which meets the requirements of policy G6 of the London Plan.
- 9.4 Further, the applicant has submitted a biodiversity net gain report. The Environmental Act 2021 advocates a biodiversity net gain of 10% on all major developments. The submitted report concludes

that the development will result in a net increase of +0.64 area habitat units (141.87%) and 2.94 hedgerow habitat units (1212.03%). These have been created through the introduction of native plant species which will provide additional habitats and food sources for reptiles, birds, bats and hedgehog as well as bat, bird, bee and other invertebrates boxes. Officers have reviewed the site and note it is currently predominantly hardstanding with minimal opportunities for habitat. As such, it is clear that the proposed landscaping, planting and habitat enclosure will further improve the natural landscape by intensifying and creating a more biodiverse environment which will be able to support new habitats and wildlife. On this basis officers consider the development to speak to policy noting it makes a positive contribution to the enhancement and creation of biodiversity. The GLA were consulted who notes the development has achieved biodiversity net gain. They recommend that the ecology appraisal should be conditioned. Officers note this will be included within the approved documents.

9.5 Notwithstanding, it is recommended that a landscape environment management plan (LEMP) is conditioned to outline how the new habitats will be managed and maintained for a minimum of 30 years. The LEMP should include details of the proposed green roof and how this achieves the intensive green roof condition assessment criteria as well as the positioning and design of the proposed habitat boxes.

Badgers

9.6 A badger survey report was submitted to accompany this application. The report confirms there are 5 disused badger holes present onsite. As such a site monitoring visit was undertaken comprising of a total of 6 repeat visits. No evidence of badger activity was noted during this period. On the final visit sandbags were placed over the open holes, which showed no signs of activity or any mammals. The report therefore concludes that a licence is not required to disturb the holes as they are disused, as such, it is possible to remove the holes under supervision of the ecological clerk of works. However, once removed works should be implemented as soon as possible to reduce the chance of badgers returning to site. Notwithstanding, should works not start immediately following the removal of disused holes it is recommended that further checks for potential badger activity is undertaken no earlier than 3 months prior to commencement of the proposed works. It is recommended that a compliance condition is imposed requiring a revised badger survey report to be submitted should works not take place within 3 months of the existing disused badger holes being removed.

9.7 Noting the potential presence of badgers on site it is recommended that a condition is imposed which requires the development to be constructed in accordance with the recommended measures set out in paragraph 4 of document number 7195,E,Badger,AS,TC, KL,22-03-23,V2 Badger Survey Report dated 22.03.2023. This will ensure that the site remains safe during construction and prevents the risk of badgers returning during this period. Similarly,

Bird and Bats

9.8 An ecological appraisal has been submitted which outlined the result of a desk study. This assessment confirmed that there was a negligible potential for Great Crested Newts, badgers, hazel dormouse, otters, water voles and invertebrates on site. Similarly, the existing structures and trees have been assessed and found to have negligible suitability to support roosting bats. Notwithstanding, the desk study returned a moderate suitability to support nesting birds. It was confirmed that the buildings had no suitability, however, scattered trees and introduced shrubs could provide nesting opportunities. The report therefore recommends that site clearance takes place between October to February inclusive to avoid disturbing/destroying nesting birds. It is recommended that this is conditioned.

9.9 Further, the ecological appraisal recommends that bird, bee and other invertebrate boxes are attached and installed as part of this application to contribute to enhancing the quality and provision of suitable habitats. It is recommended that a condition is placed on this application requiring the details of the design and location of these boxes to be submitted. It is noted that Natural England were consulted and raised no concerns with regard to the proposed application.

9.11 Overall, subject to the imposition of conditions officers consider the development to contribute to providing net biodiversity gains through the introduction of more planting and greening on site as well as providing opportunities to enhance the quality of in site biodiversity.

9.12 Sustainable Drainage

- 9.13 The NPPF states that new development should be planned for in ways that avoid increased vulnerability to the impacts arising from climate change. Paragraph 167 highlights that inappropriate development in areas at risk of flooding should be avoided, and that where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
- 9.14 London Plan policy SI13 supports sustainable drainage. This policy states that development proposals should aim to achieve greenfield runoff rates and ensure that surface water run-off is managed as close to the source as possible. There should be a preference for green over grey features, in line with the drainage hierarchy. Drainage should be designed and implemented to promote benefits including urban greening, improved water quality and water efficiency. Policies CR4 and BR4 of the Core Strategy and Borough Wide Policies and Policy DMS16 of the emerging Local plan (Regulation 19 stage), set out the local policy position.
- 9.15 The application site is located within Flood Zone 1 which is an area deemed to have less than 0.1% chance of flooding in any year. A flood risk assessment and drainage strategy has been submitted with this application. The assessment summary concludes that “the report demonstrates that the proposed development has conformed with the requirements of the planning policy and has a positive impact on the site’s condition. A desktop assessment of geological mapping and nearby borehole records indicated that the disposal of surface water runoff by infiltration is not feasible... In the surface water design it has been proposed that a created attenuation tank is used under the car park to be discharged at a rate of 2.7l/s into Manhole 6405. Additionally, a full bypass separator has been used to filter suspended solids, metals, and hydrocarbons... Foul water drainage is proposed to discharge to Thames Water sewer utilising the existing connection that discharged to a 375mm diameter pipe... The responsibility for the continuous operation and maintenance of the SuDS will fall on the care taker or a maintenance company and is included in the Maintenance and Management Strategy”.
- 9.16 The drainage officer and Thames water were consulted as part of this application. Thames Water confirmed that they would expect developers to demonstrate what measures will be undertaken to minimise groundwater discharges into public sewers. Should water be discharged into the public sewer a permit will be required. The applicant confirmed that no discharge into the public sewer will take place without the necessary permits. It is recommended that an informative is placed on this application providing details of how to acquire a groundwater risk management permit from Thames Water.
- 9.17 Further Thames water confirmed they raised no objections to surface water drainage providing the developer follows the sequential approach to the disposal of water. The applicant was consulted for more details on this. They confirmed “We confirm that a sequential approach to the disposal of surface water has been applied in the design as detailed in Section 6 of the submitted Canham Consulting Flood Risk Assessment and Drainage Strategy document”. On this basis officers are satisfied that the Thames water requirements have been met and that they present no objections to the proposal. Thames water advise no objections to the waste water network and sewage treatment works infrastructure capacity.
- 9.18 Officers also sought comments from the LBBB Flood Risk Manager who raise no objections. Nevertheless, they recommend a condition requiring the development to be constructed in accordance with the approved surface water drainage works.
- 9.19 The environmental agency was consulted who note they support the use of SuDs to ensure development does not increase flood risk elsewhere in line with the NPPF. They note that surface water run off should be controlled as near to source as possible through a sustainable drainage approach to surface water management (SuDs). Officers note that SuDs have been proposed and these have been detailed in the section above. As noted, the LBBB drainage officer have reviewed the

proposal and consider the proposed surface water drainage strategy to be acceptable. On this basis officer are confident that sufficient measures have been put in place to mitigate the risk of surface water flooding which addresses the points raised by the EA. The GLA were consulted who confirmed the submitted details comply with the requirements of policy SI12 of the London Plan. Nevertheless, full details of how the scheme complies with policy SI3 of the London Plan should be provided ahead of stage 2.

9.20 Overall, subject to the imposition of conditions and an informative officers consider the development to provide sustainable drainage on site.

9.21 Further, in terms of water efficiency the GLA were consulted who note that no “No information has been provided as to the targeted Wat 01 credits for the non-residential uses on site. This should be submitted prior to Stage 2 to ensure compliance with London Plan Policy SI 5”. The applicant should provide this detail to the GLA ahead of stage 2

9.22 Summary

9.23 Overall, subject to the imposition of conditions and informative the proposal is considered to make a positive contribution to biodiversity through the implementation of trees, planting, and habitats. Likewise, the development seeks to ensure sustainable drainage is proposed. On this basis officers consider the proposal to be acceptable and in keeping with the development policies.

Conclusions:
<p>The proposed development seeks permission for the construction of a new SEND school. Whilst located on designated LSIS policies permits the co-location of industrial uses with residential and/or other uses side by side or stacked. In the Draft Local Plan the site has been designated LSIS with allocation for educational use with the release of the land undertaken in a plan-led way. Further, as shown in the evidence submitted there is a need for a new SEND school within the borough.</p>
<p>The proposal will generate employment of up to 129 staff. Whilst the development is not an industrial use it will contribute to enhancing and providing new employment opportunities within the borough whilst addressing an important identified local need for special educational needs school.</p>
<p>The development will have an acceptable impact on the character and appearance of the area, neighbouring amenity, the highway, providing a state-of-the-art new facility. The proposal has been designed to minimise the risk of crime and ensure noise sensitive receptors are positioned away from the surrounding industrial sites and the highway.</p>
<p>The proposed design and layout of the building is compatible in this location and care has been taken to ensure noise impacts from existing noise and noise generating activities have been mitigated. There will be a significant uplift in the number of trees, planting and greening of the site which enhances the visual appearance of the site, acts as a buffer and screening between neighbouring sites and encourages biodiversity enhancements.</p>
<p>The development will encourage the use of more sustainable modes of transport; however, it makes sufficient provision for car parking, cycle parking and school pick up and drop off. Measures have been put in place to ensure that access and egress into and out of the site is safe. A Road Safety contribution has been sought to go towards reducing the speed on Wantz Road to improve the safety of the highway immediately outside and ensure safe pedestrian, driving and cycling to and from the site.</p>
<p>The development is also highly sustainable, offering substantial carbon reductions, air quality neutral development and enhancements to the natural environment on site. All existing land contamination will be cleaned up with the site prepared appropriately for this use. An adequate sustainable drainage strategy has been proposed to ensure the risk of flooding is mitigated.</p>

Officers therefore consider the benefits of the scheme to significantly and demonstrably outweigh any loss of local significant industrial land and attribute significant weight to the site allocation in the Regulation 19 Draft Local Plan which is at an advance stage. Subject to the imposition of conditions and obligations officers consider the proposal to be acceptable and in keeping with the development policies and the Development Plan. 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) (DLUHC, 2021)</i></p>	
<p><i>The London Plan (March 2021)</i></p>	<p>Policy GG2 Making the best use of land Policy E6 Locally Significant Industrial Sites Policy E7 Industrial intensification, co-location and substitution. Policy E4 Land for industry, logistics and services to support London’s economic function Policy S1 Developing London’s social infrastructure. Policy S3 Education and childcare facilities Policy D1 London’s form, character and capacity for growth Policy D3 Optimising site capacity through the design-led approach Policy D4 Delivering good design. Policy D5 Inclusive design Policy D12 Fire safety Policy GG1 Building strong and inclusive communities. Policy GG3 Creating a healthy city. Policy D14 Noise Policy T6 Car Parking Policy T5 Cycling Policy T6.5 Non-residential disabled persons parking Policy SD1 Opportunity Areas Policy E8 Sector growth opportunities and clusters Policy SI7 Reducing waste and supporting the circular economy. Policy S10 Aggregates Policy SI2 Minimising greenhouse gas emissions Policy SI4 Managing heat risk. Policy SI7 Reducing waste and supporting the circular economy. Policy SI6 Digital connectivity infrastructure Policy SI1 Improving air quality. Policy G6 Biodiversity and access to nature Policy G5 Urban greening Policy D8 Public Realm Policy SI13 Sustainable Drainage Policy S13 Agent of Change</p>
<p><i>Local Development Framework (LDF) Core Strategy (July 2010)</i></p>	<p>Policy CM1 General Principles for Development Policy CE3 Safeguarding and Release of Employment Land Policy CC2 Social Infrastructure to Meet Community Needs Policy CP3 High Quality Built Environment Policy CR3 Sustainable Waste Management Policy CR1 Climate Change and Environmental Management Policy CR2 Preserving and Enhancing the Natural Environment Policy CR4 Flood Management</p>

<p><i>Local Development Framework (LDF) Borough Wide Development Plan Document (DPD) (March 2011)</i></p>	<p>Policy BP11 Urban Design Policy BP8 Protecting Residential Amenity Policy BR9 Parking Policy BR10 Sustainable Transport Policy BR11 Walking and Cycling Policy BR15 Sustainable Waste Management Policy BR5 Contaminated Land Policy BR2 Energy and On-Site Renewables Policy BR3 Greening the Urban Environment Policy BR4 Water Resource Management</p>
<p><i>The London Borough of Barking and Dagenham’s Draft Local Plan: (Regulation 19 Consultation Version, December 2021) is at an “advanced” stage of preparation. Having regard to the NPPF the emerging document is now a material consideration and substantial weight will be given to the emerging document in decision-making, unless other material considerations indicate that it would not be reasonable to do so.</i></p>	
<p><i>The London Borough of Barking and Dagenham’s Draft Local Plan: (Regulation 19, December 2021)</i></p>	<p>Policy SPP5 Dagenham East Policy SPDG1 Delivering growth in Barking and Dagenham Policy SP5 Promoting inclusive economic growth. Policy DME1 Utilising the borough’s employment land more efficiently. Policy SP4 Delivering social and cultural infrastructure facilities in the right locations. Policy DMD1 Securing high-quality design. Policy DMSI3 Nuisance Policy DMT2 Car parking Policy DMT3 Cycle parking Policy SP5 Promoting inclusive economic growth. Policy DMSI8 Demolition, construction, and operational waste Policy DMSI5 Land contamination Policy DMSI2 Energy, heat and carbon emissions Policy SP7 Securing a clean, green and sustainable borough. Policy DMSI4 Air quality Policy SP6 Green and blue infrastructure Policy DMNE3 Nature conservation and biodiversity Policy DMS16 Flood risk and defences</p>

<p>Additional Reference:</p>
<p><i>Human Rights Act</i></p> <p>The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.</p> <p><i>Equalities</i></p> <p>In determining this planning application, the BeFirst on behalf of the London Borough of Barking & Dagenham has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010 (as amended).</p> <p>For the purposes of this application there are no adverse equalities issues.</p>

Appendix 2:

Relevant Planning History:			
<i>Application Number:</i>	N/A	<i>Status:</i>	N/A
<i>Description:</i>	N/A		

Appendix 3:

The following consultations have been undertaken:

- LBBB Education
- LBBB Employment and Skills
- LBBB Trees
- LBBB Refuse and Waste
- LBBB Access
- LBBB Local Flood Authority
- National Grid- Electricity
- UK Power Networks
- London Fire Brigade
- Thames Water
- Historic England
- TfL Planning
- Natural England
- Be First Transport
- Deign out Crime Officer
- LBBB Environmental Protection
- TFL Overground
- GLA
- LBBB Street Lighting

Summary of Consultation responses:		
Consultee and date received	Summary of Comments	Officer Comments
Network Rail dated 22.05.2023	I would like to inform you that Network Rail have no objections to the proposals.	Noted
Natural England dated 23.05.2023	Natural England has no specific comments to make on this proposal or issue	Noted
LBBB Employment and Skills dated 15.06.2023	<p>Noting the site is not proposed for residential or commercial use there is no requirement for the development to provide employment and skills.</p> <p>Notwithstanding, noting the scheme is for the construction of a new school on public sector land it is expected that a light touch contribution to employment and skills is secured.</p> <p>A light touch would look like this-</p> <ul style="list-style-type: none"> • Educational visits/engagement/activities (how many would depend on the size and duration of the build), usually one per academic term the development is underway. • Work placements – these could be one or two week placements shadowing staff on site such as site managers, surveyors etc as these are usually not subbed out to sub-contractors and managed in house • Training outcomes could still be achieved – 1 per 10 FTE members of staff on site upskilling or renewing tickets. This is highly achievable 	Comments have been reviewed in the employment and skills section. An obligation has been included securing employment and skills.

	<ul style="list-style-type: none"> • A token gesture of one new job created on site for a local person – could be a gate keeper, welfare labourer/cleaner, site admin for example • Access to or an introduction to end user jobs created. I appreciate these will be specialist teaching staff but if we could find out who will be doing catering/cleaning/facilities 	
London Overground dated 21.05.2023	No comment. Please ensure consultation is carried out with Network RAIL.	Noted
Access Officer 19.05.2023	<p>I would like to make the following comments: Some of the accessible WC's doors open inwards, this should be revised so doors are sliding or open outwards. At least one accessible parking bay should have an electric charging point. I would imagine the pupil WCs are within the hygiene rooms and will these contain Changing Places?</p>	This has been reviewed in the design section. It is noted that an inclusive design statement needs to be submitted to the GLA prior to stage 2. Officers therefore are confident that these comments will be addressed.
National Grid Asset Protection Team dated 19.05.2023	<p>Regarding planning application 23/00631/FULL, there are no National Grid Electricity Transmission assets affected in this area.</p> <p>Regarding planning application 23/00631/FULL, there are no National Gas Transmission gas assets affected in this area</p>	Noted
Design out Crime Officer Met Policy dated 05.05.2023	The Metropolitan Police have no objection to the proposed development, subject to the specific concerns stated in Section 3 being addressed, and a Secured by Design (SbD) planning condition being attached to the permission, as detailed in Section 4. This is to focus the minds of the developer towards security and crime prevention, in turn ensuring such measures are not value engineered out at a later stage of the construction process.	Recommended condition has been imposed
LBBB Street Lighting 03.05.2023	The lighting here is all "off-highway" and not to be adopted. This will have no impact on the highway lighting outside of the premises and we therefore will not be maintaining and have no comments or issues with this proposal.	Noted
Historic England dated 02.05.2023	No requirement for Historic England to be consulted	Noted
Thames Water dated 0.05.2023	<p>Waste Comments</p> <p>We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing</p>	Clarity on these points have been reviewed in the sustainable drainage section of this report. Recommended conditions and informative have been included.

and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>

Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

Water Comments

With regard to water supply, this comes within the area supplied by the Essex and Suffolk Water Company. For your information the address to write to is -Essex and Suffolk Water Company, Sandon Valley House, Canon Barns Road, East Hanningfield, Essex CM3 8BD Tel - (03457) 820999

<p>LBBB Flood Risk Manager dated 30.05.2023</p>	<p>I have reviewed the application and raise no objection. Please consider adding the following condition: 1. 'Prior to the occupation of the site hereby approved the surface water drainage works shall be carried out and the sustainable urban drainage system shall thereafter be managed and maintained in accordance with the agreed management and maintenance plan.'</p>	<p>The recommended conditions have been imposed on this application.</p>
<p>LBBB Environmental Protection Officer dated 16.06.2023</p>	<p>Noise 1. The noise insulation and ventilation scheme hereby permitted shall be installed in strict accordance with the details provided in section 3 of the acoustic report submitted by MACH Acoustics Ltd reference FS0704-MAL-ZZ-ZZ-RP-J-9003 dated 14/04/2023. The noise insulation and ventilation scheme shall thereafter be retained as approved. 2. All building services plant associated with the development shall comply with the noise limiting levels set out in section 4 of the acoustic report submitted by MACH Acoustics Ltd reference FS0704-MAL-ZZ-ZZ-RP-J-9003 dated 14/04/2023.</p> <p>Odour Control The installation of commercial kitchen extraction scheme hereby permitted shall be installed in strict accordance with the details provided in section 4 of the Odour Assessment submitted by Noise Air Acoustics & Air Quality reference P6325-R1-V2 dated 26/04/2023. The installation of commercial kitchen extraction scheme shall thereafter be retained as approved.</p> <p>External Lighting The installation of external lighting scheme hereby permitted shall be installed in strict accordance with the details provided in section 4 of the External Lighting Report submitted by Van Zyl & de Villiers Ltd reference FS0704-VZV-ZZ-XX-RP-E-0001 dated 06/04/2023. The installation of external lighting scheme shall thereafter be retained as approved.</p> <p>Construction The Construction Management Plan hereby permitted shall be installed in strict accordance with the details provided in Construction Management Plan submitted by Willmott Dixon reference G00716 dated 21/04/23 and the Air Quality Constraints Assessment submitted by NALO, Tetra Tech reference 784-B029066 dated 17/03/2022. The Construction Management Plan shall thereafter be retained as approved.</p> <p>Contaminated Land</p>	<p>The recommended conditions and obligations have been imposed on this application.</p>

Soiltechnics Ltd. on behalf of the Client was appointed to investigate any potential pollutant linkages, which could affect the proposed construction of a special needs school with parking and landscaping works. The results of the intrusive site investigation showed risk to human health and controlled waters. Additional Detailed Quantitative Risk Assessment was undertaken to assess the risk of the solvent plume. The outcome of the assessment concluded minimal risk from vapour intrusion affecting nearby residents and no risk to surface waters. A risk identified to groundwater, will decline over time and no remediation is required.

The applicant's proposal includes the following points to support site development:

1. Installation of clean cover system in all soft landscape areas or undertake further testing to refine risk assessment,
2. Installation of vapour membrane in all structures with independent verification,
3. Protect water supply pipes from contamination,
4. In the event of reusing any of the site won materials, chemical testing will be provided,
5. Any imported material will be tested to ensure is suitable for the proposed use,
6. School foundations should not impact the existing barrier,
7. A Remediation Strategy, followed by Verification Report will be provided,
8. A watching brief will be applied during the development works.

Due to the sensitive nature of the proposed use, I recommend that the land contamination condition be attached to any approval. Once a contaminated land assessment document has been received and reviewed the attached condition will be considered for discharge.

Air Quality

Thanks for contacting the Environmental Protection Team (AQ) regarding the above planning application for the demolition of existing industrial building and construction of a part single storey, part 4

two storey special education needs (SEND) school, together with associated access, parking and landscape works and I would like to comment as follows.

Having taken time to consider the applicant submitted Energy Strategy with reference FS0704 – VZV – ZZ – ZZ – RP – Z – 0001 with the proposed Air Source Heat Pumps & Roof mounted Photovoltaic Panels as the most

	<p>favourable source of energy to the building as well as the Air Quality Constraints Assessment report with reference 784 – B029066 prepared by Tetra Tech. Limited dated 17th March 2022 taken note of sections 3 (Assessment Methodology), 4 (Survey Methodology), 5 (Baseline Conditions), 6 (Assessment of Air Quality impacts (Construction Phase)), 7 (Assessment of Air Quality (Operational Phase)) and 8 (Mitigation), we are satisfied with the submitted AQ report though the applicant did not make any reference to an AQ neutral assessment in the report.</p> <p>Therefore, whilst we have no objection to the proposed development in relation to AQ; the following planning conditions in relation to AQ are recommend should the application be approved.</p> <ol style="list-style-type: none"> 1. NRMM 2. Demolition/Construction Environmental Management Plans 	
<p>Be First Transport Policy Manager dated 13.06.2023</p>	<p>As a borough we want more 20mph roads, and in the 20mph consultation we did recently, lots of feedback was relating to having 20mph by schools. There is tonnes of evidence relating to severity of injury at 20mph vs 30mph. Therefore, I recommend that we ask them to contribute to a speed reduction along Wantz Road. At present there is a 20mph zone on the southern end of Wantz Road. However, this should be extended from the junction with Alibon Road, all the way up to Oxlow Lane.</p> <p>I suggest the following obligation</p> <p><u>Road Safety Contribution</u></p> <p>Road Safety contribution of £15,000 (indexed) on Wantz Road to reduce vehicle speeds and ensure vehicles, people cycling and pedestrians can safely access and egress the proposed school. The development is expected to increase the number of vehicles on the street at drop-off and pick-up times. Lowering speeds from 30mph to 20mph improves air quality and lowers carbon emissions, which is important for students at the school. Lowering speeds also contributes towards making the street safer and reaching the Mayor's target of Vision Zero. The level of contribution sought will contribute towards the implementation of 20mph signing, lining and minor traffic calming.</p>	<p>Comments have been reviewed in the transport section and the recommended obligation secured.</p>
<p>Be First Transport Officer dated 15.06.2023</p>	<p>It's understood the application site is allocated in the Emerging Local Plan for education use. The proposal to build a new special education needs for 100 pupils and 129 staff. In addition, the school will be visited regularly by specialist</p>	<p>Comments have been reviewed in the transport section. Recommended conditions and obligations have been included.</p>

therapists to help with students needs. The PTAL of the site has low level of accessibility (1B).

The former Council depot had approximately 155 parking spaces and the site was recently used as a car park. Both these previous uses operated with the same number of spaces and generated moderate volumes of traffic. The proposals will retain a total of 61 car parking spaces, of which 58 parking spaces for staff and three will be accessible spaces. The site will also have a drop-off zone.

The Transport Assessment (TA) states that due to pupils needs most will travel by mini-bus, taxi or private car. There is an expectation that the specialist staff will be regional rather than local. This will likely necessitate high demand for travelling by private vehicles.

To mitigate the impact during the peaks in traffic generation it will require a robust Parking Design and Management Plan (PDMP) and Delivery and Service Plan that promotes as suggested in the TA staggered arrivals and departures to avoid any queuing to get into the site.

The London Plan states that this should be “car-lite” but it has been explained during the pre-app process the proposed number of spaces is required to meet the operational needs of the school.

We consider this layout should be able to contain parking demand from the proposals within the site and prevent overspill parking occurring in Wantz Road and neighbouring streets.

The Transport Assessment states that cycle parking provision will be provided in accordance with London Plan standards. The cycle storage and equipment must comply with London Cycle Design Standards (LCDS). These facilities should also come with lockers and showers on site to support staff who opt to cycle.

Electric vehicle charging points will be provided in the school car park. This will be in accordance with the London Plan, 20% of the spaces will have active provision and 20% will have passive provision. Locations of the EVCP don't appear to have been identified. Can you please request a plan showing the locations,

A proposed mitigation strategy including demand management and physical measures has been submitted to address the impacts of the development These should be secured with the

applicant separately in a section 278 agreement (Highways Act 1980). We suggest that in the interest of highway safety, the applicant should enter a section 278 agreement prior to occupation, and this secured in a legal agreement.

In terms of these measures the proposed preliminary traffic design appendix K to address issues with protecting the pedestrian environment, parking restrictions and road speeds the drawing is not acceptable for the following reasons.

The school “keep clear” markings (SKC) are in front of the DYLS, which you can’t do as they are two different restrictions which will conflict each other as the DYLS are 24/7 and the SKC will normally be Monday to Friday and during the school hours. These can be enforced by CCTV camera’s possibly 2 needed and we would assume these would form part of the mitigation measures and consequently, supplied and installed as part this work.

On the vehicle entrance to the school there are some DYLS being proposed but there is a section of single yellow line, but no time associated to it. It might be sensible to use double yellow lines with blips adjacent to the school frontage with single yellow on the opposite side of the road.

It also proposed that the road is to become 20mph so two TMO’s will be required one for the static restrictions and one for the speed limit. Due to no physical measures to self-enforce the new 20mph speed limit restriction the proposed stretch of road will need to be shortened.

In terms of the School Travel Plan the applicant has primarily aimed it at staff and visitors. It sets out the aim of the STP submitted to obtain TfL STARS bronze accreditation at opening year (2024) and maintain this going forward. We are satisfied with the detailed programme of suggested travel initiatives to be implemented by the school as shown in Table 9.1, monitoring and review submitted by the applicant which is to be implemented by the whole school community / Applicant to evaluate the effectiveness of the Travel Plan measures.

We recommend within 6 months of occupation, the applicant must register to become a STARs school committing to more active, safe and sustainable travel. A School Travel Plan shall then be completed via TfL STARs online portal and submitted to and approved in writing by the

	<p>Local Planning Authority in line with TfL Stars requirements with the aim to achieve bronze accreditation. On approval the Travel Plan shall be implemented and maintained</p> <p>The following documents will need to be secured and be prepared in accordance with relevant TfL guidance.</p> <ul style="list-style-type: none"> • A detailed Delivery and Servicing Plan. • A detailed Construction Logistics Plan 	
<p>TfL dated 02.06.2023</p>	<ul style="list-style-type: none"> • The development should seek to improve Wantz Road and consider parking controls to improvement pedestrian access on Wantz Road are implemented. • Improvements thorough the ATZ assessment should be secured. <p>Trip Generation</p> <ul style="list-style-type: none"> • Whilst the pupil trip gen is considered acceptable given the nature of the school although we would encourage initiatives to support pupils who are able and keen to cycle, the staff trip generation is low on active travel modes, especially cycling. The Travel Plan should include specific measures to promote walking and cycling and as set out above improvements to the active travel environment are justified. <p>Cycle Parking</p> <ul style="list-style-type: none"> • Details of cycle parking should be provided. Arrangements for cycle parking management should be contained with the Parking Design Management Plan (PDMP). <p>Car Parking</p> <ul style="list-style-type: none"> • Concerns that the quantum of car parking is too high. Opportunities to reduce this number should be explored. • EVCP should be provided for the minibus and disabled parking bays. <p>Travel Plan</p> <ul style="list-style-type: none"> • A travel plan should be secured in line with relevant TfL guidance. <p>Other</p> <ul style="list-style-type: none"> • A delivery and servicing plan should be secured by condition. • Construction logistics plan should be secured by condition. 	<p>These comments have been addressed in the transport section of the report. Recommended conditions have been imposed.</p>
<p>GLA dated 12.06.2023</p>	<p>Land use principles: The Applicant/Council must demonstrate at Stage 2 how these proposals would result in the consolidation and intensification of industrial uses in the wider body of industrial land around the site.</p> <ul style="list-style-type: none"> • Urban Design: Further information is required on fire safety and inclusive access, and the 	<p>These comments have been addressed in the principle of development, design, transport, sustainable development and biodiversity/sustainable drainage sections of the report. Recommended conditions have been imposed.</p>

	<p>Applicant should explore opportunities for further boundary planting prior to Stage 2.</p> <ul style="list-style-type: none"> • Transport: Reduction or further justification is required for the quantum of staff car parking. Further work is also required on the Health Streets Assessment and staff cycle storage. The Council should secure management plans. • Sustainable development: The Applicant is required to submit a Circular Economy Statement and a Whole Life-Cycle Carbon Assessment prior to Stage 2. • Environmental issues: Require resolution prior to the Mayor’s decision-making stage. <ul style="list-style-type: none"> • 	
<p>LBBD Trees Officer dated 26.06.2023</p>	<p>From a removal perspective. I have no concerns, and the landscaping looks to offset the removals.</p>	<p>Noted and detailed in the tree section of the report.</p>

Appendix 4:

Neighbour Notification:	
Date Site Notice Erected:	11.05.2023
Date of Press Advertisement:	03.05.2023
Number of neighbouring properties consulted:	134 sent on 28.04.2023
Number of responses:	1
Address:	Summary of response:
<i>Unknown Address</i>	<p>As a person that has a SEN sister and also works with teenagers and adults with special needs, I am all for a new SEN school in the borough. However, looking at the purposed development, its lacking enough green space and outdoor facilities. Fair enough you do have pondfield park within walking distance but with the busy constant flow of traffic, lorries and industrial buildings this could be a trigger for some of the pupils. I have worked in Riverside Bridge school and a few years ago it was a building site and this did interfere with the pupils ability to learn. In comparison to Riverside Bridge School, this was a 4 level school and transitioning the pupils to classes/playground/lunch hall and pick up and drop off made it tiring for all, and some pupils did go into crisis. My SEN sister went to Trinity school and it had a ground level school making access easier. Lots of outdoor space so pupils can play and not have to be near each other if they didn't want too. I think that this school would not be big enough for a huge amount of students. Another point, there is already two schools either end of Alibon Road and with the school zone in place as well this will push out of the borough and also parents will not make it on time to school. Being a mum is stressful enough without trying to hurry their kids into school in case they get a fine. My kids don't go to the local school as it does work around my work. Wantz road is an extremely busy road for a lot of the businesses around there and daily there a lorries doing their drop offs next door to the purposed site. I believe that if you put a school in the purposed site then it would mean a lot more congestion, potential collisions or accidents, also children going into crisis if they are triggered. I want to know that the children, the surrounding businesses and also the congestion is kept in mind. Because a lot of building developments have gone unnoticed by the developers and they have gone ahead and done it anywhere and not considered the opinions of those that they have asked for. thanks</p>

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

Appendix 5:

Conditions & Informative:

Conditions:

1. 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. Approved Drawings

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

Approved Drawings:

- FS0704 - 3BM - ZZ - 00 - D – A Site Location Plan [Revision P05] dated 15.11.2022.
- FS0704 - 3BM - ZZ - 00 - D – A Proposed Ground Level Plan [Revision P10] dated 21.03.2023.
- FS0704 - 3BM - ZZ - 01 - D – A Proposed Level 1 Plan [Revision P09] dated 21.03.2023.
- FS0704 - 3BM - ZZ - RL - D – A Proposed Lower Roof Plan [Revision P07] dated 11.01.2023.
- FS0704 - 3BM - ZZ - RH - D – A Proposed Upper Roof Plan [Revision P08] dated 21.03.2023.
- FS0704 - 3BM - ZZ - ZZ - D – A Proposed Elevations [Revision P06] dated 24.03.2023.
- FS0704 - 3BM - ZZ - ZZ - D – A Proposed Site Sections [Revision P04] dated 11.01.2023.
- FS0704 - 3BM - ZZ - ZZ - D – A GA Sections [Revision P06] dated 19.07.2022.
- P474 - 3BM - ZZ - ZZ - I – A Proposed 3D Views 01 [Revision P05] dated 11.01.2023.

Approved Documents

- Badger Survey Report prepared by Geosphere Environmental dated 22.03.2023.
- Fire Strategy Report prepared by Affinity dated 21.04.2023.
- Fire Statement Form prepared by Affinity dated 12.05.2023.
- Air Quality Impact Assessment prepared by Stroma dated May 2023
- Landscape Statement prepared by PRP dated 17.04.2023.
- Ecological Appraisal [Revision 1] prepared by Tetra Tech dated 08.06.2021.
- Environmental Noise Assessment Report prepared by MACH Group [Revision P01] dated 14.04.2023.
- Arboricultural Survey and Implications Assessment prepared by Geosphere Environmental Ltd dated 17.01.2023.
- Delivery and Servicing Plan [Revision P01] prepared by Robert West dated 18.04.2023.
- Design and Access Statement dated 17.04.2023.
- Transport Assessment [Revision P03] dated 18.04.2023.
- Car Park Management Plan [Revision P01] dated 18.04.2023.
- Flood Risk Assessment and Drainage Strategy [Revision P5] prepared by Canham Consulting dated 20.04.2023.
- Biodiversity Net Gain Design Report prepared by Geosphere Environmental dated 18.01.2023.
- Odour Assessment prepared by NoiseAir dated 36.04.2023
- Daylight and Sunlight Façade Analysis Report prepared by Stroma dated 27.04.2023.
- External Lighting Report [Revision P01] prepared by Van Zyl & de Villiers Ltd Consulting Engineers dated 06.04.2023.
- Construction Management Plan [Revision 3] prepared by Willmott Dixon dated 21.04.2023.

No other drawings 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.

3. Use of the approved building

The development hereby permitted shall only be used for uses falling in Use Class F1(a) Provision of education.

Reason: To ensure that the development contributes to local economy and job creation.

4. Contaminated Land

No development shall commence until:

- a) a detailed remediation scheme, to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment, has been prepared and submitted to the Local Planning Authority for approval in writing. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- b) The approved remediation scheme must be carried out in accordance with its terms prior to commencement of the development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, 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.
- c) 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 to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
 - (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to human health; property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments; and
 - (iii) an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of (a), 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 in accordance with policy BR5 of the Borough Wide Development Policies.

5. Construction Logistics Plan

Prior to commencement of the development, a CLP in line with the TfL guidelines shall be submitted to and approved in writing by the Council. The details shall include the numbers, size and routes of construction vehicles, provisions within/around the site to ensure that all vehicles associated with the construction works are properly managed to prevent any unwanted disruption to other highway users, and other matters relating to traffic management to be agreed with the licencing officers of the council. Approved details shall be implemented throughout the project period and any changes to the document must be reported back to the council's planning and highways department.

Reason: To ensure that appropriate steps are taken to limit the impact of the proposed demolition and construction works on the operation of the public highway, the amenities of local residents and the area generally in accordance with Policy DMT 4 of The Local Plan.

6. Non Road Mobile Machinery

No works shall commence on the site until all plant and machinery to be used at the demolition and construction phases have been submitted to, and approved in writing by, the Local Planning Authority. Evidence is required to meet Stage IIIB of EU Directive 97/68/ EC for both NOx and PM. No works shall be carried out on site until all Non-Road Mobile Machinery (NRMM) and plant to be used on the site of net power between 37kW and 560 kW has been registered at <http://nrmm.london/>. Proof of registration must be submitted to the Local Planning Authority prior to the commencement of any works on site. An inventory of all NRMM must be kept on site during the course of the demolitions, site preparation and construction phases. All machinery should be regularly serviced and service logs kept on site for inspection. Records should be kept on site which details proof of emission limits for all equipment. This documentation should be made available to local authority officers as required until development completion.

Reason: To protect local air quality and comply with Policy SI1 of the London Plan and the GLA NRMM LEZ

7. Materials

Prior to above ground works details of all external facing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved materials and thereafter retained permanently.

Reason: To ensure the development remains in keeping with the character and appearance of the area.

8. Boundary Treatment

Prior to above ground works details of all boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to first use and thereafter permanently retained.

Reason: To safeguard the visual amenity of the site and to ensure a high-quality built environment which remains in keeping with the character and appearance of the area.

9. Soft and Hard Landscaping and planting plan

Prior to above ground works details of all hard and soft landscaping including a planting strategy as shown in drawing number FS0704-PRP-XX-XX-D-L-3000 Landscape GA Plan [Revision P03] dated 30.03.2023 shall be submitted to and approved in writing by the Local Planning Authority.

The approved hard and soft landscaping shall be carried out prior to first use of the development and thereafter permanently retained.

Reason: To safeguard the visual amenity of the site and to ensure a high-quality built environment which remains in keeping with the character and appearance of the area.

10. Fire Statement

Prior to above ground works an updated Fire Statement which demonstrates how the development accords with policy D12 of the London Plan shall be submitted to and approved in writing. The Fire Statement shall be produced by an independent third party suitably qualified assessor which shall detail the building's construction, methods, products and materials used; the means of escape for all building users including those who are disabled or require level access together with the associated management plan; details of active and passive fire safety measures and associated management and maintenance plan; access for fire service personnel and equipment; ongoing maintenance and monitoring and how provision will be made within the site to enable fire appliances to gain access to the building. A minimum of at least one lift per core (or more subject to capacity assessments) will be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building. The Fire Safety Scheme shall be implemented in accordance with the approved detailed prior to first occupation of the development and permanently maintained thereafter.

Reason: In order to provide a safe and secure development

11. Digital Connectivity

Prior to above ground works detailed plans shall be submitted to and approved in writing by the local planning authority demonstrating the provision of sufficient ducting space for full fibre connectivity infrastructure within the development. The development shall be carried out in accordance with these plans and maintained as such in perpetuity.

Reason: To provide high quality digital connectivity infrastructure to contribute to London's global competitiveness.

12. Landscape Ecological Management Plan

Prior to first use, a Landscape and Ecological Management Plan (LEMP) should be submitted to and approved in writing by the Local Planning Authority. The LEMP should set out the detailed establishment and management of all on site landscape and ecology compensation and enhancement measures. The LEMP should cover a period of 30 years from the date of commencement with provisions for long-term monitoring and contingency actions linked to the Biodiversity Net Gain objectives of the project. The LEMP shall be produced in accordance with Biodiversity Net Gain Best Practice Principles, and the principles of the Environment Act 2021.

The LEMP should be implemented prior to first use and thereafter permanently retained.

Reason: To ensure the development contributes to improving the natural environment.

13. Surface Water Drainage

Prior to the occupation of the site hereby approved the surface water drainage works shall be carried out in accordance with document FS0704-CCL-XX-XX-RP-C-3200 Flood Risk Assessment and Drainage Strategy [Revision P5] prepared by Canham Consulting dated 20.04.2023. The sustainable urban drainage system shall thereafter be managed and maintained in accordance with the agreed management and maintenance plan.

Reason: To prevent any increased risk of flooding and to prevent pollution of the water environment.

14. Car and Cycle Park Management Plan

Prior to first use of the site, a car and cycle parking design and management plan shall be submitted to and approved in writing by the local planning authority. The car parking design and management plan should detail how the car parking space will be designed, allocated, managed and monitored. The development shall be carried out in accordance with the details approved and be thereafter retained for the lifetime of the development.

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.

15. Refuse and Waste

Prior to first use of the development details of refuse and waste including storage design, quantum and capacity shall be submitted to and approved in writing by the Local Planning Authority. Sufficient number of euro bins for refuse and recycling should be provided made to service all activities in the school. The approved details shall be implemented prior to first use of the development and thereafter permanently retained.

Reason: To ensure sufficient refuse and water provision on site.

16. Electrical Vehicle Charging Points

Prior to first use of the site, details of the thirteen (13) Active Electric Vehicle Charging Points and twelve (12) Passive Electric Vehicle Charging Points shall be submitted to and approved in writing by the Local Planning Authority.

Details should include:

- i. Location of charging points
- ii. Detail of signage of charging points and road markings
- iii. Charging equipment product specification

The spaces shall be constructed, marked out and the charging points installed. The charging points shall thereafter be permanently retained.

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

17. Disabled Parking

The proposed blue badge car parking space shown on drawing number FS0704-3BM-ZZ-00-D-A Proposed Ground Floor Level Plan [Revision 10] dated 21.03.2023 shall be constructed and marked out prior to the first use of the development as accessible parking bays (to be clearly marked with a British Standard disabled symbol). The spaces must be retained as disabled car parking spaces and not used for any other use thereafter for the lifetime of the development.

Reason: To ensure and promote easier access for disabled persons

18. Cycle Parking

Prior to first use of the site the approved cycle store and cycle parking spaces shown on drawing FS0704-3BM-ZZ-00-D-A Proposed Ground Floor Level Plan [Revision 10] dated 21.03.2023 and Bike Storage and Tree Strategy Report prepared by PRP dated 09.06.2023 which include 8 internal two tiered racks for 16 regular bikes, 1 internal Sheffield Stand for larger bikes and 1 external Sheffield Stand for visitors. Cycle storage shall be implemented prior to first use and thereafter retained for the lifetime of the development. Cycle parking should be designed in accordance with the London Cycle Design Guidance.

Reason: In order to promote alternative, sustainable forms of transport, in accordance with policy DMT3 of the Draft Local Plan and policy T5 of the London Plan.

19. Delivery and Servicing

Prior to first use of development, a Delivery and Servicing Plan for the proposed use shall be submitted to and approved in writing by the local planning authority. The approved details shall be fully implemented before the first use of the non-residential unit and shall thereafter be permanently retained in an efficient manner.

Reason: In order to ensure the design has suitably considered the transport needs of the development in the interest of highway safety.

20. Energy and Sustainability

Prior to first use, the development hereby permitted shall be constructed in accordance with the submitted Energy Statement [Revision P06] dated 05.04.2023 prepared by Van Zyl & de Villiers Consulting Engineers to achieve a minimum 109% reduction in carbon dioxide emissions over Part L of the Building Regulations (2021).

Reason: In the interests of safeguarding the environment and providing sustainable development and to ensure measures are implemented to reduce carbon emissions.

21. Circular Economy- Post Construction Assessment

Prior to the first occupation of the development, a Post Completion Report setting out the predicted and actual performance against all numerical targets in the relevant Circular Economy Statement shall be submitted to the GLA at: CircularEconomyLPG@london.gov.uk, along with any supporting evidence as per the GLA's Circular Economy Statement Guidance. The Post Completion Report shall provide updated versions of Tables 1 and 2 of the Circular Economy Statement, the Recycling and Waste Reporting form and Bill of Materials. Confirmation of a satisfactory submission to the GLA shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the last building within each Phase.

Reason: In the interests of sustainable waste management and in order to maximise the re-use of materials.

22. Whole Life Carbon - Post Construction Assessment

Prior to the first occupation of the development, 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 Lifecycle Carbon Assessment Guidance. The postconstruction 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 a satisfactory submission to the GLA shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the last building within each Phase.

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

23. Bird, Bee and Invertebrate Boxes

Prior to first use of the development details of the bird, bee and invertebrate boxes including their design and location shall be submitted to and approved in writing by the Local Planning Authority. The approved bird, bee and invertebrate boxes shall be installed prior to occupation and thereafter retained for the lifetime of the development.

Reason: In the interest of promoting and enhancing biodiversity on the site.

24. Energy Efficiency

Within THREE (3) MONTHS of the first use of the site a Post Construction Assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall demonstrate that the development is in accordance with the agreed methodology set out in the Supporting Statement: BREEAM v the Department for Education's S21 prepared by Willmott Dixon dated 14.06.2023 to ensure that the minimum rating has been achieved and can be maintained.

Reason: In the interest of energy efficiency and sustainability.

25. School Travel Plan

Within 6 months of occupation of the site the Owner/Occupier shall register to become a STARs school committing to more active, safe and sustainable travel. A School Travel Plan prepared in line with TfL STARs requirements and guidance with the aim to achieve bronze accreditation. The Plan shall be completed via TfL STARs online portal (<https://stars.tfl.gov.uk/>) and submitted to and approved in writing by the Local Planning Authority.

The approved plan shall be implemented and thereafter retained for the lifetime of the development.

Reason: To encourage the use of more sustainable modes of transport.

26. Noise Insulation and Ventilation Scheme

The noise insulation and ventilation scheme hereby permitted shall be installed in strict accordance with the details provided in section 3 of document FS0704-MAL-ZZ-ZZ-RP-J-9003 Environmental Noise Assessment Report [Revision P01] prepared by MACH Acoustics Ltd dated 14/04/2023. The noise insulation and ventilation scheme shall thereafter be retained for the lifetime of the development.

Reason: To ensure that the proposed development has adequate noise protection and ventilation.

27. Noise from Building Services Plant

All building services plant associated with the development shall be constructed in accordance with the noise limiting levels set out in section 4 of document FS0704-MAL-ZZ-ZZ-RP-J-9003 Environmental Noise Assessment Report [Revision P01] prepared by MACH Acoustics Ltd dated 14/04/2023. All building services plant shall thereafter be retained for the lifetime of the development.

Reason: To ensure the development has an acceptable impact on neighbouring amenity.

28. Construction Management Plan

The development hereby approved shall be constructed in accordance with the Construction Management Plan [Revision 3] prepared by Willmott Dixon dated 21.04.2023 and the Air Quality Constraints Assessment [Issue 2] prepared by Tetra Tech dated 17.03.2022. The approved plan and assessment shall be adhered to throughout the construction period of the development.

Reason: In order to reduce the environmental impact of the construction and the impact on the amenities of neighbouring residents, and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

29. Secure by Design

The proposed development shall achieve a Certificate of Compliance in respect of the Secured by Design scheme, to the satisfaction of the local authority & Metropolitan Police. Details of which shall be provided to the Local Planning Authority for its written approval prior to the first occupation of the approved development. All security measures applied to the approved development shall be permanently retained thereafter.

Reason: To ensure safe and secure development and reduce crime.

30. External Lighting

The installation of external lighting scheme hereby permitted shall be installed in strict accordance with the details provided in section 4 of the External Lighting Report submitted by Van Zyl & de Villiers Ltd reference FS0704-VZV-ZZ-XX-RP-E-0001 dated 06/04/2023. The installation of external lighting scheme shall thereafter be retained as approved.

Reason: In the interests of security and safety, to avoid light pollution and safeguard neighbouring amenity and in accordance with policy BP11 of the Borough Wide Development Plan Document.

31. Odour Control

The installation of commercial kitchen extraction scheme hereby permitted shall be installed in strict accordance with the details provided in section 4 of the Odour Assessment submitted by Noise Air Acoustics & Air Quality reference P6325-R1-V2 dated 26/04/2023. The installation of commercial kitchen extraction scheme shall thereafter be retained as approved.

Reason: In the interest of ensuring the development has an acceptable impact on neighbouring amenity.

32. Badgers

The development hereby approved shall be constructed in accordance with the recommendations set out in the Badger Survey Report prepared by Geosphere Environmental dated 22.03.2023. Should development not commence within 3 months of the disused badger holes being removed an updated report shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To limit harm to badgers during the proposed works.

33. Tree Protection during construction

The development hereby approved shall be constructed in accordance with the tree protection method statement set out in the approved Arboricultural Survey and Implications Assessment and Arboricultural method statement prepared by Geosphere Environmental dated 17.01.2023 and drawing 7194,AR/003/Rev0 Tree Protection Plan dated 16.01.2023. The approved protection plan shall be implemented prior to commencement of the development and thereafter retained for the duration of construction works.

Reason: To ensure sufficient protection of existing trees during the development's construction.

Informative:

1. Pursuant to the provisions of the National Planning Policy Framework responsibility for securing a safe development rest with the developer and/or landowner. It is recommended that a watching brief is implemented for the presence of unexpected land contamination throughout the construction works (if during any groundwork contaminated land or suspected contaminated land is discovered or identified, this should be reported to the below email). In the event that contamination is found at any time when carrying out the development it should be reported in

writing immediately to the Local Planning Authority. An investigation and risk assessment must then be undertaken and where remediation is necessary a remediation scheme must be prepared, implemented and verified with copies of all relevant records being provided to the Local Planning Authority.

In the first instance contact environmentalprotection@lbbd.gov.uk

2. In aiming to satisfy any Secured by Design condition, the applicant must seek advice of the Metropolitan Police Service Designing out Crime Officers (DOCOs) to achieve accreditation. The services of MPS DOCOs are available free of charge and can be contacted via docomailbox.ne@met.police.uk
3. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
4. Eurobins for refuse and recycling should be provided and hired from LBBD Commercial Services.

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:

1. Payment of the Council's professional and legal costs, whether or not the deed completes;
2. Payment of the Council's £3,000 fees in monitoring and implementing the Section 106 and payable on completion of the deed; and,
3. Indexing – all payments are to be index linked from the date of the decision to grant planning permission to the date on which payment is made, using BCIS index.

Employment and Skills

4. Employment and Skills

Prior to commencement of the development, an employment and skills plan providing a forecast of the employment and skills opportunities available to local residents over the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority. This must be accompanied by a method statement setting out how this will be delivered, including who in the organisation will be responsible for managing recruitment and training, how they will ensure compliance by trade contractors and how this will be managed, how health and safety issues will be managed, and how they will engage with the local community and schools.

The owner will use reasonable endeavours to ensure that jobs and work placement opportunities are provided to LBBD residents during the construction and end user phase of the development.

Employment during construction:

The Owner will use reasonable endeavours to:

- Ensure opportunities for educational visits/engagement/activities are made available during the period with which development is underway.

- Ensure one- or two-week work placement opportunities are made available to allow LBBB residents to shadow staff during the construction phase of the development.
- Ensure 1 per 10 FTE members of staff on site upskilling or renewing tickets throughout the course of construction.

Employment- End user obligation

The Owner will use reasonable endeavours to:

- Creation of 1 new FTE job on site for a local person e.g. grounds keeper,
- Access to or an introduction to end user jobs created e.g. who will be doing catering/cleaning/facilities.

A commitment to collaborative working through the employment of a designated Employment co-ordinator to liaise with and where feasible provide access on site for the Councils Job Brokerage service.

Monitoring

- The designated employment coordinator will attend with the Council regular site visits or meetings to ensure compliance with this schedule and discuss how the obligations contained in this schedule are progressing. These site visits and meetings will take place quarterly in cases where the Council has concerns that the Owner or its contractors/sub-contractors have not been adequately complying with their obligations contained in this schedule. Where the Owner can demonstrate to the Council that they are complying with their obligations in this schedule, such site visits and meetings will be held on a less regular basis at the Council's discretion.
- Confirmation that all obligations have been met – or appropriate employment and training compensation agreed – must be provided before the Council will approve a developer's application for discharge of the obligations in this Agreement.
- The Owner shall be responsible for all legal costs incurred by the Council in enforcing or ensuring compliance with this schedule.

Transport and Highways

S.278 Highways Agreement

5. Prior to first use of the development the Owner shall submit to the Council for its approval the specification and detailed drawings for the Off-Site Highway Works and a programme for carrying out and completing the said Off Site Highway Works. This would include the scope of works shown on the 'in principle' drawings (Drawings FS0704-ROB-XX-00-D-H-0001-PM404034 Outline Access Design Junction 1 [Revision P03] dated 20.03.2023; FS0704-ROB-XX-00-D-H-0002-PM404034-P03 Outline Access Design Junction 2 [Revision P03] dated 20.03.2023 and FS0704-ROB-xx-00-D-H-0011-PM404034-P01 TMO Design Plan [Revision P02] dated 19.04.2023) which includes improvements to access/egress of the site, traffic calming measures, implementation of 20mph speed limit and introduction of CCTV for monitoring and enforcement.
6. Prior to commencement of the Off-Site Highway Works the applicant must enter into a s.278 agreement (Highways Act 1980). The applicant will agree a scheme of highway works and implement all off-site highway works to an agreed schedule prior to occupation.

The applicant is responsible for covering the costs of all associated works.

All highway works must be completed prior to first occupation of the development.

Road Safety Contribution

7. On completion of the deed the application shall pay a Road Safety Contribution of £15,000 (indexed linked) towards road improvements on Wantz Road to reduce vehicle speeds and ensure vehicles, pedestrian and cyclists can access and egress from the proposed school safely. The contribution will go towards the implementation of 20mph speed limit between the junction with Oxlow Lane and the development which sits outside the scope of the s.278.

Carbon Offset Obligations

8. Carbon Reduction
On practical completion of the development, the Developer shall submit to the Council an assessment of the carbon reduction measures implemented within the Development demonstrating it achieves a minimum of 109% reduction over Part L of the Building Regulations 2021 through on-site provisions.
9. Carbon offset financial contribution.
On practical completion of the development the Developer shall pay in full to the Council, the figure for any Carbon Offset Contribution payable for the Development to meet zero carbon.

Air Quality Obligation

10. Air Quality Neutral
Prior to Practical Completion of the development, the Owner shall undertake an Air Quality Neutral Assessment of the Development by suitably qualified expert and provide the assessment to the Council. The Air Quality Neutral Assessment should show how the air quality neutral score has changed from the previous assessment (Air Quality Impact Assessment, prepared Stroma dated May 2023) and set out the reasons for this change.
11. Air Quality Financial Contribution
Air quality off-setting contribution. A payment at the off-setting contribution rate of £29,000.00 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. The development shall not be occupied until the air quality contribution if applicable has been paid in full to the Council.

Be Seen Obligation- post construction monitoring

12. 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 in accordance with the 'Be Seen' energy monitoring guidance using the 'Be Seen' planning stage reporting webform (<https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/london-plan-guidance-and-spgs/be-seen-energy-monitoring-guidance>).
13. 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 submitted to the GLA using the 'Be Seen' as-built stage reporting webform (<https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/london-plan-guidance-and-spgs/be-seen-energy-monitoring-guidance>). 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).
14. Upon completion of the first year of Occupation or following the end of the Defects Liability Period (whichever is the later) and at least for the following four years after that date, the 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 outlined in 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 submitted to the GLA using the 'Be Seen' in-use stage reporting webform (<https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/london-plan-guidance-and-spgs/be-seen-energy-monitoring-guidance>). 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. Timings may need to be adjusted to account for the large phased developments, particularly for energy centre reporting, as per the relevant section of the 'Be Seen' energy monitoring guidance document.

15. In the event that the 'In-use stage' evidence submitted under Clause c) shows that the 'As-built stage' performance estimates derived from Clause b) 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' in-use stage reporting webform. An action plan comprising measures identified in Clause c) 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.

Community Use Obligation

16. Prior to the first use of the development hereby approved, a community use agreement must be submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to the Hydrotherapy Pool and any facilities that would be available for hire and include details of pricing policy, hours of use, changing rooms, car park, access by non-educational establishment users, hours of use, changing rooms, car park, access by non-educational establishment users, responsibilities of non-education establishments, and a mechanism for review. The development shall not be used at any time other than in strict compliance with the approved agreement.