

LONDON BOROUGH OF BARKING & DAGENHAM PLANNING COMMITTEE

17th July 2023

Application for **Planning Permission**

Case Officer:	Patricia Ploch	Valid date:	30/12/2022
Applicant:	Kenny Worrall (Zenith Land)	Expiry date:	31/03/2023
Application number:	22/02211/FULL	Ward:	Thames View
Address:	13-15a Thames Road, Barking, IG11 0HG		

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 13-15a Thames Road, Barking, IG11 0HG.

Proposal:

Demolition of existing buildings and redevelopment of the site to provide a mixed-use development comprising industrial floorspace (falling within flexible Use Classes E(g), B2, and/or B8) and residential homes (falling within Use Class C3), together with associated landscaping, play space, access, car and cycle parking and other associated and ancillary works.

Officer recommendation:

1. Agree the reasons for approval as set out in this report; and
 - ii) delegate authority to the London Borough of Barking & Dagenham's Director of Inclusive Growth (or authorised Officer) to grant planning permission subject to any direction from the Mayor of London, and the completion of a S106 of the Town and Country Planning Act 1990 (as amended) based on the Heads of Terms identified at Appendix 5 of this report and the Conditions listed at Appendix 4 of this report; and
 - iii) that, if by 13th December 2023 the legal agreement has not been completed, the London Borough of Barking and Dagenham's director of Inclusive Growth (or other authorised Officer), be delegated authority to refuse planning permission, or extend this timeframe to grant approval, or refer the application back to the Planning Committee for determination.

Summary of conditions and informative:

Compliance

1. Time Limit
2. Approved Plans and Documents
3. Accessible Housing
4. Industrial Use of the Site
5. Hours of Use for Non-Residential Use
6. Vehicle Delivery Activity
7. Vents, Pipes and Extracts
8. Communal Television and Satellite System
9. Digital Connectivity
10. Urban Greening Factor
11. Landscape Implementation
12. Biodiversity
13. Construction Waste Management Plan
14. Residential Waste Management Plan
15. Water Efficiency
16. Fire Strategy
17. Noise Protection Scheme

Prior to any works starting on site

18. Site Contamination
19. Piling Method Statement
20. Archaeology Written Scheme of Investigation
21. Archaeology Foundation design
22. Construction Environmental Management Plan (CEMP) and a Site Waste Management Plan (SWMP)
23. Construction Logistic Plan
24. Air Quality and Dust Management Plan (AQDMP)
25. Non-Road Mobile Machinery
26. Fire Evacuation Lift

Prior to any development above ground

27. London City Airport
28. Materials
29. Details of Boundary Treatment
30. Bird Nesting and Bat Roosting Bricks/Boxes
31. Noise Transmission from Industrial Use to Noise Sensitive Receiver
32. Noise Transmission from Residential Use to Shared Space on the Roof
33. Mechanical & Building Service Noise Assessment
34. Cycle parking
35. Flood Risk Assessment and Flood Warning and Evacuation Plan
36. Sustainable Drainage

Prior to first occupation

37. External lighting
38. Secure by Design
39. Green Roof System
40. Parking Design and Management Plan
41. Commercial Vehicle Transportation Noise Impact Assessment
42. Delivery and Servicing Plan
43. BREEAM
44. Whole life carbon (post-construction assessment in consultation with GLA)

45. Circular economy (post-construction monitoring report in consultation with GLA)

Other

46. Non-residential unit with a commercial kitchen

Informative

1. Permission subject to Section 106 Legal Agreement
2. Evidence of compliance with Section 106 Legal Agreement Obligations
3. Discharge of Planning Condition
4. Building Control
5. Community Infrastructure Levy
6. Street Naming and Numbering
7. London City Airport - Crane Methodology
8. Design out Crime
9. Contaminated Land
10. Thames Water - Discharging groundwater into a public sewer

Summary of S106 Heads of Terms:

Schedule One – Administrative

- Payment of the Council's professional and legal costs, whether the Section 106 Agreement completes or not.
- Payment of £17,500 for the Council fees for monitoring and implement the Section 106 Agreement, payable on completion of the deed

Schedule Two – Affordable Housing

- Provision of on-site affordable housing consisting of 40 units / 126 habitable rooms of London Affordable Rent consisting of all units in Block D alongside 6x duplex units in Blocks A and B.
- Submission of an Early-Stage Review.
- Submission of the Late-Stage Review.

Schedule Three – Provision of Industrial Floorspace

- Prior to First Occupation of any of the Residential Units within the Development:
 - the 2,714 square metres of the Industrial Gross Internal Area as shows on Proposed Ground Floor Plan (drawing number (20)_100 Rev PL03), Proposed Upper Ground Floor Plan (drawing number (20)_100 A Rev PL03), and Proposed 1st Floor Plan (drawing number (20)_101 Rev PL04) shall be delivered to Shell and Core;
 - the 1,572 square metres of External Shared Amenity that is ancillary to the Industrial floorspace provided as shows on Proposed Ground Floor Plan (drawing number (20)_100 Rev PL03) shall be provided in full; and
 - the provided industrial units shall be marketed at least three months prior to their completion to local businesses.

Schedule Four – Employment, Skills, and Supplier Plan

- At least six months Prior to Commencement of Development the owner shall submit an Employment, Skills, and Supplies Plan (ESSP) to Councils job brokerage team for their approval. The approved ESSP shall be cascaded to the owners' contractors and sub-contractors. The ESSP shall include information about:
 - Construction Phase Employment
 - Construction Phase Training
 - Supply Chain during the Construction Phase
 - End-user
- The owner shall appoint and employ a designated coordinator responsible for managing recruitment and training during construction.
- Before the Council approves owner's application for discharge of the employment and skills obligations relating to ESSP. The owner shall submit confirmation that all obligations have been met.
- If it is found that the obligations have not been met a contribution will be sought against failure to comply with targets.
- Information what is considered best endeavours when it comes to discharging Employment, Skills, and Supplies Plan obligation.

Schedule Five – Right of Way

- Following the receipt of a written request from the freehold owner of Number 11 and/or 17 Thames Road together with the grant and implementation of the Number 11 and/or 17 Development, the Owner agrees on Practical Completion of the Owner's Development at 7 Thames Road to provide a right of way in the following terms:
 - for the owners of the Number 11 and 17 Development, future residents of the Number 9 Development, and tenants of the Number 9 Development over the area shaded yellow on the Right of Way Plan, twenty-four hours a day and seven days a week throughout the calendar year in perpetuity for the lifetime of the Number 9 Development;
 - on foot and with or without private motor vehicles and for refuse collection and emergency vehicles but not (for the avoidance of doubt) any construction vehicles);
 - on terms that the cost of the maintenance and repair of the Right of Way would be shared equally between the Owners and the owner/occupiers of Number 9, provided that Number 9 shall be responsible for the reasonable legal costs of the Owner and on other terms which are reasonable and agreed between the Owner and Number 9.

Schedule Six – Vehicle Parking Controls

- Provision that the Development will be car free (except for blue badge holders) and that residents are not permitted to apply for a car parking permit in existing and any future Controlled Parking Zone or any car park owned by the Council in the local area.
- Securing the blue badge car parking spaces are lot leased or sold independently to those who do not live in the Development.

Schedule Seven – Car Club Membership

The Developer shall ensure that each household Occupying any Dwelling will be offered the opportunity of membership to a car club on the Development and that should that household take up such an offer the Developer will pay the full costs of

membership to the car club for a period of two years from the date of first membership of the car club.

Schedule Eight – Travel plan

- Prior to First Occupation of the Development, the Owner shall submit a Residential and Industrial Uses Travel Plan.
- The owner shall appoint and employ a Travel Plan Coordinator responsible for monitoring the approved Residential and Industrial Uses Travel Plan.
- The approved Travel Plan(s) will need to be monitored on the 1st, 3rd and 5th anniversary.
- Prior to First Occupation of the Development, the owner shall provide Residential and Industrial Travel Plan Welcome Packs to each new tenant and occupiers and display relevant information in the communal area(s).

Schedule Nine – Highway

- Prior to first Occupation of the Development the Owner shall submit to the Council a detailed highway design and enter into the Highway Agreement to undertake the Traffic Management and Highways Works which will include new Traffic Management Orders.
- On Practical Completion of the Development the Owner shall repair any damage to the public highways which the Council can reasonably demonstrate arose because of the construction of the Development at their own cost and at nil cost to the Council to the reasonable written satisfaction of the Council.

Schedule Ten – Carbon Offset

- Best Endeavours shall be used to ensure that the Development is constructed and delivered in accordance with the Energy & Sustainability Statement (prepared by The PES, dated 14/12/2022, version V2) and that the Development achieves a minimum of 76.87% reduction in carbon emissions over Part L of the Building Regulations 2021 (as at the date of this agreement) (when applying SAP 10 emission factors) through On-Site provisions. The remaining carbon emissions to achieve zero carbon of 23.13% shall be calculated at practical completion using Carbon Offset Contribution and they shall be paid to the Council upon Implementation of the Development.
- Prior to the Occupation of the Development, the Owners shall upload to the GLA Energy Monitoring Portal updated accurate and verified 'as-built' design estimates of the 'Be seen' energy performance.
- On the first anniversary of the Occupation Date the Owners shall upload to the Energy Monitoring Portal accurate and verified annual in-use energy performance data for all relevant indicators under each Reportable Unit(s) and Industrial Unit(s) of the Development.
- If the in-use energy performance information submitted under paragraph 37 and 38 demonstrate that the as-built energy performance estimates submitted under paragraph 36 have not been or are not being met, the Owner shall investigate and identify the causes of underperformance and the potential mitigation measures.
- If it is not possible to agree on the proposal set out Action Plan, the Council may require the Owners to pay a further Carbon Offset Contribution which shall be paid by the Owner to the Council in full within 28 days of written request for payment to be made.

Schedule Eleven– District CHP

- The Development shall be designed and built so that it will be capable of connection from the Site boundary to the District CHP.

Schedule Twelve – Air Quality

- Prior to Practical Completion of the Development the Owner shall submit the Revised Air Quality Report to the Council for approval in writing. In the event that the Revised Approved Air Quality Report concludes that the Development is not Air Quality Neutral as per the Approved Air Quality Report (prepared by Air Quality Assessment Ltd, dated 15/12/2022, number J0630/1/F2) to pay the Council the Air Quality Neutral Contribution within 30 working days.

Schedule Thirteen – Education and Open Space

- Prior to first Occupation of any part of the Development the Owner covenant to pay to the Council a financial contribution of £748,092.80 Index Linked towards the land need for the provision of: a secondary school, and two new primary schools; and open space improvements.

Schedule Fourteen – Ripple Greenway Improvements

- Prior to first Occupation of any part of the Development the Owner covenant to pay to the Council a financial contribution of £104,370.00 Index Linked towards improvements to the Ripple Greenway.

Schedule Fifteen – Play Space

- Prior to first Occupation of any part of the Development the Owner covenant to pay to the Council a financial contribution of £125,400.00 Index Linked towards the upgrading of the existing facilities and/or the provision of new play facilities within public parks located within a 2-mile proximity to the Site.

Schedule Sixteen – NHS

- Prior to first Occupation of any part of the Development the Owner covenant to pay to the Council a financial contribution of £61,250 (Index Linked) towards improvements to health care provision relating to existing and/or new General Practitioner and Primary Care Services located within a two 2 miles radius of the Site.

Schedule Seventeen –Thames Road Improvements

- Prior to first Occupation of any part of the Development the Owner covenant to pay to the Council a financial contribution of £61,250.00 Index Linked towards improvement and provision of public realm along Thames Road.

Schedule Eighteen – Transport for London

- Prior to first occupation of the development the owner shall pay a contribution of £112,210.00 to the Council that will be transferred to the Transport for London towards improvement and provision of public transport along Thames Road.

Site, Situation, and relevant background information:

The site and its use

The application site, which extends to 0.61 hectares, is located on the north side of Thames Road within the Thames View ward, and it is approximately 2.6km to the south of Barking town centre.

The application site contains both number 13 and number 15a Thames Road and as it stands there are three industrial warehouse buildings with large service yard.

The site is located within the River Road Employment Area (RREA) which is a Strategic Industrial Location (SIL). The site is also located within the London Riverside Opportunity Area. The site falls within an Air Quality Management Area.

Figure 1: Google Earth screenshot of aerial view of the application site (marked red) and the surrounding area



Surrounding area and background

The site, as it can be seen from Figure 1 above, is bounded by industrial sites to the east, south, and west (along Thames Road). To the north there is 'Ripple Greenway' and an existing public green space which forms a linear park.

Transport

The site's Public Transport Accessibility Level (PTAL) is 1b, indicating a poor level of access however a manual analysis taking full account of existing and proposed walking links may return a higher actual PTAL value.

There are no tube stations within the immediate vicinity of the site and Barking Riverside London Overground Station is the nearest station to the site, being a circa 20-minute walk away. The area is served by buses, with the EL3 service stopping around 100 metres to the west, and the EL1 and EL2 stopping at Bastable Avenue approximately 500 metres (5 minutes' walk) to the north, giving a combined daytime frequency of around 23 buses per hour. Barking rail station, which has Underground, Overground and National Rail services, is around 2.2km away and accessible by all three bus services. Barking Riverside

Overground Station, which opened in July 2022, is slightly nearer at 1.8km away, but all London Overground services go via Barking.

The surrounding roads are local roads, the nearest part of the Transport for London (TfL) Road network being the A13 around 900m to the north.

Flood risk

The site sits within Flood Zone 3a (high probability of flooding) but it is also entirely in an area that benefits from flood defence.

Archaeology

There are no heritage assets in proximity to the site. However, the site sits within an Archaeological Priority Area (APA). This designation is used to show where development might affect archaeological remains.

Relevant Planning History

Application site

There is no relevant planning history for the application site as shown in red outline in Figure 1 above.

Neighbouring site(s)

7 Thames Road (application reference 21/01232/FULL)

No 7 Thames Road is located to the west of the application site and it benefits from a resolution to grant planning permission subject to any direction from the Mayor of London, conditions, and the completion of a S106. The application was for the demolition of existing buildings and structures and the construction of a building ranging from part 6 storeys to part 14 storeys to provide 131 residential units and industrial space (Use classes E(g), B2 and B8 at ground and first floor. The proposals include the delivery of landscaping and public realm, play space, access, car parking and other associated and ancillary works.

12 Thames Road (application reference 19/01970/FUL)

No 12 Thames Road is located to the south of the application site and it benefits from an approved planning application (subject to conditions and section 106 legal agreement). The application was for the construction of up to 5,086 sqm (GEA) of industrial floorspace (Classes B1c, B2 and B8); up to 156 residential units; up to 185 sqm (GIA) of cafe (Class A3); and associated works. The works on site have started.

17-19 Thames Road (application reference 22/01701/FULL)

Nos 17-19 Thames Road is located to the east of the application site and it benefits from a resolution to grant planning permission subject to any direction from the Mayor of London, conditions, and the completion of a S106. The application was for the demolition of existing buildings and structures (Use Class B8 and Sui Generis) and the comprehensive redevelopment on the site to provide a mixed use development comprising 2360sqm of industrial floorspace (falling within flexible Use Classes E(g), B2, and/or B8), together with 249 residential units (Use Class C3) in a range of unit sizes within buildings of up to 14 floors; the provision of an area of new north-south public realm within the site and the

facilitation of future pedestrian access across the Ripple; provision of car and cycle parking and revised access points, including access from and to adjoining sites; and the widening of the public realm to Thames Road.

3 Gallions Close (application reference 21/01180/FULL)

No 3 Gallions Close is located to the south-east of the application site and it benefits from a resolution to grant planning permission subject to any direction from the Mayor of London, conditions, and the completion of a S106. The application was for the demolition of existing buildings and structures, and the erection of buildings ranging from 2 storeys to 15 storeys to accommodate 233 residential units and 271 sqm non-residential floorspace (Use Class E). The proposals include the delivery of landscaping and public realm, play space, access, car parking and other associated and ancillary works.

Figure 2: Google Earth screenshot showing the location of the neighbouring site with relevant planning history



Proposal Development

Description of Proposed Development

The planning application was submitted and validated on 30/12/2022 and the proposal is for the demolition of existing buildings and the comprehensive redevelopment of the site to provide a mixed-use development, comprising residential units and industrial workspace (use classes E(g), B2, B8), together with associated landscaping, play space, car and cycle parking and other associated and ancillary works.

The eastern half of the site, at ground and first floor levels, would provide 2,714sqm of industrial floorspace in a series of spaces grouped around the newly formed "Rippleway Yard". The yard has been designed to enable amalgamation in the future with the forthcoming development at No 17 Thames Road (application reference 22/01701/FULL).

The western half of the site would cater for the residential use. This part of the site would serve as the main access to two of the residential cores, as well as six individual duplex homes and blue badge car parking spaces. The development would deliver 245 new residential units across the whole site.

The height of the building would have from 9 storeys to 15 storeys.

Figure 3: Proposed CGI showing view along Thames Road looking west (taken from submitted Design and Access Statement – Part 4)



Amended Planning Application

On 23/12/2022, the Department for Levelling Up, Housing and Communities (DLUHC) published 12 weeks long consultation about new rules to mandate second staircases in new residential building measuring over 30m in height. The department is also looking at mandating sprinklers in all new care homes, regardless of height, to improve the safety of vulnerable residents and help firefighters with evacuations.

On 14/02/2023, the Greater London Authority (GLA) has effectively pre-empted the government's proposed changes and announced, with immediate effect, that all planning applications for residential buildings over 30 metres must include at least two staircases to be considered by the Mayor of London for final approval (GLA Stage 2 referral).

As a result of this the applicant submitted amended drawings which included second staircase in each relevant core within the development. The need to provide the second staircase resulted in some changes to the submitted scheme. The amended drawings and addendum to supporting documents were uploaded to the application file on 11/04/2023. All drawings that were not relevant to the determination of this application have been superseded. The changes between the as submitted and amended drawings include:

- reduction of residential units from 253 to 245 (loss of 8 units);
- revisions to the proposed housing mix;
- reduction to amenity roof terrace on Block C and D;
- reduction to the total number of cycle spaces for the residential use to reflect the reduction of residential units as mentioned above; and
- reduction to waste and recycling requirement in Block A and D to reflect the reduction of residential units as mentioned above.

Key issues to assess:

1. Principle of the development
2. Employment
3. Housing
4. Housing standards
5. Design
6. Wind assessment
7. Fire safety
8. Design out Crime
9. Trees
10. Public realm and landscape
11. Urban Greening Factor
12. Biodiversity
13. Archaeology
14. Impact to amenity of adjoining occupiers
15. Transport
16. Sustainable Development
17. Air Quality
18. Contamination
19. Flood risk and sustainable drainage
20. Community engagement
21. Delivery of the River Road (Thames Road) Masterplan SPD
22. Community Infrastructure Levy and s106 Planning Obligations

Planning assessment:

1. Principle of the development

Opportunity Area

- 1.1 The application site falls within the London Riverside Opportunity Area, which includes all of Barking and Dagenham and Havering's Thames riverside. London Plan Policy SD1 (Opportunity Areas) identifies an indicative capacity of 44,000 new homes and 29,000 new jobs here. The principle of the proposed land uses is considered within this context.

Land designation

- 1.2 The application site also falls within the designated Strategic Industrial Location (SIL) known as River Road Employment Area (RREA). The applicant has stated that the combined GIA of the existing buildings on site is approximately 3,985 sqm.

Adopted Local Plan

- 1.3 Core Strategy Policy CE3 (Safeguarding and release of employment land) under the Strategic Industrial Location heading states that designated areas will be safeguarded, promotes, and managed. Land within the designated location will not be released for other purposes.
- 1.4 London Plan Policies E4, E5 and E7 also seek to manage industrial land and premises and place a significant emphasis on the importance of retaining and increasing London's industrial capacity.

- 1.5 Policy E4 (Land for industry, logistics and services to support London's economic function) of the London Plan states that a sufficient supply of land and premises in different parts of London should be provided and maintained to meet current and future demands for industrial and related functions. Any release of industrial land should be facilitated through the processes of industrial intensification, colocation, and substitution. Industrial land release should also be focused on locations that either are, or are planned to be, well-connected by public transport, walking and cycling and able to contribute to other planning priorities including affordable housing, schools, and other infrastructure.
- 1.6 Policy E5 (Strategic Industrial Locations (SIL)) of the London Plan states that SIL sites should be managed pro-actively through a plan-led process to sustain them as London's largest concentrations of industrial, logistics and related capacity for uses that support the functioning of London's economy. Any substitution and release of SIL land must be carried out through a planning framework or Development Plan Document review process and adopted as policy in a Development Plan. Development proposals either within or adjacent to SIL should not compromise the integrity or effectiveness of these locations to operate on a 24-hour basis, or otherwise compromised or curtailed.
- 1.7 Policy E7 (Industrial intensification, co-location and substitution) provides principles by which industrial land may be substituted or intensified, including by co-locating it with other forms of development such as residential. This may be achieved through the introduction of smaller units; multi-storey schemes; basements; or more efficient use of land consolidating the same amount of floorspace within higher plot ratios (still having regard for operational yard and servicing requirements). This approach must meet the requirements of Part D of Policy E7, and in any event substitution, intensification or consolidation may only be considered in SIL as part of a plan-led process rather than ad hoc planning applications.
- 1.8 In 2018, the Mayor of London has released a Planning Practice Note on industrial intensification and co-location through plan-led and master planning approaches. The intention of the note is to set out good practice principles for plan-led or masterplan approaches to industrial intensification and co-location in the context of Policy E7.

Draft Local Plan

- 1.9 The Council prepared a draft Local Plan 2037 setting out strategy for delivery of the Council's visions and objectives for the borough in the coming years up to 2037. The plan is currently under the process of the examination in public by the Planning Inspectorate. The new draft plan identified RREA as one of the key locations for change in the borough.
- 1.10 Area Policy SPP2 (Thames Riverside) together with River Road (Thames Road) Masterplan Supplementary Planning Document (SPD) details the Council's aspiration in regenerating this part of borough by releasing parts of the SIL to co-location and residential uses. The masterplan follows a land-use zoning approach. There are three zone within the masterplan area and they are: a) intensified industrial zone to the west (blue); b) co-location zone in the middle (purple); and c) residential zone in the east (pink). The application site falls in the co-location zone.

Figure 4: Extract from the emerging Thames Road Masterplan SPD showing proposed zoning approach



- 1.11 The Greater London Authority (GLA) was consulted on two pre-submission (Regulation 19) versions of the draft Local Plan 2037, and they have raised concerns on both occasions that the plan and the SPD were not in general conformity with the adopted London Plan. These concerns related to the need for more evidence to demonstrate that the scale and ambition of the intensification in the western part of the SIL envisaged in the draft Local Plan and River Road SPD was indeed deliverable over the life of the plan, with clarity required on how it would be delivered and secured.
- 1.12 To resolve the issue mentioned above, a Statement of Common Ground (SCG) was agreed between the Council and the GLA in May 2022 following a series of meetings at officer level. Subject to the proposed modifications which are detailed within the SCG, the document states that the LBB Industrial Land approach will be in general conformity with the London Plan.
- 1.13 Stage One examination hearing sessions for the draft LBB Local Plan 2037 took place in the summer of 2022. The hearing focused on preliminary matters relating to significant drafting errors, legal compliance, and soundness concerns. The changes required by the GLA will be added to the later versions of the plan as agreed. The Inspector did not allow the Council to include them in the initial changes to the plan.
- 1.14 The GLA Stage 1 letter (issued on 22/05/2023) at paragraph 28 mentions that the modifications in the Statement of Common Ground could allow for the release of the application site and other sites in Thames Road to be released from SIL designation.

Proposed development

- 1.15 The proposed development is for 245 new dwellings and 2,714sqm of industrial floorspace.

Industrial use

- 1.16 The River Road (Thames Road) Masterplan SPD recommends that across the whole co-location zone suitable industrial uses should use a plot ratio of 0.45 (45%) to ensure that the levels of industrial capacity as identified in the Industrial Strategy are met.
- 1.17 The site has a total area of 0.61 hectares. The applicant has stated that the combined GIA of the existing buildings on site is approximately 3,985 sqm. That's 0.66 (66%) of industrial coverage across the site. The proposal includes 2,714sqm of industrial floor space. That's 0.44 (44%) of the proposed industrial coverage across the site. Overall, the plot ratio for the industrial use would be reduced by (-31.9%). Whilst this is the case it is noted that the proposal would nearly achieve plot ratio of industrial use that is required by the emerging SPD. The shortfall of -0.01, in this instance, is considered

acceptable because the spatial implications of providing a well-functioning ground floor level are an important material consideration in the decision making.

- 1.18 The application is supported by a Commercial Strategy Report, prepared by AND, dated December 2022. The report included the industrial demand assessment, which concluded that the local business community is predominantly micro-businesses but there is a lack of space for such occupiers. The proposed industrial floorspace has been divided to four larger industrial units ranging between 363 and 635sqm at ground floor and mezzanine, and twelve smaller industrial units ranging in size between 34 to 122sqm at first floor level. All industrial units have been designed to cater for a variety of uses and a range of potential occupiers considering the findings of the report.
- 1.19 The proposed industrial service yard will have shared access with the neighbouring site at 17-19 Thames Road (reference 22/01701/FULL) which recently received a resolution for a planning permission to be granted by planning committee subject to any direction from the Mayor of London, planning conditions and signing of the Section 106 legal agreement. Planning Officers have worked hard to ensure that the number of vehicles crossover from Thames Road are reduced and that the sites are working together to create the access point needed. The right of way for the development at 17-19 Thames Road and any future development at 11 Thames Road will be secured through a Section 106 legal agreement.

Residential use

- 1.20 All levels of the planning framework support and promote the delivery of new homes. Policy H1 (Increasing housing supply) and Table 4.1 of the London Plan places a strategic expectation that the borough will need to deliver 19,440 as a 10-year housing target (annualised to 1,944 per year) between 2019 and 2029. The emerging policy in the draft Local Plan reflect this target.
- 1.21 The provision of 245 new dwellings would positively contribute to the achieving borough housing stock and creating the planned mixed and inclusive community on Thames Road. The proposal would contribute 12.6% to our yearly target and 1.26% to our 10-year target. The principle for introducing housing on this site is therefore supporting and considered acceptable.

Summary of Principle of the Development

- 1.22 The proposed development is for mixed-use residential-led development. The applicant has stated that the combined GIA of the existing buildings on site is approximately 3,985 sqm. The proposal includes 2,714 sqm GIA of new internal commercial floorspace which is a reduction of 1,200 sqm (-31.9%). As it stands the development represents a departure from the adopted development plan Policy CE3 (Safeguarding and release of employment land) of the Core Strategy and E5 (Strategic Industrial Locations (SIL)) of the London Plan owing to the introduction of residential use in the designated SIL.
- 1.23 Whilst the development represents a departure from the adopted Local Plan, the Council is in the process of preparing draft Local Plan 2037 which is an ambitious and forward-looking vision for the borough which sets out how the housing, economic and social targets will be met. The draft Local Plan 2037 and the Thames Road Masterplan (albeit unadopted) guides the transformation of the strategic industrial land into a new community offering high quality housing addressing the local need and annual housing target. The proposal includes de-designation of parts of RREA through release of industrial land and intensification the lost employment capacity elsewhere within the designated area. The proposed development is line within the emerging development

plan (this includes the adopted London Plan) and the proposed transformation would be plan-led.

- 1.24 The loss of SIL to co-location (LSIS), therefore, needs to be weighed against the benefits of the mixed-use development. The benefits of the scheme include the provision of new high quality industrial floorspace that responded to the identified need, new housing that would include affordable housing, public realm improvements, active frontages and improved pedestrian access, provision of open space, and optimised use of the site. For these reasons, officers consider that the principle of the proposed mixed-use development is acceptable in the land use terms.

2. Employment

- 2.1 Policy E8 (Sector growth opportunities and clusters) of the London Plan seeks to ensure employment opportunities for Londoners across a diverse range of sectors are promoted and supported along with support for the development of business growth and sector-specific opportunities.
- 2.2 Policy CC3 (Achieving Community Benefits through Developer Contributions) of the Core Strategy seeks to ensure community benefits through developer contributions.
- 2.3 Strategic Policy SP 5 (Promoting inclusive economic growth) of the draft Local Plan seeks to ensure that at least 20,000 new jobs are delivered. The policy also seeks to ensure development provide high-quality employment and training opportunities for local people, and procurement opportunities for local businesses, focusing on investment in physical improvement, but also in the long-term social infrastructure and education required for producing, talented, entrepreneurial individual locally.
- 2.4 The proposed development has opportunities to contribute to job creation for residents of the Council area both in the construction and end-user phases. The job creation, employment and training opportunities will be secured via a Section 106 legal agreement where the applicant will be expected to:
- Submit the Employment, Skills, and Supplies Plan (ESSP) to Councils job brokerage team for their approval. The approved ESSP shall be cascaded to the owners' contractors and sub-contractors. The ESSP shall include information about:
 - Construction Phase Employment
 - Construction Phase Training
 - Supply Chain during the Construction Phase
 - End-user Employment
 - The owner shall appoint and employ a designated coordinator responsible for managing recruitment and training during construction.
 - Before the Council approves owner's application for discharge of the employment and skills obligations relating to ESSP. The owner shall submit confirmation that all obligations have been met.
 - If it is found that the obligations have not been met a contribution will be sought against failure to comply with targets.
 - Information as to what is considered best endeavours when it comes to discharging ESSP obligation shall be set out in the legal agreement.

3. Housing

Density

- 3.1 Paragraph 122 of the NPPF encourages the efficient use of land and it sets out the need to deliver a wide choice of high-quality homes, widen opportunities for home ownership and create sustainable, inclusive, and mixed communities.
- 3.2 Policies D3 (Optimising site capacity through the design-led approach), D2 (Infrastructure requirements for sustainable densities) and D4 (Delivering good design) of the London Plan talk about effective use of land and the need for good infrastructure to support high density schemes. This is echoed by Policy CM1 (General Principle for development) of the Core Strategy, Policy BP10 (Housing density) of the Borough Wide DPD and Policy SP2 (Delivering homes that meet people's needs) of the draft Local Plan 2037.
- 3.3 The Thames Road Masterplan Area SPD (paragraph 3.8) states that higher density is desirable. The SPD predicts that the density for the co-location and residential zones would be approximately 160 units/ha.
- 3.4 The application site measures 0.61ha and the proposed development is for 245 dwellings. Therefore, the residential density of the proposed scheme is at 383.07 units per hectare ($245 / 0.61 = 401.64$). The proposed density would be higher than that set within the masterplan SPD. Whilst this is the case, it is important to note the guidance allows for higher density. The application site is in a key transformation area and while the PTAL scores are low right now, they are expected to improve over time. Given the thrust of policy and the optimisation of the site demonstrated by the proposed development, officers have no objection in-principle to the proposed density.

Housing mix and tenure

- 3.5 Paragraph 62 of the NPPF expects planning policies to reflect the need for housing size, type, and tenure (including affordable housing) for different groups in the community.
- 3.6 Policy H10 (Housing size mix) of the London Plan states that the scheme should generally consist of a range of unit sizes.
- 3.7 Policy CC1 (Family Housing) of the Core Strategy states that the Council expects a minimum of 40% family accommodation, (i.e., three bedroom, four bedroom or larger units). This will apply to both affordable and market housing. However, it is recognised that not all sites will be suitable for family sized accommodation. In cases where it is not possible to meet the policy requirement for family housing, the applicant is expected to demonstrate why this cannot be achieved.
- 3.8 Policy DMH 2 (Housing Mix) of the draft Local Plan states that development proposal will be required to provide a range of unit sizes (including family homes) in accordance with the Council's preferred housing size mix as shown in table below:

Dwelling type	Private	Intermediate	Social
1-bed	39%	17%	10%
2-bed	26%	44%	40%
3-bed	25%	19%	40%
4+ bed	10%	19%	10%

3.9 The proposal would provide 245 self-contained dwellings. The table below provides the agreed breakdown of the proposed housing mix:

Unit type	No. of Private Housing	No. of London Affordable Rent	Total
Studio	12	7	19 (7.7%)
1B/2P	89	-	89 (36.3%)
2B/3P	48	13	61 (25%)
2B/4P	14	-	14 (5.7%)
3B/4P	8	-	8 (3.3%)
3B/5P	29	20	49 (20%)
4B/5P	5		5 (2%)
TOTAL	211 (100%)	40 (100%)	245 (100%)

3.10 This table shows the housing mix split in line with the Council's preferred housing table (arranged by bedroom size only):

Unit type	No. of Private Housing	No. of London Affordable Rent
1-bed	101 (49.3%)	7 (17.5%)
2-bed	62 (30.3%)	13 (32.5%)
3-bed	37 (18%)	20 (50%)
4-bed +	5 (2.4%)	-
TOTAL	205 (100%)	40 (100%)

3.11 With regards to private market housing mix, the scheme will provide 205 dwellings (that is 100% for this tenure):

- 101 dwellings would be 1-bed (equating to 49.3%), this represents over provision (+10.3%) against policy target of 39%.
- 62 dwellings would be 2-bed (equating to 30.3%), this represents over provision (+4.3%) against policy target of 26%.
- 37 dwellings would be 3-bed (equating to 18%), this represents under provision (-7%) against policy target of 25%.
- 5 dwellings would be 4-bed+ (equating to 2.4%), this represents under provision (-7.6%) against policy target of 10%.

3.12 With regards to the London Affordable Rent, the scheme will provide 40 dwellings (that is 100% for this tenure):

- 7 dwellings would be 1-bed (equating to 17.5%), this represents over provision (+7.5%) against policy target of 10%.
- 13 dwellings would be 2-bed (equating to 32.5%), this represents under provision (-7.5%) against policy target of 40%.
- 20 dwellings would be 3-bed (equating to 50%), this represents over provision (+10%) against policy target of 40%.
- There will be no 4-bed dwellings provided in this tenure.

3.13 The overall housing and tenure mix does not provide a policy compliant mix as required by draft Local Plan Policy DMH 2. The scheme is heavily skewed towards private housing, representing 83:17 split in favour of private tenure. The lack of strict compliance with the desired housing mix and the lack of the provision of shared ownership unit is regrettable however the viability of the scheme and the need to provide substantial financial contribution that would help create the planned mixed neighbourhood does not

allow for higher mix. In this instance, the lack of provision of this affordable product is acceptable, nothing that LAR is a more affordable tenure and in greater need in the borough.

Affordable housing

- 3.14 Policy H4 (Delivering affordable housing) of the London Plan and the Mayor’s Affordable Housing and Viability Supplementary Planning Guidance (SPG) set a strategic target of 50% of all new homes delivered across London to be genuinely affordable.
- 3.15 Policy H5 (Threshold approach to applications) states that all major development is required to provide affordable housing. For area that are located within the Strategic Industrial Locations, Locally Significant Industrial Site and Non-Designated Industrial Sites the expectation is to provide 50% of affordable housing.
- 3.16 Policy H6 (Affordable housing tenure) of the London Plan details the Mayor’s preferred affordable tenure split, which consists of a minimum of 30% low-cost rented homes (including Social Rent and London Affordable Rent), a minimum of 30% intermediate products (including London Living Rent and London Shared Ownership) and the remaining 40% to be determined by the Local Authority based on identified need, provided they are consistent with the definition of affordable housing.
- 3.17 Policy BC1 (Delivering affordable housing) of the Borough Wide Development Management Policies DPD and Policy DMH1 (Affordable Housing) of the draft London Plan echoes the approach outlines in London Plan. In LBB, the remaining 40% determined by the borough are 20% for London Affordable Rent or Social Rent and 20% for London Living Rent and London Shared Ownership.
- 3.18 As previously mentioned, the application site is located within SIL and therefore 50% of affordable housing is expected to be delivered from the scheme. Overall, the scheme would deliver 245 new residential dwelling / 675 habitable rooms.

Proposed number of affordable units

- 3.19 Of 245 units / 675 habitable rooms, 40 units / 126 habitable rooms would be London Affordable Rent. This represents 16.3% by unit and 18.6% by habitable room. The table below provides a breakdown of the proposed affordable housing:

Unit type	No. of London Affordable Rent	
	No. of dwellings	No. of habitable rooms
Studio	7 (20.5%)	7 (6.5%)
2B/3P	13 (20.5%)	39 (19.5%)
3B/5P	20 (59%)	80 (74%)
TOTAL	40 (100%)	126 (100%)

- 3.20 The proposed affordable housing would be located within Block D (all units) and Block A and Block B as 6x duplex units. It is noted that the scheme has been designed to be tenure blind. There are no differences in the visual appearance of the building or the internal layout between the affordable and private tenure blocks.

Viability report

- 3.21 Viability Assessment (VA) is a process of assessing whether a site is financially viable, by looking at whether the value generated by a development is more than the cost of developing it. Key components include:
- The existing use value (EUV) – what is the site currently worth?
 - The gross development value (GDV) – what will the development be worth when it's completed?
 - The build costs (including all professional fees, marketing and legal costs)
- 3.22 To determine whether a scheme is viable, the costs (including the land value) are deducted from the GDV. Any identified surplus equates to the profit available to a developer at completion. Usually for a scheme to be considered deliverable, this level of profit will be between 15-20% of the GDV.
- 3.23 Under the Threshold Approach outlined in Policy H5, development proposals that provide 35% affordable housing and 50% on public and industrial land (where industrial floorspace capacity is not being re-provided), and that meet tenure, affordability, and other relevant requirements, can follow the Fast Track Route. The Fast Track Route enables developments to progress without the need to submit detailed viability information and without late viability review mechanisms which re-assess viability at an advanced stage of the development process.
- 3.24 Schemes that do not provide the threshold level of affordable housing or meet other relevant policy criteria, or that provide off-site or cash in lieu contributions, must follow the Viability Tested Route and are subject to viability scrutiny and late, as well as early, review mechanisms. To ensure that the information provided by planning applicants is as accessible and transparent as possible the Local Planning Authority has committed to publishing viability assessments publicly and recouping the cost of independent viability assessment carried out by BNP Paribas from the applicant.

Submitted viability assessment

- 3.25 In this case, the application has submitted the viability report was prepared by James. R. Brown and the Co Ltd, dated 22/12/2022 was submitted in support of the application. The viability report was updated on 11/04/2023 following the amendments to the application being made to add a secondary staircase.
- 3.26 The viability report dated 22/12/2022 tested two options A and B:
- **Option A:** tested the scheme with 253 new residential units, 40 of which were London Affordable Rent, alongside a Section 106 and CIL assumption of £1 million.
 - **Option B:** tested the scheme without any affordable housing and with an increased Section 106 and CIL assumption of £1.4 million.
- 3.27 The appraisal results from the viability assessment submitted by the applicant were:

Scenario	Residual profit (%)	Target profit (%)	Surplus / deficit (£) / (%)
Option A	-9.57% on Cost	22.5% on Cost	-32.07% on Cost
Option B	-3.01% on Cost	25% on Cost	-28.01% on Cost

Independent review of the viability report(s)

3.28 The submitted viability reports were reviewed by the Council independent viability experts, BNP Paribas Real Estate (BNP). Their viability review was provided in June 2023 and their appraisal resulted were:

Scenario	Residual profit (% of GDV)	Target profit (% of GDV blended)	Surplus / deficit (%)
Option A	-1.15%	16.29%	-17.44%
Option B	4.50%	17.32%	-12.82%

3.29 Although BNP found a smaller surplus, the scheme has still been found to be unviable in both options. The proposed affordable housing offer of 40 units as detailed in table linked to paragraph 3.19 is therefore acceptable.

Other schemes

3.30 The Council's vision is to transform the Thames Road and wider area into a modern mixed-use neighbourhood. To do this, it is important that the scheme(s) coming forward in the area contribute to the cost of the land that can be given towards the school and open space to support the future residents and tenants.

3.31 It is understood that the viability is a challenge. The Council have negotiated with the applicant(s) a way to unlock the money to provide the above-mentioned social infrastructure that is crucial to unlocking this area for residential use. It was agreed that the intermediate (shared ownerships) tenure is converted into private rent tenure. The money that is 'freed' up by doing this is going to be secured by Section 106 legal agreement towards the cost of the land that can be given towards the school and open space. To date the three schemes that received a resolution to grant planning consent at 7 Thames Road, 3 Gallions Close, and 17-19 Thames Road provided the following level of contribution:

Site address	No of residential units	No of Affordable Housing units	S106 – Education and Open space	CIL and MCIL
7 Thames Road (21/01232/FULL)	131	26 (London Affordable Rent)	£400,000	£355,332.76
17-19 Thames Road (22/01701/FULL)	249	42 (Discounted Market Rent)	£760,306.56	£830,230.10
3 Gallions Close (21/01180/FULL)	233	38 (London Affordable Rent)	£710,000	£409,411.28

Assessment of the proposed affordable housing offer

3.32 In this case, the application is proposing 34 units (13%) / 108 habitable (16%) of London Affordable Rent units and £1million in Section 106 legal agreement obligations and CIL combined.

3.33 It is noted that this offer is significantly under that secured at other schemes in the area who were in a similar financial situation.

Wheelchair Accessible Housing

- 3.34 Policy D7 (Accessible housing) of the London Plan requires residential developments to provide at least 10% of dwellings that would meet the Building Regulation Part M4(3) “Wheelchair user dwellings requirements”, and all other dwellings (90%) to meet Building Regulation M4(2) “Accessible and adaptable dwellings”.
- 3.35 The scheme would provide 44 dwellings designed to Part M4(3), equating to 18% which complies with the above guidance. All the remaining units are designed to Part M4(2) of all units proposed. The table below provides a breakdown of the proposed accessible mix:

Unit size	Private			London Affordable Rent
	Block A	Block B	Block C	Block D
1B2P	16	16	-	-
2B3P	-	-	-	7
2B4P	-	-	-	-
3B4P	-	-	-	-
3B5P	-	5	-	-
Total	37			7

- 3.36 The accessible housing will be secured by a planning condition.

Children’s play space

- 3.37 Policy S4 (Play and informal recreation) of the London Plan seeks to ensure that development proposals that include housing make provisions for good quality accessible play provision for all ages. The Mayor’s Supplementary Planning Guidance Providing for Children and Young People’s Play and Recreation sets out guidance to assist in this process. In summary it is recommended that 10sqm of play space is provided per child.
- 3.38 Policy DMNE 1 (Parks, open spaces and play space) of the draft Local Plan 2037 requires major development to increase opportunities for play and informal recreation in line with Policy S4 (Play and informal recreation) of the London Plan.
- 3.39 The level of play space that is required was calculated using the GLA child yield calculator. The breakdown for required and proposed play space that was calculated using the GLA calculator for various age groups is shown on the table below:

Age group	Market and Intermediate	Social	Yield Required	Sqm Required
0-4	30.5	20.3	50.8	508
5-11	20.9	16.6	37.6	376
12-15	6.2	9.1	15.3	153
16-17	3.3	4.8	8.1	81
Total			107.9	1,118

- 3.40 The development is required to provide 1,118sqm of children’s play space. The submitted Landscape Design and Access Statement (dated December 2022, revision 1), play strategy (page 19) provides yield calculations but there are discrepancies with the amounts that were calculated by officers. The applicant calculation suggests that only 551sqm of play space is required and the proposal is providing 700sqm as follow:

Age group	Provided by applicant	Difference with table above
0-4	363	-145
5-11	262	-114

12-15	75	-159
16-17		
Total	700	-418

- 3.41 The proposal fails to provide designated play space for all age groups. The deficit is equating to 379sqm. The applicant is therefore required to provide a contribution towards improving the existing play equipment off-site that's charged at £300 per square metre (£300 x 418sqm = £125,400.00) will be requested and secured via s106 legal agreement.

Summary on Housing

- 3.42 The proposed development would positively contribute towards housing numbers and it would provide acceptable dwelling mix and tenure split. Whilst the level of the affordable housing is below the targeted 50%, the applicant has submitted a viability assessment which was reviewed by the GLA and Be First's appointed independent reviewer. It was agreed that the level of the affordable housing is acceptable in this instance given that the Council is seeking to deliver a brand-new neighbourhood in previously industrial area. To achieve the vision that is set out in Area Policy SSP2 of the Draft Local Plan for the area is necessary to secure other financial obligations that will help to deliver the infrastructure needed along Thames Road. The proposed affordable housing will be secured by a s106 legal agreement with early and late-stage reviews to ensure that any uplift is captured.

4. Housing standards

Internal and external space standards for the proposed development

- 4.1 Parts A and F in Policy D6 (Housing quality and standards) and Table 3.1 of the London Plan sets the expected minimum internal and external space requirements for new dwellings. The minimum requirements are in line with national standards. The policy sets out requirements for the Gross Internal Area (GIA) of all new dwellings at a defined level of occupancy, as well as floor area and dimensions for key parts of the home, notably bedrooms, storage, floor to ceiling height, and outdoor private amenity space. The standards seek to ensure that amongst other things new homes have adequately sized rooms and convenient and efficient room layouts which are functional, fit for purpose and meet the changing needs of Londoners.
- 4.2 Policy BP5 (External amenity space) states that planning permission for new dwelling will only be granted where they provide appropriate external private and/or communal amenity space to meet the needs generated by the development.
- 4.3 As it can be seen from the submitted Accommodation Schedule, including Nett and Gross Floor Area (file reference PF-AS-003, dated 03/02/203), all the proposed dwellings would meet or exceed standards in terms of overall unit sizes, bedroom size and built-in storage. Each residential dwelling benefits from private amenity space, predominantly in the form of a cantilevered balcony, or modest private garden in the case of the townhouses. Each block benefits from its own lobby area. The standard of residential accommodation is therefore considered to comply with the currently adopted standards.

Aspect for the proposed development

- 4.4 Part C in Policy D6 (Housing quality and standards) of the London Plan requires maximisation of dual aspect dwellings. A single aspect dwelling should only be provided where it is considered a more appropriate design solution to meet the requirements of Part B in Policy D3 (Optimising site capacity through the design-led approach) than a

dual aspect dwelling, and it can be demonstrated that it will have adequate passive ventilation, daylight and privacy, and avoid overheating.

- 4.5 Housing Design Guide SPG (HDG SPG), Standard 29, states that *'developments should minimise the number of single aspect dwellings. Single aspect dwellings that are north facing or exposed to noise levels above which significant adverse effects on health and quality of life occur, or which contain three or more bedrooms should be avoided'. Supporting text goes on to state that 'where possible, the provision of dual-aspect dwellings should be maximised in a development proposal'.*
- 4.6 The proposed development would provide 245 flats and 114 (that's 48.2%) would be single aspect, and 131 (that's 51.8%) would be dual aspect. The applicant confirmed that the scheme has been designed in line with this guidance, maximising dual-aspect units and taking account of the site-specific context, alongside ensuring the sufficient provision of enhanced industrial floorspace in line with the co-location principles for the site.
- 4.7 The challenges in providing more dual-aspect units on site are largely around the footprint of the building and where the flats on the upper floors can be located. To ensure that the scheme is functional and well-designed it was crucial that appropriate segregation between vehicle and pedestrian movements is provided on ground floor, that there is greater activity at the ground floor level, The provision of the dual aspect units also needs to be considered in light of the recent requirement to incorporate secondary staircases whilst maintaining the key co-location principles for the site and notably a varied unit mix, including the high provision of family units.
- 4.8 The proposals have also always been designed to ensure that sufficient natural ventilation and good daylight and privacy are maintained, alongside overheating and noise impacts being negated. This is also further evidenced within the supporting technical material submitted with the planning application. The majority of the single aspect units are smaller dwellings. As a high-density scheme, it is to be expected that the development will provide some units with a single aspect. On balance, the extent of single aspect units is considered acceptable, and would not warrant a reason for refusal of this planning application.

Overheating for the proposed development

- 4.9 Policy SI4 (Managing Heat Risk) of the London Plan states that development proposals should minimise adverse impacts on urban heat island through design, layout, orientation, materials and the incorporation of green infrastructure and that major development proposals should demonstrate through an energy strategy how they will reduce the potential for internal overheating and reliance on air conditioning systems.
- 4.10 The scheme is supported by an TM59 Thermal Comfort Analysis, prepared by The PES, dated 05/12/2022. The overheating assessment was based on a sample of the topmost three floors of the development as they are clearly the most exposed units. This also gives a representative example of different flat types and orientations. The design of the dwellings has been assessed against the CIBSE guidance TM59 Design methodology for the assessment of overheating risk in homes (2017) and Approved Document O (2021) under the mandatory weather file (DSY1 for the 2020s, high emissions, 50% percentile scenario). The submitted overheating assessment of representative dwellings demonstrates that an acceptable overheating risk can be achieved.

Daylight and sunlight for the proposed development

- 4.11 Paragraph 125(c) of the NPPF states local planning authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they

would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

- 4.12 Part D in Policy D6 (Housing quality and standards) of the London Plan requires development to provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing, and maximising usability of outside amenity space.
- 4.13 Policies BP8 (Protecting Residential Amenity) and BP 11 (Urban Design) of the Borough Wide Development Management Policies DPD seeks to protect residential amenity, by ensuring new developments to not expose existing and proposed occupiers to unacceptable levels of pollution that may arise.
- 4.14 Policy DMD1 (Securing high-quality design) sets out that among other things, all development proposals should consider the impact on the amenity of neighbouring properties with regard to significant overlooking, privacy and immediate outlook, and should mitigate the impact of air, noise and environmental pollution.
- 4.15 The relevant guidance for assessing daylight and sunlight levels is contained in the Building Research Establishment (BRE) guide to good practice 'Site Layout Planning for Daylight and Sunlight' (2022) (Referred to as BR 209). The updated guidance replaces the previous primary method of assessment of new build accommodation through calculating the average daylight factor (ADF) and No Skyline (NSL). The BRE sets out the methods for assessing daylight within a proposed building based on methods detailed in BS EN 17037: 2018 "Daylight in buildings", the UK National Annex of the British Standard and the CIBSE publication LG 10 'Daylighting – a guide for designers.
- 4.16 It is noted that the BRE document offers guidance on generally acceptable standards of daylight and sunlight but advises that numerical values are not to be rigidly applied and recognises the importance of the specific circumstances of each case. Inner city development is one of the examples where a different approach might be justified.
- 4.17 The application is supported by Daylight and Sunlight Report prepared by eb7, dated 22/12/2022 and Addendum Report dated 24/03/2023.

Daylight

- 4.18 The report confirmed that that 84% of the proposed habitable rooms assessed would satisfy the BRE guidelines for internal daylighting. Where levels fall below the BRE recommendations, these are generally isolated to bedrooms and open plan living spaces served by balconies. Balconies typically result in lower daylighting levels to the spaces but provide the units with well-lit private amenity space. Open plan living spaces are also more desirable in flatted developments though inevitably lead to the kitchens being task lit. These trade-offs are recognised by the BRE guidelines and flexibility is appropriate in this regard.

Sunlight

- 4.19 The report also confirmed that circa 61% of the units containing at least one habitable would meet or exceed BRE target level of 1,5 hours of sunlight on the 21/03. This is considered good level of sunlight exposure and considered typical of denser flatted development where site layout has an effect on unit orientation.

Summary

- 4.20 Overall, the submitted reports confirm that the proposed development including changes to the development layout will provide a good level of adherence to daylight and sunlight guidelines for a dense housing development.

Noise and Agent of change for the proposed development

- 4.21 Policy D14 (Noise) of the London Plan requires developments to reduce, manage and mitigate noise to improve health and quality of life, residential and other non-aviation development proposal by avoiding significant adverse noise impact on health and quality of life; reflect the Agent of Change principles set in the Policy D13 (Agent of change) of the London Plan; mitigate and minimise the existing and potential noise on, from, within the site; and improving and enhancing the acoustic environments and promoting appropriate soundscapes.
- 4.22 Policy BR13 (Noise mitigation) of the Borough Wide Development Policy DPD requires any new development likely to generate harmful levels of noise to be directed away from existing noise sensitive locations, or areas allocated for noise sensitive developments. Where it is not possible to full separate noise sensitive and noise generating land uses, planning permission will only be granted if there will be no exposure to noise above an acceptable level.
- 4.23 Policy DMSI 3 (Nuisance) of the draft Local Plan states that all major development must submit a noise and vibration assessment to reduce any adverse impacts to an acceptable level using most appropriate layouts, orientation, design, and use of the building.
- 4.24 The application is supported by a Noise Assessment prepared by KP Acoustics, dated 07/02/2022, refence 23704.NIA.01 Rev A. The submitted report was reviewed by the LBBD Environment Protection Officers who advised that the assessment included a background noise survey and assessment of the potential noise impact at the proposed residential element of the development against national guidance and standards. The outcome of the assessment indicates that subject to acoustic design and ventilation measures, internal amenity standards can be suitably protected. Regarding amenity space standards the development site is predicted to broadly be within recommended guideline levels.
- 4.25 The assessment has not taken into account the mixed-use element of the proposal which includes B2 and B8 uses which have the potential for generating adverse noise impact. The applicant has provided amended Noise Assessment (Rev C) that considered this and the Environment Protection team confirmed that the revised report is acceptable.

Privacy for the proposed development

- 4.26 Standard 28 of the Mayor's Housing SPG requires that design proposal demonstrated how habitable rooms within each dwelling are provided with an adequate level of privacy in relation to neighbouring property, street, and other public spaces.
- 4.27 The application site is surrounded by single or two storey industrial buildings. Therefore, there are no concerns with loss of privacy or overlooking. The proposed building has been in a way that would prevent any future overlooking when the adjected sites are developed.

Summary on Housing Standards

- 4.28 Overall, the residential quality of the proposed dwellings will meet or exceed the relevant standards both internal and externally. Some of the proposed dwellinghouse would be

single aspect, in accordance with planning policy the applicant has demonstrated that they have been suitably designed and that they would not suffer from overheating. The scheme is also considered to achieve acceptable daylight, sunlight, and noise levels subject to proposed conditions being add and implemented.

5. Design

Site layout

- 5.1 Policy D3 (Optimising site capacity through the design-led approach) of the London Plan states that proposals should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness throughout their layout, orientation, scale, appearance, and shape, with due regard to existing and emerging street hierarchy, building types, forms, and proportions.
- 5.2 Policy D4 (Delivering good design) describes development's design should cover its layout, scale, height, density, land uses, materials, and architecture treatment.
- 5.3 Policy CP3 (High quality built environment) of the Core Strategy states that all development proposal will be expected to achieve high quality standards in relation to the design and layout if new building and spaces. Policy BP11 (Urban design) of the Borough Wide DPD sets design principles that new development should follow.
- 5.4 Policy SP 2 (Delivering a high-quality and resilient built environment) and DMD 1 (Securing high-quality design) of the emerging Local Plan aligns with the London Plan to ensure that development is designed in a sensitive and appropriate manner which minimises impact on surrounding neighbours and respects the character of the area.

Application site layout

- 5.5 The proposed development would provide two separate entrances, residential on the western side and industrial on the eastern side. Those entrances would be shared with the neighbouring sites in the future as mentioned in paragraph 5.8 below.
- 5.6 The residential area would be through a double height passage that would lead to residential cores at the northern and southern end of the site as well as provide entrance to six duplex flat that would provide active frontage and natural surveillance to the north-south passage provided through the site on along the western site boundary.
- 5.7 The industrial area would also be through a double height passage and it would provide access to industrial cores as well as the front doors to the larger individual units. The industrial yard has been designed to cater for a variety of uses and a wide range of potential occupiers responding to specific demands that have been outlines in the principle of development section of the report.

Figure 5: Proposed site layout plan showing how the application site can share vehicular access with its neighbours and CGI images showing the entrance the residential and industrial area - extract taken from Part 3 of the Design and Access Statement



Application site and the neighbouring sites

- 5.8 The proposed development layout has been designed in line with the agreed and prepared mini masterplan that was prepared jointly by the applicant and the owner of the site at 17-19 Thames Road (this is an unadopted document). The mini masterplan covers the north section of Thames Road running east-west (stretching from No 7 to No 21) within the co-location zone. The purpose of the mini masterplan was to minimise the number of vehicular entrance point from Thames Road and to ensure that a mixed-use community is created. The mini masterplan also seeks to ensure that the proposals in this area come forward in a comprehensive manner. The rights of way for the neighbouring uses would be secured via a Section 106 legal agreement to ensure that the aims and objectives of the plan are achieved.

Height and massing

- 5.9 Policy D9 (Tall buildings) of the London Plan seeks to ensure that tall buildings are appropriately located, well designed and able to enhance their immediate and wider setting. In accordance with Policy D9, tall buildings should only be developed in locations that are identified as suitable in development plans, and proposals should address visual, functional, environmental, and cumulative impacts of tall buildings.
- 5.10 Policy BP4 (Tall buildings) of the Borough Wide Development Policies states that “a tall building is defined as any building which is significantly taller than its neighbours, and/or which significantly changes the skyline”. Furthermore, Policy BP4 states that “for tall buildings to be considered acceptable, they should be located in areas of high public transport accessibility (PTAL) levels or as set out in the Site-Specific Allocations DPD or Barking Town Centre Area Action Plan”.
- 5.11 The draft Thames Road masterplan on page 54 states that “*general height datum of 6-7 storeys is appropriate and generally blocks should aim for this as a maximum height. However, there is scope for well-designed taller elements within plots of 10-14 storeys, to support commercial viability and increase density, where this can be justified in townscape terms such as to mark significant corners, on key north cross routes, nearer to taller industrial plots at west end of the road.*”

Application site height and massing

- 5.12 The application site is situated within an area with industrial character. Building heights are typically 5-10m, mainly single storey sheds with some 2-3 storey offices. The wider surrounding area is generally 2-4 storeys terraces houses or residential blocs (located to the south), with a few taller blocks of 6-9 storeys (located to the north).

Figure 6: Google Earth image showing the existing townscape in the surrounding area to the application site



- 5.13 The application site is one of the more westerly sites within the co-location zone. The proposed development would have a height ranging between 9-15 storeys. The highest parts of the building would be off centre to the west. Where the masterplan allows greater heights to be accommodated. The position of the highest part of the building here would also allow appropriate set back to be achieved with any emerging development at 11 Thames Road and taking into consideration the development which secured a resolution to grant planning permission at Nos 17-19 Thames Road. The lower parts of the building would be located towards the Thames Road and the Ripple Greenway and the playing field beyond it.
- 5.14 It is considered that a balance needs to be struck between seeking to respect aspects of the existing industrial character whilst addressing and realising the aims of the draft Local Plan and SPD that seeks to inform it. Taking the location of the application site and the aspirations of the SPD into consideration officers consider that the proposed height is acceptable. The taller element would be sufficiently articulated to ensure that the mass of the building is broken up and that the development would be well designed and would be of high architectural quality and finish.

Application site and the neighbouring sites

- 5.15 Several sites have already come forward and either got planning permission (12 Thames Road) or secured the resolution to grant planning permission (7 Thames Road, 3 Gallions Close, and 17-19 Thames Road). The figure below shows how the proposed development (shaded in pink) would look in the context of those schemes mentioned.

Figure 7: The proposed massing at the application site vs the emerging context

- 1 7 Thames Road, residential-led mixed use
- 2 12 Thames Road, residential-led mixed use
- 3 17 Thames Road, residential-led mixed use (application submitted)
- 4 13-15 Thames Road, residential-led mixed use (application scheme)



Appearance

- 5.16 The proposed building would be constructed in three different brick tones (light red, rich red, and grey), corrugated metal, metal mesh, and dark grey aluminium for window frames and balcony balustrades. The CGI showing the view of the development along Thames Road looking west and the proposed material palette can be seen in figure 9 below.

Figure 8: CGI image of the proposed development and the proposed material palette - taken from Part 4 of the Design and Access Statement



- 5.17 The light red and rich red brick would be used for most of the buildings. The bricks would be alternated to break the building down into a series of terraces. All brick work would use light mortar.
- 5.18 The grey engineering brick would be used to express the commercial uses at ground and first floor. The grey brick would be combined with expanded metal mesh façade to give an industrial aesthetic.
- 5.19 The proposed materials and the design of the scheme are of a high quality and would positively contribute to the emerging character on Thames Road.

Design conclusion

- 5.20 The layout, scale, height, and massing of the proposed building would comply with the aspirations of the emerging masterplan plan. The architectural form for the building will be of high quality and it will positively contribute to the emerging townscape on Thames Road.

6. Wind assessment

- 6.1 Part 3(a) in Policy D9 (Tall buildings) of the London Plan states that wind, daylight, sunlight penetration and temperature conditions around the building and neighbourhood must be carefully considered and not compromise comfort and the enjoyment of open space, including water spaces, around the building.
- 6.2 The application is supported by a by Wind Assessment – Revision A prepared by Create Consulting Engineers Ltd, dated December 2022. Findings of the report show that the introduction of the proposed development is not likely to result in considerable wind acceleration. Balconies from Floor 7 upwards are seen as likely to experience corner accelerations from North-East and South-West winds due to no protection by surrounding building heights. The north façade is likely to experience the greatest wind effects comparative to other façades of the proposed development due to no protection from surrounding development in proximity. Although, reduced height in exiting surrounding buildings indicates that façade downwash will not be experienced at the site boundary façades and is unlikely within the proposed development due to the variable building heights.
- 6.3 Regarding conditions for pedestrians, those would only be more difficult in extreme gales. However, due to the moderately low height of the majority of the building footprint that form the site it is unlikely that conditions will be above the safety threshold.
- 6.4 The overall conclusion was that the development would not result in any unreasonable impacts with respect to wind within or outside of the development boundaries.

7. Fire safety

- 7.1 Policy D12 (Fire Safety) of the London Plan requires all development proposals to achieve the highest standards of fire safety and to requires all major proposals to be supported by a Fire Statement. The Mayor of London has also published pre-consultation draft London Plan Guidance on Fire Safety Policy D12 (A).
- 7.2 Part B (5) in Policy D5 (Inclusive design) of the London Plan states that new development should be designed to incorporate safe and dignified emergency evacuation for all building users. In all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessment) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building.
- 7.3 The application is supported by a RIBA Stage 2 Outline Fire Strategy (ref: OF-000615-OFS-01-B, dated 09/02/2022) Gateway One Fire Statement (ref: OF-000615-FSS-01-B, dated 09/02/2023) both prepared by Orion Fire Engineering.
- 7.4 The Health and Safety Executive (HSE) reviewed and commented on the application with their final comments being issues on 26/05/2023. The addition of the second staircases was welcomed. However, the HSE noted that the proposal would continue to be subject to later regulatory assessment. Overall, the HSE was satisfied with the fire safety design, to the extent that it affects land use planning.
- 7.5 The London Fire Brigade also reviewed and comments on the application with their comments issued circa 25/01/2023. Their consultation response confirmed that no additional hydrants are required and no further action is required.

- 7.6 Considering the received consultation responses, the Councils is satisfied that the submitted reports demonstrate that the development would achieve good levels of fire safety and that it would meet the recommendation on Policy D12. This was also confirmed by the GLA in their Stage 1 report. The submitted plans would be conditioned to secure compliance and details of the fire evacuation lift(s) would be secured by a suitably worded planning condition.

8. Design out Crime

- 8.1 Policy D11 (Safety, security, and resilience to emergency) of the London Plan states that development proposals should maximise building resilience and minimise potential physical risks, including measures to design out crime. This approach is supported by Policy CP3 (High quality built environment) of the Core Strategy and Policy BC7 (Crime prevention) of Borough Wide Development Policies DPD.
- 8.2 The Metropolitan Police Design Out Crime reviewed and commented on this application on 06/01/2023. The police raised no objection to the proposed development, subject to adding the requested condition and Informative requesting the applicant's team to achieve security standards based on the Secured by Design principles. The recommended condition and informative are considered necessary and they will be added.

9. Trees

- 9.1 Policy DMNE 5 (Trees) of the emerging Local Plan states that development proposals in the first instance should retain existing trees, shrubs and vegetation of value where possible unless it can be demonstrated that their removal would provide substantial public benefit or if they are considerably damaged or deceased.
- 9.2 The scheme is supported by an Arboricultural Survey, Impact Assessment & Method Statement Report (BS5837:2012) prepared by Marcus Foster Arboricultural Design & Consultancy, reference AIA/MF/0110/22, dated December 2022 and an email dated 09/03/2023 confirming that changes to the scheme to include secondary stair core do not materially affect the conclusions of the report.
- 9.3 The report provides an assessment of the arboriculture value of the trees on site based on their current quality and provides arboriculture recommendations. 7x trees and 1x group of 3x shrubs within and neighbouring the site. The trees have been categorised as falling in category C (low quality) and U (trees in such a condition that they cannot be retained as living trees for the next 10 years). All but one of the trees is proposed to be removed to facilitate the development. The removal of the trees is considered acceptable given their classification and the uplift in planting of new trees across the site.

10. Public realm and landscape

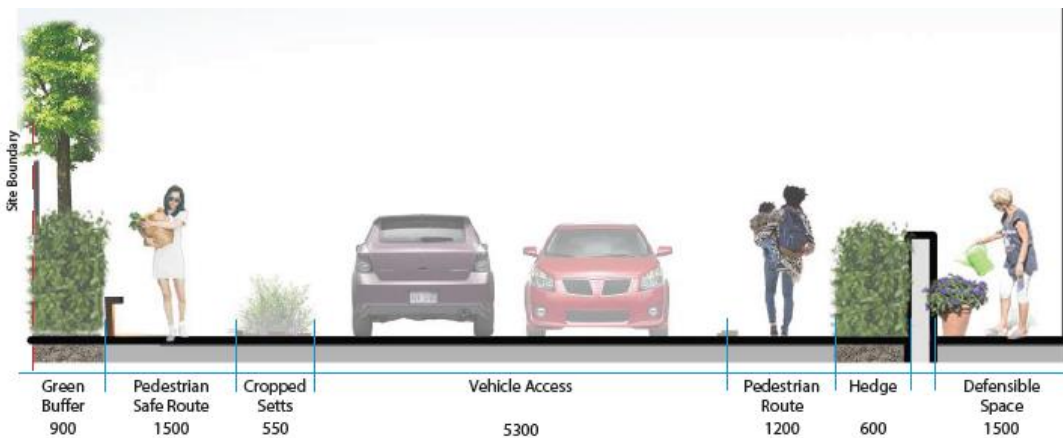
- 10.1 Policy D8 (Public realm) of the London Plan requires development proposal to amongst other things, ensure the public realm is well-designed, safe, accessible, inclusive, attractive, well-connected, related to the local and historic context, and easy to understand, service and maintain.

- 10.2 Policy BP11 (Urban Design) of the Borough Wide Development Policies DPD in one of the design principles requires that development provide attractive and high-quality landscaping.
- 10.3 The scheme is supported by Landscape Design and Access Statement, revision 1, dated December 2022. The report provided an overview for the landscaping strategy at the site.

Ground floor (within site)

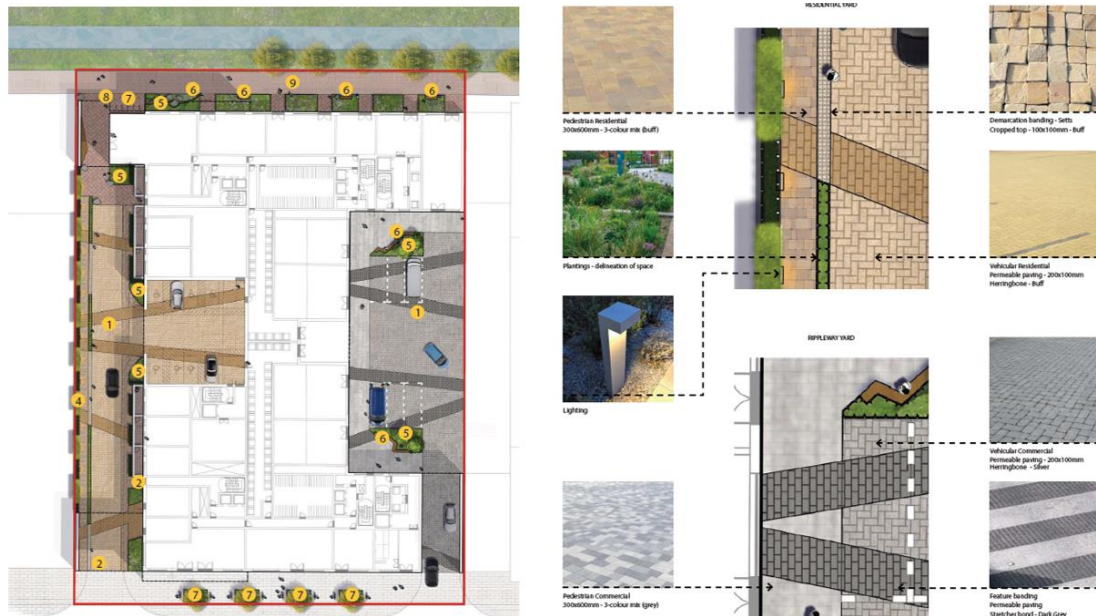
- 10.4 The ground floor of the proposed development would be split into two parts, residential on the western side and industrial on the eastern side. Those spaces have been designed to be functional.
- 10.5 The residential side starting from the west would be made up of a landscaped buffer area measuring 0.9m in width, a pedestrian route measuring 1.5m in width and which is sufficient for a wheelchair user and a non-wheelchair user walking side-by-side running north to south across the whole site, a further landscaped buffer measuring 0.55m in width, a vehicle access measuring 5.3m in width that allows car entering and leaving the site at the same time, a further pedestrian route measuring 1.2m in width, a hedge measuring 0.6m in width and a defensible space measuring 1.5m in width serving the duplex houses provided on the ground floor.

Figure 9: Section showing the design and measurement for each section on the residential side of the application site



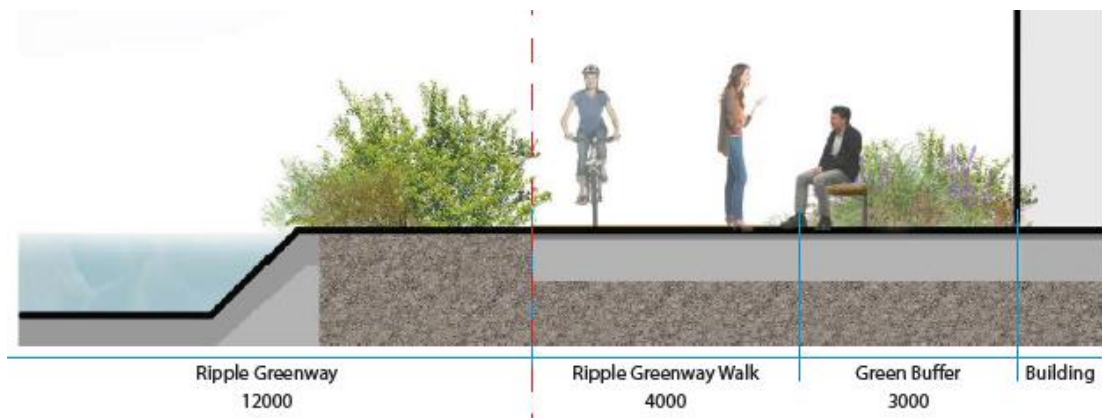
- 10.6 The industrial side would provide vehicular access that allows car entering and leaving the site at the same time. Within the industrial site there would be a courtyard which provided safe pedestrian walkway on the eastern site. The industrial side have been designed to use colder tones and materials (light grey, dark grey, and black). Both sides have been designed with similar paving bands that traverse from each side. The architect has used paving bands, paving colours, and contrasting textures to ensure safe pedestrian routes through the shared surfacing.

Figure 10: Proposed site layout plan and ground floor landscaping



- 10.7 North of the side and facing the Ripple Greenway the proposed would provide a landscaped buffer area measuring 3m in width, a pedestrian Ripple Greenway walk measuring 4m in width, and a further landscapes buffer which is beyond the application site. South of the side and facing Thames Road, the building line has been appropriately set back in line with the other schemes to allow for creation of pleasant public realm that accommodated pedestrian and potentially cyclists as well as provided opportunity and space for tree planting, bus stops, street light, and street furniture to be places (once the overall strategy for the road is develop) to come forward without negatively impacting on the pedestrian experience.

Figure 11: Section showing the design and measurement for each section on the residential side of the application site



- 10.8 The design also uses an integrated SuDs strategy that combines permeable paving and ground floor rain gardens. Tree planting have been made where possible to align to the streetscape precedent at 7 Thames Road.

Roof levels

- 10.9 The podiums would provide communal green space(s) for residents. The podiums would accommodate a range of external spaces including open lawn areas incorporating play features, biodiverse planting and intimate spaces to provide a greater sense of privacy. The podium planting has been selected for the microclimate.

Soft landscaping across the site

- 10.10 The site currently comprises warehouse buildings, with areas of hardstanding, and limited number of trees and shrubs. The proposal includes new trees, grasses, lawn, planting, permeable paving, and green roofs. The choice of soft landscaping as shown within the submitted Landscape Design and Access Statement is considered appropriate. However, to ensure that the development is of high quality it is recommended that a condition is added requestion details landscape plans and implementation of the soft landscaping strategy that is approved.

11. Urban Greening Factor (UGF)

- 11.1 Policy G5 (Urban greening) states that major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls, and nature based sustainable drainage. The policy encourages boroughs to develop an Urban Greening Factor (UGF) to identify an appropriate amount of urban greening required in new developments.
- 11.2 Policy DMNE 2 (Urban greening) of the LBBB draft Local Plan 2037 stated that development proposal will be supported where they maximise opportunities for urban greening. The policy also states that applicant will be expected to apply UGF in line with Policy G5 (Urban greening) of the London Plan.
- 11.3 Point 10 in Area Policy SSP2 (Thames Riverside), Thames Road Transformation Area states that development should create improved streetscape and active frontages to industrial and commercial plots. Part 3 (b) in Policy DMD 1 (Securing high-quality design) specifically states that major and strategic planning proposals should “clearly demonstrate consideration of the individual and cumulative impact on amenity, neighbouring buildings, skyline, infrastructure and the natural and historic environments, provision of public realm, amenity space (private, communal and child play space”.
- 11.4 The proposal includes the providing of new trees, grasses, lawn, planting, permeable paving, and green roofs. The submitted Landscape Design and Access Statement, revision 1, dated December 2022, states that the scheme would achieve UGF score of 0.404, which meets the policy requirement.

12. Biodiversity

- 12.1 Part D in Policy G6 (Biodiversity and access to nature) specifically talks about development proposals resulting in net biodiversity gain. Part D goes further to say that proposal which reduce deficiencies in access to nature should be considered positively.
- 12.2 Part 2a and 4c in Policy DMNE 3 (Nature conservation and biodiversity) of the LBBB draft Local Plan 2037 states that developments are required to submit an ecology assessment demonstrating biodiversity enhancements that demonstrate minimum 10% biodiversity net gain using DEFRA metric (or agreed equivalent) and submit.
- 12.3 The application is supported by a Preliminary Ecological Appraisal as well as Biodiversity Net Gain Proposal, both documents were prepared by The Ecology Partnership and they

have been dated October 2021 and 20/12/2022 retrospectively. On 28/03/2023 a letter confirming that changes to the scheme to include secondary stair core do not materially affect the conclusions of the report.

- 12.4 The site currently comprises warehouse buildings, with areas of hardstanding, and limited number of trees and shrubs. The habitat on site is considered to have little to no ecological value. As such, the loss or removal of these habitats are considered negligible and would not warrant objecting. Ecological enhancement and mitigation measures are recommended to remove existing building outside of the breeding bird season, bat and next boxes being integrated into the new development, proposed lighting taking account of bats in the surrounding area, and incorporation of green roofs. The application includes details of the proposed improvements to biodiversity. These are expected to result in a net gain of approximately 1,122.33%. The biodiversity improvement proposed would be in line with policy requirements and they will be secured by a planning conditions.

13. Archaeology

- 13.1 Paragraph 194 of the NPPF states in determining application, the Local Planning Authorities (LPAs) should require an applicant to describe the significance of any heritage asset affected, including any contribution made by their setting. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
- 13.2 Policy HC1 (Heritage and Conservation Growth) of the London Plan; Policy CP2 (Protecting and Promoting our Historic Environment) of the Core Strategy; Policy BP3 (Archaeology) of the Borough Wide Development Policies DPD; and Policy DMD 4 (Heritage Assets and Archaeological remains) of the LBBDD the Draft Local Plan support the NPPF and seek to protect all heritage assets in a suitable way.
- 13.3 The application is supported by Archaeology & Heritage Assessment prepared by ACD Environmental, file reference PRI23681-AHA, dated December 2022 and an email dated 09/03/2023 confirming that changes to the scheme to include secondary stair core do not materially affect the conclusions of the report.
- 13.4 The Greater London Archaeological Advisory Service (GLAAS) was consulted, and they reviewed the application and advised that the development is not in an area of archaeological interest.
- 13.5 The site lies immediately north of 12 Thames Road, where geoarchaeological borehole survey and modelling has identified an apparent prehistoric channel running north south across the buried Barking Eyot, a former island in the Thames floodplain identified as having potential for past human activity. It also neighbours 17-19 Thames Road, where GLAAS provided pre-determination archaeological advice recently.
- 13.6 The presence of the channel raises the potential for cultural activity and well-preserved remains, including in and on the associated peat deposits. On current understanding, the prehistoric channel can be projected across the current application site. Although likely to survive at some depth, the dense piling that would require for the up to 14 storey buildings has potential to create harm to buried archaeology. In keeping with our advice at 12 Thames Road and 17-19 Thames Road, it was recommended that a planning application here be informed by borehole assessment and modelling and further detail on piling harm. Should planning permission be granted for this development, an archaeological condition will be added.

14. Impact on amenity of adjoining occupiers

Daylight and sunlight

- 14.1 The application is supported by Daylight and Sunlight Report, prepared by EB7, dated 22 December 2022, and Addendum report issues on 24/03/2023. The report considered the closest neighbouring residential properties with windows overlooking the proposed development. Those neighbouring site were, 78 Curzon Crescent, 1-3 Sayer Close, 12 Thames Road, 7 Thames Road, and 17-19 Thames Road.

7 Thames Road

- 14.2 With regards to daylight, the result show that out of the 141 habitable rooms assessed, 111 retain the ADF level recommended by the BRE guidelines for the specific room use. 30 rooms that would be affected would not see a noticeable difference. With regards to sunlight, none of the windows within the scheme face the proposal within 90 degrees of due south. As such, there is no material effect on sunlight levels because of the proposal.

12 Thames Road

- 14.3 With regards to daylight, the result show that out of the 253 habitable rooms assessed, 200 retain the ADF level recommended by the BRE guidelines for the specific room use. The rooms below target are located underneath circulation / access decks and the guidance advised to be flexible in such circumstances. The shortfall is not significant and it is considered at an acceptable level. With regards to sunlight, the scheme is situated to the south of the application site and therefore there would be no change to sunlight levels because of the proposal.

1-3 John Sayer Close

- 14.4 With regards to daylight, the effects of the proposed scheme would be acceptable given the separation distance. With regards to sunlight, the levels would remain unchanged.

78 Curzon Crescent

With regards to daylight, there is a good separation between the development site and this neighbouring property the level of daylight received would be acceptable. With regards to the sunlight, all rooms would meet targets set within the BRE guide.

Outlook and privacy

- 14.5 The layout, position, and design of the proposed development is considered unlikely to give rise to an unacceptable impact upon the neighbouring properties in relation of loss of privacy and loss of outlook to the existing and emerging development in the local area.

Noise and disturbance

- 14.6 The site is an industrial site and located within an established industrial area where noise and vibration are not alien factors. The proposed development would intensify the use of the site by introducing the residential use at the site. The impact the proposed development would have on neighbouring properties in relation to can be adequately controlled by planning conditions.

- 14.7 To mitigate the impact of the development a few conditions have been recommended by the LBBB Environmental Health Officer. These include a scheme of acoustic protection, details of noise insulation party construction, detailing of any kitchen extraction ventilation system (if applicable). With the proposed conditions being discharge and implemented, officers are satisfied that the building would be designed to ensure that the existing uses surrounding the site would not be affected.

External lighting

- 14.8 The submitted Landscape Design and Access Statement, revision 1, dated December 2022 provides some information about the external lighting that would be fitted around the application site. The document does not identify the levels of output from the lighting, and as such it is recommended that a condition is attached requiring the submission of a full lighting scheme to be submitted to ensure that there would be no detrimental impact to safeguard neighbouring amenity and to avoid light pollution.

Conclusion on impact on residential amenity

- 14.9 The proposed development has been carefully assessed in relation to the residential amenity. Officers are satisfied that subject to the recommended conditions identified above the proposed development would not give rise to significant concerns with respect to neighbouring amenity that would justify a reason for refusal of the scheme.

15. Transport

- 15.1 The application is supported by Transport Assessment (14/12/2022) and Travel Plan (dated 12/12/2022) prepared Markides Associates. A Transport Addendum, Technical Note was issued on 04/04/2023 to reflect the changes made to the scheme to include secondary stair core.

Access to the site

- 15.2 Access to the site will be taken directly from the north side of Thames Road for vehicles, pedestrians, and cyclists. There are footways on either side of Thames Road, connecting the site to the surrounding area. There is a table zebra pedestrian and cyclist crossing close to the site allowing pedestrians to cross Thames Road.

Figure 12: Aerial image showing the Thames Road looking west and towards the site, taken from Google Earth



- 15.3 The development itself offers improvement in north-south permeability, proposing a link between Thames Road and the Ripple Greenway on the wester site as shows in Figure 10 and 11 above. The link would be close to a proposed bridge across The Ripple (this bridge is to be secured with the adjacent development 17-19 Thames Road to the east if granted).
- 15.4 The development has been set back from the property boundary to the north and south to allow public realm and highways improvement project to encourage Active Travel within the rapidly transforming Thames Road. The project aims are to address obstacles to active travel by creating a high quality, sustainable and inclusive piece of public realm, in line with wider design aspirations set within the River Road Employment Area SPD (albeit unadopted). To allow the Council to deliver on this work a contribution of £61,500.00 (£250 per unit x 245 new houses) will be secured through Section 106 legal agreement towards transport and highway improvement works.

Sustainable transport

- 15.5 The site has a Public Transport Access Level (PTAL) of 1b, on a scale of 0 to 6b where 6b is the best. There are no tube stations within the immediate vicinity of the site and Barking Riverside London Overground Station is the nearest station to the site, being a circa 20-minute walk away.
- 15.6 The area is served by buses, with the EL3 service stopping around 100 metres to the west, and the EL1 and EL2 stopping at Bastable Avenue approximately 500 metres (5 minutes' walk) to the north, giving a combined daytime frequency of around 23 buses per hour. Barking rail station, which has Underground, Overground and National Rail services, is around 2.2km away and accessible by all three bus services. Barking Riverside Overground Station, which opened in July 2022, is slightly nearer at 1.8km away, but all London Overground services go via Barking.
- 15.7 The development on Thames Road transformation area will increase the need and it would be necessary to fund bus services servicing the site and its future residents. Recognizing that this is an evolving area, Be First Officers develop a tariff for financial contribution towards public transport at a rate of £458 per residential unit. The proposed development is proposing 245 dwelling therefore the required contribution is £112,210.00 (245 dwelling x £458 = ££112,210.00).

Travel Plan

- 15.8 A Travel Plan has been submitted with the planning application showing how the owner will ensure that sustainable modes of transport: walking, cycling, and public transport will be encouraged.
- 15.9 The Travel Plan will be secured via a s106 legal agreement and the owner will need to pay the Travel Plan Monitoring Fee of £6,000 (3 monitoring plans x £2,000) for reviewing and monitoring of the travel plan on 1st, 3rd, and 5th anniversary.

Car parking and Electric Car Parking

- 15.10 Policy BR9 (Parking) of the Borough Wide Policies DPD states that car parking standards set out in the London Plan will be used as a maximum parking standard for new development. Policy DMT 2 (Car parking) also adopts the maximum London Plan car parking standards and other aspirations.
- 15.11 Policies T6 (Car parking) together with Table.10.3 of the London Plan provide maximum parking standards for new residential developments. The policy aims to restrict car parking in line with levels of existing and future public transport accessibility and

connectivity. Car-free development should be the starting point for all development proposals, if this cannot be achieved a car lite approach should be taken. Car-free development has no general parking but should still provide disabled persons parking in line with Part E in Policy T6. The policy also required that any car parking providing include electrical charging points.

Car parking

- 15.12 The development would provide two crossover accesses for vehicles, segregated by use (residential and industrial). The residential side on the western half of the site will be car free apart from 8 x blue badge parking bays from the outset (3% of 245 = 7.35). This equates to 3% provision, in line with the London Plan 2021. Swept path analysis demonstrating the manoeuvre of vehicles accessing the disabled parking area is provided. The commercial side will provide a total of 6 x logistic vehicle spaces suitable for panel vans, box vans and Luton vans. The site is not expected to require access by HGVs, excepting emergency vehicle access. A Parking Design and Management Plan would be secured through planning condition.
- 15.13 Thames road and the surrounding area is part of LBBD's wider regeneration masterplan. As part of the masterplan on-street parking is proposed to be removed or greatly reduced on Thames Road, River Road, Creek Road and Longreach Road with the use of new Parking Restrictions in place. This will ensure that there will not be an overspill of residential parking in this area. Therefore, a car free development is supported, and this must be agreed through a s106 agreement and planning conditions.

Electrical car parking

- 15.14 All residential car parking spaces must provide infrastructure for electric or Ultra-Low Emission vehicles. At least 20 per cent of spaces should have active charging facilities, with passive provision for all remaining spaces. Therefore minimum 2 residential parking spaces must have active EV charging facility with rest have access to passive EV charging portals. Rapid and Fast charging EV charging points should be considered for the commercial parking area. The provision of the electric charging points will be secured by a planning condition.

Car club

- 15.15 To support a low car environment, it is recommended that planning obligation requiring the applicant to fund Car Club membership for two calendar years on application to all residents to the nearest car club operating in the Borough. This will be secured in the s106 legal agreement.

Cycling

- 15.16 Policy BR9 (Parking) of the Borough Wide Policies DPD states that in relation to cycle parking TfL cycle parking standards, will be used as a minimum parking standard of new development.
- 15.17 Policy DMT 3 (Cycle parking) of the draft Local Plan states that all development must adopt the maximum London Plan cycle parking standards with the design and layout of cycle parking being in accordance with the London Cycling Design Standards.
- 15.18 Policy T5 (Cycling) and Table 10.2 of the London Plan states that Development Plans and development proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle. This will be achieved through securing the

provision of appropriate levels of cycle parking which should be fit for purpose, secure and well-located.

- 15.19 Applying the standards from the London Plan, 439 cycle parking spaces would need to be provided. The submitted document and drawings show that there would be 426 long-stay spaces for residents, 7 short-stay spaces for residents, and 6 for employees. The proposal would provide a total of 427 long-term cycle parking spaces of which 21 are adapted cycle accessible (5%), and 7 short-stay cycle parking spaces. The provision outlined above is therefore more than the requirement.
- 15.20 Be First Highway Officer recommended adding a planning condition requiring submission of a cycle parking management plan prior to the occupation of the development and the document shall contain information regarding the management of the cycle parking facility, safety arrangement, details of the stands used, signage, layout etc. The proposed condition is considered necessary and relevant to the development.

Delivery and Servicing

- 15.21 Policy T7 (Deliveries, servicing, and construction) of the London Plan states that development proposal should facilitated safe, clean, and efficient deliveries and servicing.
- 15.22 All waste collection will be undertaken from the commercial yard, using the dedicated turning space, and stored in a single large waste store in the centre of the building. Waste storage requirements have been calculated according to the relevant British Standards and local policy.
- 15.23 Residents will be able to access the store from the residential courtyard; however, bins will only be removed via the commercial yard and no waste vehicles will enter the residential yard. It is expected that residential waste will be collected by public collection service and commercial waste by private collection service. The store itself will be overseen by the appointed Site Management or Operator. A Delivery and Servicing Management Plan should be conditioned to be submitted prior to the occupation of the development. The proposed arrangements are considered acceptable and in line with the emerging strategies adopted on the other sites which benefits from planning permission and resolution to grant planning permission.

Demolition and Construction Traffic

- 15.24 The application is supported by a Construction Logistics Plan (CLP), prepared by Markides Associates, dated 20/12/2022.

Construction Environment Management Plan and Site Waste Management Plan will be secured via a planning condition. The document will consider the impact on pedestrians, cyclists, and vehicles as well as full consider the impact on other development in proximity.

Summary of Transport

- 15.25 Overall, based on the information that has been provided it would appear that subjecting to securing various information through planning conditions there would be no significant impact on the transport network or apparent adverse highway safety implications to suggest that there are any substantial reasons that this application should not be approved because of issued relating to the transport.

16. Sustainable Development

Energy and CO2 reduction

- 16.1 Paragraph 152 of the NPPF states 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.
- 16.2 Policies GG5 (Growing a good economy), SI2 (Minimising greenhouse gas emissions), SI 3 (Energy infrastructure) and SI 4 (Managing heat risk) of the London Plan are all relevant. The policies require all major developments to meet a net-zero carbon target. Reductions in carbon emissions beyond Part L of the 2021 Building Regulations should be met on-site. Only where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site a contribution to a carbon offset fund or reductions provided off site can be considered.
- 16.3 Policy BR1 (Environmental Building Standards) of the Borough Wide Development Policies DPD states that all developments are expected to meet high standards of sustainable design and construction. The policy also expects non-residential major developments to achieve BREEAM Very Good-Excellent. Policy BR2 (Energy and on-site renewables) outlines the expectations for significant carbon reduction targets to be achieved.
- 16.4 Policy DMSI 2 (Energy, heat, and carbon emissions) of the draft Local Plan 2037 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.

Energy strategy compliance

- 16.5 The application is supported by Energy & Sustainability Statement, prepared by The PES, dated 14/12/2022 and an email dated 02/03/2023 confirming that changes to the scheme to include secondary stair core do not materially affect the conclusions of the report. The email also noted that any issues are expected by the picked up by the GLA at Stage 1 and 2 referrals.
- 16.6 The GLA have reviewed the submitted energy statement and advised that it does not yet comply with London Plan Policies [SI2, SI3 and SI4]. The applicant is required to further refine the energy strategy and submit further information to fully comply with London Plan requirements. Full details have been provided to the Council and applicant in a technical memo that should be responded to in full. The applicant is working on resolving the outstanding issues with the GLA and this is not considered to warrant significant concerns with the application or its determination.

Carbon savings

- 16.7 For the domestic element, the development is estimated to achieve a 79% reduction in CO2 emissions compared to 2021 Building Regulations. For the non-domestic element, an 8% reduction is expected.
- 16.8 The London Plan requires developments to meet the zero-carbon standards but a 100% carbon reduction is not expected to be feasible or viable at this stage. A legal obligation will be secured so that a minimum on-site reduction is achieved.

Whole Life Carbon

- 16.9 Part F in Policy SI 2 (Minimising greenhouse gas emissions) of the London Plan requires developments to be supported by Whole Life Cycle Carbon Assessment (WLCCA) and demonstrate that actions were taken to reduce life-cycle carbon emissions.
- 16.10 The application is supported by Whole Life Carbon & Circular Economy prepared by The PES, dated 14/12/2022 and an email dated 02/03/2023 confirming that changes to the scheme to include secondary stair core do not materially affect the conclusions of the report. The email also noted that any issues are expected by the picked up by the GLA at Stage 1 and 2 referrals.
- 16.11 The submitted document was reviewed by the GLA and it was confirmed that it does not yet comply with London Plan Policy SI2. The applicant is working on resolving the outstanding issues with the GLA and this is not considered to warrant significant concerns with the application or its determination.

Circular Economy

- 16.12 Policy SI 7 (Reducing waste and supporting the circular economy) of the London Plan requires development application to submit Circular Economy Statements. Policy D3 (Optimising site capacity through the design-led approach) require development proposals to integrate circular economy principles as part of the design process.
- 16.13 The application is supported by Whole Life Carbon & Circular Economy prepared by The PES, dated 14/12/2022 and an email dated 02/03/2023 confirming that changes to the scheme to include secondary stair core do not materially affect the conclusions of the report. The email also noted that any issues are expected by the picked up by the GLA at Stage 1 and 2 referrals.
- 16.14 The submitted document was reviewed by the GLA and it was confirmed that statement is in general accordance with the with London Plan Policy SI 7, however the statement did not include a completed GLA Circular Economy (CE) template.
- 16.15 The GLA requested that completed GLA CE template is provided and that the applicant provides the following supporting information in line with the minimum submission requirements of the GLA guidance as appendices to the CES: Pre-Redevelopment Audit, Pre-Demolition Audit and Operational Waste Management Plan. The applicant is working on resolving the outstanding issues with the GLA and this is not considered to warrant significant concerns with the application or its determination.

Water efficiency

- 16.16 Part C in Policy SI 5 (Water infrastructure) of the London Plan requires development proposal through the use of planning conditions minimise the use of mains water in line with Building Regulations.
- 16.17 The application is supported by Energy & Sustainability Statement, prepared by The PES, dated 14/12/2022 and an email dated 02/03/2023 confirming that changes to the scheme to include secondary stair core do not materially affect the conclusions of the report.
- 16.18 The report notes that the development minimise water use as far as practicable by incorporating appropriate water efficiency and water recycling measures. All dwellings would meet the required level of 105 litres maximum daily allowable usage per person in accordance with Level 4 of the Code for Sustainable Homes. The commercial spaces

will reduce water use by a minimum of 25% against the BREEAM benchmark. This would be secured by a suitable worded planning condition.

Digital connectivity

- 16.19 Policy SI 6 (Digital connectivity infrastructure) of the London Plan states that the provision of digital infrastructure is as important for the proper functioning of development as energy, water and waste management services. The development must ensure that sufficient ducting space for full fibre connectivity infrastructure is provided to all end users unless an affordable alternative 1GB/s-capable connections is made available to all end users.
- 16.20 A condition is added requiring that the building will have sufficient provision of ducting space for full fibre connectivity infrastructure.

Summary on Sustainable Development

- 16.21 It is considered that the proposal is in accordance with the adopted policies for sustainability and CO2 emissions reductions and it is recommended they are secured through appropriate conditions as well as carbon off-setting contribution that would be secured via the s106 legal agreement.

17. Air quality

- 17.1 Policy SI 1 (Improving air quality) of the London Plan requires amongst other things that development proposals must be at least Air Quality Neutral. The policy is supported by supplementary London Plan Guidance (LPG) documents. The Greater London Authority (GLA) carried out three months consultation of the Draft Air Quality Positive LPG. The consultation ended on 27th February 2022.
- 17.2 Policy CR1 (Climate change and environmental management) of the Core Strategy and Policy BR14 (Air quality) of the Borough Wide Development Policies DPD states that to contribute towards global, national, regional, and local sustainability the Council will protect water and air quality.
- 17.3 Policies SP7 (Securing a clean, green and sustainable borough) and DMSI 4 (Air quality) of the draft Local Plan support the aims of the London Plan and require proposals to be air quality neutral.
- 17.4 The application is supported by an Air Quality Assessment prepared by Air Quality Assessments Ltd, number J0630/1/F2, dated 15/12/2022 and a letter dated 09/03/2023 confirming that changes to the scheme to include secondary stair core do not materially affect the conclusions of the report.
- 17.5 The submitted assessment was reviewed by the GLA officers and further information is required to determine compliance with certain London Plan air quality policies. To address these deficiencies, it is recommended that the following conditions are added to any consent issued. The proposed conditions include:
- On-site plant and machinery must comply with the London Non-Road Mobile Machinery (NRMM) Low Emission Zone standards for the London Riverside Opportunity Area (London Plan Policy SI 1 (D)).
 - Measures to control emissions during the construction phase relevant to a medium risk site should be written into an Air Quality and Dust Management Plan (AQDMP), or form part of a Construction Environmental Management page 22

Plan, in line with the requirements of the Control of Dust and Emissions during Construction and Demolition SPG. The AQDMP should be approved by the LPA and the measures and monitoring protocols implemented throughout the construction phase (London Plan Policy SI 1 (D)).

- The construction dust assessment will need to be updated for Earthworks.

17.6 Similar conditions have been suggested by the LBBB Environment Protection Officers and all recommended conditions will be added to ensure that the development achieve the higher level of air quality.

18. Contamination

18.1 Policy CR1 (Climate change and environmental management) of the Core Strategy promotes the remediation of contaminated land. Policy BR5 (Contaminated land) of the Borough Wide Development Policies DPD 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 an appropriate site investigation and risk assessment has been carried out as part of the application to identify any risk to human health. This is supported by Policy DMSI 5 (Land contamination) of the draft Local Plan.

18.2 The application is supported by a Phase I Geo environmental Assessment Report prepared by Symbiotic, dated December 2022 and a letter dated 16/03/2023 confirming that changes to the scheme to include secondary stair core do not materially affect the conclusions of the report.

18.3 The Council Environment Protection team revised the documents and confirmed that it is satisfactory. As a result of the historic use of the land further assessments which are compliant with the Environment Agency's LCRM Guidance 2021 must be completed. Should approval be granted then they recommended further conditions to be added.

19. Flood risk and Sustainable drainage

Flood risk

19.1 Policy SI 12 (Flood risk management) of the London Plan required development to minimise and mitigate the risk of flooding. Policies CR1 (Climate change and environmental management) and CR4 (Flood management) of the Core Strategy and Policy BR4 (Water Resource Management) of the Borough Wide Development Policies DPD (March 2011) echo the requirements above.

19.2 The site is located in Flood Zone 3, in an area benefitting from the Thames Tidal Defences. The submission of an FRA is a requirement under the National Planning Policy Framework (NPPF). The application is supported by a Flood Risk Assessment (FRA) and Flood Warning and Evacuation Plan, prepared by Whitby Wood, dated 21/12/2022 and a letter dated 10/03/2023 confirming that changes to the scheme to include secondary stair core do not materially affect the conclusions of the report.

19.3 The GLA officers reviewed the document in their Stage 1 report noted that the submitted assessment complied with the London Plan. However, further information was requested in relation to:

- the resistance/resilience flood measures proposed at ground level, in particular to protect sensitive plant

- information on how the communal areas at upper floors will be accessible for occupants from the ground floors to congregate in a flood event to provide a safe haven
- a Flood Warning and Evacuation Plan (FWEP) should be prepared (secured by condition) providing further detail, including consideration of the identified risk from reservoir flooding.

19.4 All the above points will be secured by a planning condition that will be required prior to commencement of the development to ensure that the development is flood resilient and safe for future residents.

19.5 The Environment Agency (EA) have also commented on the application and stated that they have no objection to the submitted assessment on flood risk ground.

Sustainable drainage

19.6 Policy SI 13 (Sustainable drainage) states that Lead Local Flood Authority (LLFA) should manage area affected by surface water flooding. The policy also states that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.

19.7 Policy BR4 (Water resource management) of the Borough Wide Development Policies DPD states that development must ensure that greenfield surface water run-off rates are achieved where possible through the use of Sustainable Urban Drainage System (SUDS).

19.8 Policy DMSI 7 (Water management) of the draft Local Plan states that development should be managed in line with Policy SI 13 (Sustainable drainage) of the London Plan and the drainage hierarchy.

19.9 The application is supported by Drainage Strategy Report, prepared by Whitby Wood, dated 21/12/2022 and a letter dated 10/03/2023 confirming that changes to the scheme to include secondary stair core do not materially affect the conclusions of the report.

19.10 The GLA officers reviewed the submitted document and advised that the submitted strategy is in general accordance with Policy SI 13 of the London Plan. The Council was advised to secure rainwater harvesting. The dimensions and location of any SuDS proposed should also be clearly shown on the drainage plan (only the proposed permeable paving is currently shown). The drainage strategy proposes to restrict runoff to 2l/s for the 100-year event plus 40% climate change, which is equivalent to the 30-year greenfield rate which is supported. Those changes will be secured by a planning condition.

Summary on Flood risk and Sustainable drainage

19.11 It is considered that the submitted FRA including surface water drainage demonstrated that the proposed development would be compliant with the relevant planning policies and guidance and it will not increase the risk of flooding to others subject to including the above-mentioned conditions.

20. Community engagement

20.1 The application is supported by a Statement of Community Involvement, prepared by The Terapin Group, dated December 2022. The document confirms that the applicant

sought to consult with neighbouring residents, businesses, and other local stakeholders, including local politicians.

- 20.2 A total of 1,454 residential properties and 186 business were send a newsletter identifying the site and providing information about the proposed development. The newsletter directed the reader to a dedicated website where they could view more information about the scheme, complete feedback form and leave further comments. A contact number, email address, and freepost address were also provided for people to leave comments or request more information if they did not have internet access.
- 20.3 The applicant also carried out a virtual consultation which was designed to provide a level of detail similar to that which would be displayed un a conventional in =person public exhibition. The consultation lasted three weeks, during which time 85 people visited the dedicated website. 7 people has completed the feedback form, 6 people had left further comments, 1 person had emailed, 1 person had telephones, and no one had posted material using the freepost service.
- 20.4 Respondents recognised the need for new homes in the local area and believed that the provision of affordable housing was a good thing. They believed that the 800sqm of landscaping would improve the local environment. On balance, respondents believed that the scheme would fit into the wider regeneration of the local area. Concerns existing about the ground and first floor commercial space. Respondents were concerns as to whether this would fully benefit the local community and provide jobs. As it is noted under Section 2 of the report (Employment) the Council will be securing the need to provide a level of local jobs in the end-user phase (i.e. when the industrial floorspace is operational).
- 20.5 Officers support the robust and thorough public consultation that the applicant has taken and are satisfied that they have reached out to many the local community in the process before the planning application was submitted.

21. Delivery of the River Road (Thames Road) Masterplan SPD

- 21.1 The River Road (Thames Road) Masterplan SPD sets out guidance for the improved and enhanced infrastructure which is expected to be delivered alongside any land use redevelopment. Developers are expected to make provisions towards the key priorities for the area which are affordable housing, education, public transport improvement, environment enhancements, public space, and placemaking, etc.
- 21.2 Development proposals are required to facilitate and contribute to the delivery of the wider regeneration objectives set out in this SPD and that they do not in any way prejudice their delivery. The Council has prepared a tariff that is required to be per dwelling proposed:

Item	Cost per dwelling	No dwelling	Total cost
Education and open space	£3,053.44	245	£748,092.80
Public transport	£458	245	£112,210.00
Ripple Greenway (remediation and landscaping work)	£426	245	£104,370.00

22. Community Infrastructure Levy and S106 Planning Obligations

22.1 It is estimated that the proposed development would be liable for LBBB Community Infrastructure Levy (CIL) and Mayoral CIL. The total estimated CIL liability in this case, would be £1,102,855.19. It is important to note that this figure is likely to change after the social housing exemptions and lawful use is applied. This is comprised of:

Item	Charging schedule	Rate including indexation 2020 (£ per sqm)	Chargeable Area (sqm)	Liable Amount	Total
MCIL 2 (2019)	£25	25(R)*355(IP)/330(IC) = £26.89	27,486	£739,098.54	£739,098.54
LBBB Residential 3	£10	10(R)*355(IP)/255(IC) = £13.92	24,772	£344,865.09	£344,865.09
LBBB Business	£5	5(R)*355(IP)/255(IC) = £6.96	2,714	£18,891.56	£18,891.56
CIL liability for LBBB					£363,756.65
Total CIL liability (LBBB and Mayor of London)					£1,102,855.19

22.2 Alongside CIL, development plan policies seek financial contributions to be secured by way of planning obligations to offset the likely impacts of the proposed development on local services and infrastructure.

1.1 The applicant has agreed to meet the following financial contributions that are sought by the Council's Planning Obligations SPD as follow including monitoring:

- £125,400.00 towards provision of improved off-site play space
- £104,370.00 towards Ripple Greenway improvements
- £112,210.00 towards improvement to public transport in the local area
- £748,092.80 towards education and open space
- £61,250 towards health care improvements
- £61,250 towards improvements to Thames Roads
- £17,500 monitoring:

1.2 The total for the financial contributions is £1,230,072.80 and the total CIL payments is £1,102,855.19. This brings the total payment required by the development to £2,332,927.99.

Conclusion

The proposed development is for change of use to allow a mixed-use residential-led development. As it stands the application site sits within the designated SIL and it offers 3,985 sqm floorspace industrial warehouse. The proposal includes 2,714 sqm GIA of new internal industrial floorspace which is a reduction of 1,200 sqm (-31.9%) and 245 new and additional residential units in a range of different tenure and size.

As it stands the development represents a departure from the adopted development plan Policy CE3 (Safeguarding and release of employment land) of the Core Strategy and E5 (Strategic Industrial Locations (SIL)) of the London Plan owing to the introduction of residential use in the designated SIL.

Whilst the development represents a departure from the adopted Local Plan, the Council is in the process of preparing draft Local Plan 2037 which is an ambitious and forward-looking vision for the borough which sets out how the housing, economic and social targets will be met. The draft Local Plan 2037 and the Thames Road Masterplan (albeit unadopted) guides the transformation of the strategic industrial land into a new community offering high quality housing addressing the local need and annual housing target. The proposal includes de-designation of parts of RREA through release of industrial land and intensification the lost employment capacity elsewhere within the designated area. The proposed development is line within the emerging development plan (this includes the adopted London Plan) and the proposed transformation would be plan-led. The proposed development is line within the emerging development plan (this includes the adopted London Plan) and the proposed transformation would be plan led. In light of this, the principle of development is supported in land use terms.

The proposed development would positively contribute towards housing numbers and it would, on balance, provide an appropriate dwelling mix, tenure split, accessible housing, and play space. Whilst the level of the affordable housing is below the policy level, the under delivery is acceptable, in this instance, given that the scheme will contribute to provision of needed social infrastructure. The contributions will be secured by a s106 legal agreement.

The siting, scale, massing, and height of the development is considered appropriate to the site's context and will result in a high-quality finish. The proposed building will respect the amenity of the existing and future neighbouring occupiers. The proposed landscaping strategy will positively contribute to the appearance and public realm in the area and enhance the arboricultural, biodiversity and environmental value of the site and the surrounding area.

The residential quality of the proposed dwellinghouses will meet or exceed the relevant standards both internal and externally. Some of the proposed dwellinghouse would be single aspect, in accordance with planning policy the applicant has demonstrated that they have been suitably designed and that they would not suffer from overheating. Officers are also satisfied that subject to the recommended planning condition the development can achieve suitable internal and external noise level for future residents.

The development adopts sustainable approach to transport whilst ensuring an acceptable impact on local highway and infrastructure. The Energy Strategy submitted as part of the proposed development demonstrates that the proposals would sufficiently reduce carbon dioxide emissions, with any off set to be secured through the s106 agreement. It is also noted that it as demonstrated that the development would be acceptable in terms of sustainable and impact on air quality.

In assessing the application, officers find the proposed development to be acceptable following careful consideration of the relevant provisions of the NPPF, the Development Plan and all other relevant material considerations. Officers are satisfied that any potential material harm in terms of the impact of the proposal on the surrounding area would reasonably be mitigated through compliance with the listed conditions and associated legal agreement.

Appendix 1:

Development Plan Context

The Council has carefully considered the relevant provisions of the Council's adopted development plan and of all other relevant policies and guidance. Of particular relevance

to this decision were the following Framework and Development Plan policies and guidance:

National Planning Policy Framework (NPPF) (MHCLG, July 2021)

*The London Plan –
March 2021*

Chapter 1 Planning London's Future – Good Growth:

- Policy GG2 (Making the best use of land)
- Policy GG4 (Delivering the homes Londoners need)

Chapter 2 Spatial development policies:

- Policy SD1 (Opportunity Areas)

Chapter 3 Design:

- 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 D6 (Housing quality standards)
- Policy D7 (Accessible housing)
- Policy D8 (Public realm)
- Policy D9 (Tall buildings)
- Policy D11 (Safety, security and resilience to emergency)
- Policy D12 (Fire safety)
- Policy D13 (Agent of change)
- Policy D14 (Noise)

Chapter 4 Housing:

- Policy H1 (Increasing housing supply)
- Policy H4 (Delivering affordable housing)
- Policy H5 (Threshold approach to applications)
- Policy H6 (Affordable housing tenure)
- Policy H7 (Monitoring of affordable housing)
- Policy H10 (Housing size mix)

Chapter 5 Social infrastructure:

- Policy S4 (Play and informal recreation)

Chapter 6 Economy:

- Policy E4 (Land of industry, logistics and services to support London's economic function)
- Policy E5 (Strategic Industrial Locations (SIL))
- Policy E7 (Industrial intensification, co-location and substitution)

Chapter 7 Heritage and culture:

- Policy HC1 (Heritage conservation and growth)

Chapter 8 Green infrastructure and natural environment:

- Policy G1 (Green infrastructure)
- Policy G5 (Urban greening)
- Policy G6 (Biodiversity and access to nature)

Chapter 9 Sustainable infrastructure:

	<ul style="list-style-type: none"> • Policy SI 1 (Improving air quality) • Policy SI 2 (Minimising greenhouse gas emissions) • Policy SI 6 (Digital connectivity infrastructure) • Policy SI 7 (Reducing waste and supporting the circular economy) • Policy SI 12 (Flood risk management) • Policy SI 13 (Sustainable drainage) <p>Chapter 10 Transport:</p> <ul style="list-style-type: none"> • Policy T1 (Strategic approach to transport) • Policy T3 (Transport capacity, connectivity and safeguarding) • Policy T5 (Cycling) • Policy T6 (Car parking) • Policy T6.1 (Residential parking) • Policy T7 (Deliveries, servicing and construction)
<p><i>Local Development Framework (LDF) Core Strategy - July 2010</i></p>	<p>Chapter 4 Managing growth:</p> <ul style="list-style-type: none"> • Policy CM1 (General principles for development) <p>Chapter 5 Sustainable resource and the environment:</p> <ul style="list-style-type: none"> • Policy CR1 (Climate change and environment management) • Policy CR2 (Preserving and enhancing the natural environment) • Policy CR3 (Sustainable Waste Management) • Policy CR4 (Flood management) <p>Chapter 6 Creating a sense of community:</p> <ul style="list-style-type: none"> • Policy CC1 (Family Housing) <p>Chapter 7 Ensuring a vibrant economy and attractive town centres:</p> <ul style="list-style-type: none"> • Policy CE3 (Safeguarding and release of employment land) <p>Chapter 8 Creating a sense of place:</p> <ul style="list-style-type: none"> • Policy CP2 (Protecting and Promoting our Historic Environment) • Policy CP3 (High quality-built environment)
<p><i>Local Development Framework (LDF) Borough Wide Development Plan Document (DPD) – March 2011</i></p>	<p>Chapter 2 Sustainable resource and the environment:</p> <ul style="list-style-type: none"> • Policy BR2 (Energy and on-site renewables) • Policy BR3 (Greening the Urban Environment) • Policy BR4 (Water Resource Management) • Policy BR5 (Contaminated land) • Policy BR9 (Parking) • Policy BR10 (Sustainable Transport) • Policy BR11 (Walking and cycling) • Policy BR13 (Noise mitigation) • Policy BR14 (Air quality) • Policy BR15 (Sustainable Waste Management) <p>Chapter 3 Creating a sense of community:</p> <ul style="list-style-type: none"> • Policy BC1 (Delivering affordable housing) • Policy BC2 (Accessible and Adaptable housing) • Policy BC7 (Crime prevention)

	<p>Chapter 5 Creating a sense of place:</p> <ul style="list-style-type: none"> • Policy BP3 (Archaeology) • Policy BP4 (Tall buildings) • Policy BP5 (External amenity space) • Policy BP6 (Internal space standards) • Policy BP8 (Protecting Residential Amenity) • Policy BP10 (Housing density) • Policy BP11 (Urban design)
<p><i>The London Borough of Barking and Dagenham’s Draft Local Plan (Regulation 19 Consultation Version, Autumn 2021) was submitted for examination in public to the Planning Inspectorate in December 2021. Having regard to NPPF paragraph 216 the emerging document is now a material consideration and considerable weight will be given to the emerging document in decision-making, unless other material consideration 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) – Submission version December 2021</i></p>	<p>Chapter 3 Transforming LBBDD:</p> <ul style="list-style-type: none"> • Strategic Policy SPDG 1 (Delivering growth in Barking and Dagenham) • Area Policy SPP2 (Thames and the Riverside) <p>Chapter 4 Design:</p> <ul style="list-style-type: none"> • Strategic Policy SP 2 (Delivering a high-quality and resilient built environment) • Policy DMD 1 (Securing high-quality design) • Policy DMD 2 (Tall buildings) • Policy DMD 4 (Heritage Assets and Archaeological remains) <p>Chapter 5 Housing:</p> <ul style="list-style-type: none"> • Strategic Policy SP 3 (Delivering homes that meet people’s needs) • Policy DMH 1 (Affordable housing) • Policy DMH 2 (Housing Mix) <p>Chapter 7 Economy:</p> <ul style="list-style-type: none"> • Policy DME 1 (Utilising the borough’s employment land more efficiently) <p>Chapter 8 Natural environment:</p> <ul style="list-style-type: none"> • Policy DMNE 1 (Parks, open spaces and play space) • Policy DMNE 2 (Urban greening) • Policy DMNE 3 (Nature conservation and biodiversity) <p>Chapter 9 Sustainable infrastructure:</p> <ul style="list-style-type: none"> • Strategic Policy SP7 (Securing a clean, green, and sustainable borough) • Policy DMSI 2 (Energy, heat, and carbon emissions) • Policy DMSI 3 (Nuisance) • Policy DMSI 4 (Air quality) • Policy DMSI 5 (Land contamination) • Policy DMSI 6 (Flood risk and defences) • Policy DMSI 7 (Water management)

	<p>Chapter 10 Transport:</p> <ul style="list-style-type: none"> • Policy DMT 1 (Making better connected neighbourhoods) • Policy DMT 2 (Car parking) • Policy DMT 3 (Cycle parking) • Policy DMT 4 (Deliveries, servicing, and construction)
<i>Supplementary Planning Document</i>	<ul style="list-style-type: none"> • London Riverside Opportunity Area Planning Framework • River Road Employment Area (including Kingsway Industrial Estate) SPD • DCLG Technical Housing Standards (Nationally described space standards) (DCLG, March 2015) (as amended) • London Borough of Barking and Dagenham, Archaeological Priority Area Appraisal dated July 2016 by Historic England • Adopted Site Allocations Document 2010 • Mayor of London Housing Supplementary Planning Guidance (March 2016) • Mayor's Affordable Housing and Viability SPG • The Mayor's Shaping Neighbourhoods: Children and Young People's Play and Informal Recreation SPG • The BRE Report, Site layout planning for daylight and sunlight: a guide to good practice (2nd Edition 2011)
<p><i>Human Rights Act</i> 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> In determining this planning application, the Be First on behalf of the London Borough of Barking and Dagenham has had regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010 (as amended). For the purposes of this application there are no adverse equalities issues.</p>	

Appendix 2:

Internal and External Consultees
<p>Internal Consultees</p> <p><u>LBB Employment (date comments received 06/01/2023)</u></p> <p>Having reviewed the letter and attached plans through the portal, I can see an Employment Strategy has been uploaded. We request that an employment and skills supplier plan (ESSP) would be relevant to both the construction and also as part of the end user agreement, if possible. We would request that there is a minimum 6 months lead in time for these, please.</p> <p>We will endeavour to make contact with the developer to begin the informal discussions around these plans in preparation for formal sign off.</p> <p><u>LBB Environment Protection (date comments received 17/01/2023)</u></p> <p>Thank you for consulting the Environment Protection Team on the above application. Based on the information provided with the application I make the following comments</p>

Noise

A Noise Impact Assessment Report ref: 23704.NIA.01 Rev A has been submitted by KP Acoustic dated 07/02/2022. The assessment has included a background noise survey and assessment of the potential noise impact at the proposed residential element of the development against national guidance and standards. The outcome of the assessment indicates that subject to acoustic design and ventilation measures, internal amenity standards can be suitably protected. With regards to amenity spaces standards the development site is predicted to broadly be within the recommended guideline levels. The assessment has not taken into account the mixed-use element of the proposal which included B2 and B8 uses which have the potential for generating adverse noise impacts and I recommend that this included as an addendum to the report and provides details on limited levels for plant and machinery associated with the B2/B8 uses as well as a commercial vehicle noise impact assessment.

It is considered, given the context of the existing use, that the development will not negatively impact neighbouring properties. However, construction of the development may cause negative environmental impact and a Construction Management Plan is recommended.

Air Quality

The borough is part of an Air Quality Management Area, and the development site is just outside of the AQ Focus area. The number of units are above the Section 106 AQ contribution threshold and therefore subject to a Section 106 contribution.

The Air Quality Impact Assessment Report submitted by Air Quality Assessment Ltd ref J063/1/F2 dated 15/12/2022 provides an impact assessment of the construction and operational stages of the development and concluded that the impact would be acceptable.

Land Contamination

The report Phase I Geoenvironmental Assessment Report dated December 2022 submitted by the applicant is satisfactory. As a result of the historic use of the land further assessment which are compliant with the Environment Agency's LCRM Guidance 2021 must be completed.

Summary

I do not have any in principle objection to the development and recommend the following consent condition:

- Noise Protection Scheme
- Mechanical & Building Service Noise Assessment
- Commercial Vehicle Transportation Noise Impact Assessment
- Vehicle Deliveries Activity
- Noise Transmission from Commercial Use to Noise Sensitive Receiver
- Construction Environment Management and Site Waste Management
- Land Contamination condition and informative
- Air Quality S106 contribution

Be First Highway (date comments received 24/01/2023)

Comments were provided on a range of areas relating to transport issued. It is noted that no objection was raised and the response recommended that:

- Car free and Car Permit Free residential development is secured
- Free car club membership and location of car club bays to be identified and installed at the cost of the applicant.
- Restriction on the operational hours of the commercial units to avoid 24/7 activities from taking place
- Parking/Cycling Design and Management Plan (include disabled parking/EV charging)
- Delivery & Servicing Plan
- Travel Plan and monitoring fees
- Construction Logistics Plan
- Highways works (S278)
- Transport Contributions and other fundings to be secured through legal obligation.

LBBB Access (date comments received 27/01/2023)

It would appear M4(3) units are all within market value, therefore there's no accessible units within affordable tenure which is a real concern.

External Consultees

Metropolitan Police, Design out Crime (date comments received 06/01/2023)

In opening, the Metropolitan Police has no objection to the proposed, subject to the specific concerns stated in Section 3, being addressed. This is to focus the mind of the developer towards security and crime prevention, in turn ensuring such measures are not value engineered out a later stage of the construction process. A condition to address these issues have been added.

TfL, infrastructure Protection Safeguarding Team (date comments received 10/01/2023)

I can confirm that the London Underground /DLR Infrastructure Protection has no comments to make on this planning application.

TfL, Spatial Planning

Having assessed the proposal, I can confirm that TfL Spatial Planning has no strategic comments to make on this planning application other than to emphasise the development should comply with the transport policies set out in the London Plan 2021. In particular, the car and cycle parking standards in tables 10.2 – 10.6 (inclusive). Cycle parking should comply with the London Cycling Design Standards including the provision of at least 5% wider bike spaces.

Thames Water (date comments received 20/06/2023)

Thames Water would advise that with regard to FOUL WATER sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

Thames Water would advise that with regard to SURFACE WATER network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

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 guidance under sections 167 & 168 in the National Planning Policy Framework. 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>

The proposed development is located within 15 metres of a strategic sewer. Thames Water requests the following condition to be added to any planning permission.

“No piling shall take place until a PILING METHOD STATEMENT (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.”

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.

Please read our guide ‘working near our assets’ to ensure your workings will be in line with the necessary processes you need to follow if you’re considering working above or near our pipes or other structures. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes> Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

Environment Agency (date comments received 15/02/2023)

Thank you for consulting us on the planning application of 06/01/2023. Based on a review of the submitted information, we have no objection to the proposed development. EA issue advises to Local Planning Authority as follow:

- In accordance with the NPPF (paragraph 161) development should not be permitted if there are reasonable available site appropriate for the proposed development in areas with a lower probability of flooding. It is for the local planning authority to determine if the sequential test must be applied and whether or not there are other sites available at lower flood risk. EA floor risk standing advise reminds you (LPA) of this and provides advice on how to apply the test.
- EA strongly recommend the use of resistance and resilience measures. Physical barriers raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage. To find out which measures will be effective for this development, please contact your building control department. If you would like to find out more about reducing flood damage visit the Flood Risk

and Coastal Change pages of the planning practice guidance. Further guidance on flood resistance and resilience measures can also be found in the government guidance on floor resilient construction.

All new residential development is required to achieve a water consumption limit of a maximum of 125 litres per person per day as set out within the Building Regulations &c. (Amendment) Regulation 2015. However, we recommend that in areas of serious water stress (as identified in our report Water stressed areas- final classification) a higher standard of a maximum of 110 litre per person per day is applied. This standard or higher may already be a requirement of the local planning authority.

Health and Safety Executive (HSE) (date comments received 26/05/2023)

HSE issues an initial response, a substantive response (concern) on 03/02/2023 in relation to a consultation received by the LBBB on 06/01/2023.

Following amendments being made to the scheme, a second consultation was carried out on 05/05/2023. HSE noted that second staircase have been added to the proposed blocks. This is welcomed and will also be subject to later regulatory assessment.

Following a review of the information provided with this consultation. HSE is satisfied with the fire safety design, to the extent that it affects land use planning.

London Fire Brigade (Hydrant Officer) (date comments received 25/01/2023)

Thank you for your email and plans received 06/01/2023 regarding fire hydrant requirement for the development at the above address. I can confirm no additional hydrants are required and no further action is required by our office. We are happy for the works at this site to go ahead as planned.

Please see the attached copy of Emergency Fire Vehicle Access Information, we advise you take time to read this, the above development may require an additional fire hydrant but our fire appliances do need to gain access and manoeuvre on site. If you required any additional guidance regarding fire safety, advice on the requirement of dry and wet risers, sprinklers system or fire alarms, please contact our Fire Safety Team via our main switchboard on 0280 555 1200.

NHS – North East London (date comments received 07/02/2023)

The NHS has reviewed the planning documentation submitted on the LBBB portal. In line with recommendations set out in the Health Impact Assessment of the development the NHS would be seeking a s106 capital contribution of £636,655.00 attributed to the increase in residential properties proposed on the development. We note within the viability report in outlines £1.4m is the total CIL & s106 contributions to maintain viability of the scheme, as such the NHS has asked for an appropriate level of contribution.

The contribution has been calculated using the Heath Urban Development Units planning contribution model, which is the accepted & adopted method for calculating required contribution for health in London and the summary is attached of the output.

Historic England – Greater London Archaeological Advisory Service (GLAAS) (date comments received 18/01/2023)

Thank you for consultation received 06/01/2023. The Greater London Archaeological Advisory Service (GLAAS) give advice on archaeology and planning. Our advice follows the National Planning Policy Framework (NPPF) and the GLAAS Charter.

The site lies immediately off 12 Thames Road, where geoarchaeological borehole survey and modelling has identified an apparent prehistoric channel running north south across the buried Barking Eyot, a former island in the Thames floodplain identified as having potential for past human activity. It also neighbours 17-19 Thames Road, where GLAAS provided pre-determination archaeological advice last year. The presence of the channel raised the potential for cultural activity and well preserved remain, including in and on the associated peat deposit. On current understanding, the prehistoric channel can be projected across the current application site. Although likely survey at some depth, the dense piling that would require for the tall building has potential to create harm to buried archaeology.

Having looked at this proposal and at the Greater London Historic Environment Record but I need more information before I can advise you on the effect on archaeological interest and their implications for the planning decision. If you do not receive more archaeological information before you take a planning decision, I recommend that you include the applicant's failure to submit that as a reason for refusal.

Appendix 3:

Neighbour Notification:	
Number of neighbouring properties consulted:	428
Number of responses:	0

Appendix 4:

Planning conditions:

SITE WIDE – COMPLIANCE

1. Time Limit

The development hereby permitted shall commence 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 Plans and Documents

The development hereby approved shall only be carried out in accordance with the approved drawing and documents.

Drawings:

Drawing Title	Drawing Number	Revision
Floor Plans		
Existing Site Location Plan	(00)_020	PL01
Proposed Ground Floor Plan	(20)_100	PL03
Proposed Upper Ground Floor Plan	(20)_100 A	PL03
Proposed 1 st Floor Plan	(20)_101	PL04

Proposed 2 nd Floor Plan	(20)_102	PL03
Proposed 3 rd – 5 th Floor Plan	(20)_103	PL02
Proposed 6 th Floor Plan	(20)_106	PL04
Proposed 7 th Floor Plan	(20)_107	PL04
Proposed 8 th Floor Plan	(20)_108	PL04
Proposed 9 th Floor Plan	(20)_109	PL03
Proposed 10 th Floor Plan	(20)_110	PL03
Proposed 11 th -13 th Floor Plan	(20)_111	PL03
Proposed Roof Plan	(20)_114	PL01
Elevations		
Proposed Thames Road Elevation	(20)_300	PL01
Proposed Rippleway Elevation	(20)_301	PL01
Proposed West Elevation	(20)_302	PL01
Proposed East Rippleway Yard Elevation	(20)_303	PL02
Proposed Elevation Looking towards South of the Yard	(20)_304	PL01
Proposed Elevation Looking towards North of the Yard	(20)_305	PL02
Proposed Thames Road Elevation	(20)_310	PL01
Proposed Rippleway Elevation	(20)_311	PL01
Proposed Elevation Looking towards South of the Yard	(20)_314	PL01
Proposed Elevation Looking towards North of the Yard	(20)_315	PL02

Documents:

Document title	Author	Date	Document number	Revision
Air Quality Assessment	Air Quality Assessments Ltd	15/12/2022	J0630/1/F2	-
Archaeology and Heritage Assessment	ACD Environmental	12/2022	PRI23681-AHA	Final
Arboricultural Survey Impact Assessment & Method Statement & Report	Marcus Foster Arboricultural Design & Consultancy	12/2022	AIA/MF/0110/22	-
Preliminary Ecological Appraisal	The Ecology Partnership	10/2022	-	-
Foul Sewage and Utility Statement	Seneca	08/2022	21087	00
Outline Fire Strategy (RIBA Stage 2)	Orion Fire	09/02/2022	OF-000615-OFS-01-B	
Gateway One Fire Statement	Orion Fire	09/02/2022	OF-000615-FSS-01-B	
Landscaping Design and Access Statement	-	12/2022	-	1
Noise Impact Assessment Report	KP Acoustics	22/06/2023	23704.NIA.01	C
Transport Assessment	Markides Associates	14/12/2022	TA01and Addendum Technical Note	E

				TN01	
Framework Travel Plan	Sitewide	Markides Associates	12/12/2022	TP01	B
Construction Plan	Logistics	Markides Associates	20/12/2022	CLP01	A
Wind Assessment		Create Consulting Engineers Ltd	12/2022	ML/CC/P22-2664/01 Rev A	A
Whole Life Carbon & Circular Economy		The PES	14/12/2022	-	-
Energy and Sustainability Statement		The PES	14/12/2022	-	V2
TM59 Thermal Comfort Analysis		The PES	05/12/2022	-	-
Commercial Report	Strategy	AND	12/2022		
Phase I Geoenvironmental Assessment Report		Symbiotic	12/2022	1475 R01	2
BREEAM Accredited Professional Stage 2/3 Pre-assessment Report		The PES	05/12/2022	-	-
Daylight & Sunlight Report		eb7	22/12/2022	4897	-
Flood Risk Assessment		Whitby Wood	21/12/2022	P450657-WW-XX-XX-RP-C-0001	P2
Drainage Report	Strategy	Whitby Wood	21/12/2022	P450657-WW-XX-XX-RP-C-0003	P3
Flood Warning and Evacuation Plan		Whitby Wood	21/12/2022	P450657-WW-XX-XX-RP-C-0001	P3
Design and Access Statement		Carey Jones Chapman Tolcher	22/12/2022	35015-CJCT-XX-XX-RP-A-0101	P01

Reason: To ensure that the development is undertaken in accordance with the approved plans and documents.

3. Accessible Housing

- a) All new build dwellings shall be constructed to comply with Building Regulations Optional Requirement Approved Document M4(2): Accessible and adaptable dwellings (2015 edition) as a minimum.
- b) 44 dwellings shall be constructed to or be capable of easy adaptation to Building Regulations Optional Requirement Approved Document M4(3): Wheelchair user dwellings (2015 edition) as demonstrated in the submitted Accommodation Schedule including Net & Gross Floor Area (file reference PF-AS-003 dated 22.06.23).

Reason: To ensure that sufficient accessible housing is provided.

4. Industrial Use of the Site

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended), the approved flexible industrial floorspace of 2,714sqm proposed by this development as shown on Proposed Ground Floor Plan (drawing number (20)_100 Rev PL03), Proposed Upper Ground Floor Plan (drawing number (20)_100 A Rev PL03), and Proposed 1st Floor Plan (drawing number (20)_101 Rev PL04), shall only be used for flexible Use Class E(g)(iii)/B2/B8 (commercial, general industry, storage, and distribution) only. The approved industrial and commercial floorspace shall not be used for any other purposes within Class E or any provision equivalent to these Classes in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To safeguard the industrial use hereby permitted.

5. Hours of Use for Non-Residential Use

The approved 2,714sqm of industrial floorspace that could be split into smaller and separate units as shown on Proposed Ground Floor Plan (drawing number (20)_100 Rev PL03), Proposed Upper Ground Floor Plan (drawing number (20)_100 A Rev PL03), and Proposed 1st Floor Plan (drawing number (20)_101 Rev PL04), are permitted to trade between the hours of 06:00 and 23:00 on any day and at no other time.

Reason: To protect the amenity of the surrounding residential building.

6. Vehicle Deliveries Activity

Vehicle delivery and collections (including loading and unloading) shall only be made to or from the site outside of hours of 07:00 and 21:00 Monday to Saturday and 09:00 to 18:00 Sunday and Bank Holidays or other Public Holidays.

Applications which seek to use the site for deliveries and collections outside of the controlled hours must submit a Vehicle Delivery Noise Management Plan (VDNMP) to the satisfaction of the Local Planning Authority and shall thereafter be retained as approved. The VDNMP must demonstrate that deliveries will be made using the procedures outlined Quiet Deliveries Guidance produced by Transport for London (TfL) including the predicted noise impact at the residential properties in the vicinity of the application site.

Reason: To prevent any undue disturbance to residential occupiers and occupants of neighboring properties at unreasonable hours.

7. Vents, Pipes and Extracts

No vents, plumbing or pipes, other than those shown on the drawings hereby approved and listed under Condition 2 (Approved Plans), shall be fixed to the external faces of the buildings.

Reason: To safeguard the external appearance of the building.

8. Communal Television and Satellite System

No antennae or satellite dishes may be installed on the exterior of the building, except for a single antennae or satellite dish per block to support the communal television and satellite system. The proposed antennae or satellite dishes shall be designed to minimise their visual impact and shall not be mounted on any publicly visible façade.

Reason: To safeguard the external appearance of the building.

9. Digital Connectivity

Sufficient ducting space must be provided within the proposed buildings for full fibre connectivity infrastructure shall be provided within the development and maintained as such in perpetuity.

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

10. Urban Greening Factor

The development shall be completed in accordance with the Urban Greening Factor (UGF) *scoring as mentioned* Landscape Design and Access Statement, revision 1, dated December 2022, and achieve at least a score of 0.4. All greening measures shall thereafter be adequately maintained.

Reason: Improve the natural environment and biodiversity.

11. Landscape Implementation

- a) The development shall be completed in accordance with the Landscaping Design and Access Statement prepared by Macfarlanes (Rev 1) (dated December 2022), unless otherwise agreed in writing by the Local Planning Authority, and thereafter be adequately maintained.
- b) The approved scheme of planting, shrubs, and trees shall be carried out in full prior to first occupation of the development or no later than during the first planting season following practical completion of the development. The landscaping scheme shall be retained thereafter for the lifetime of the development.
- c) All planting, shrubs, and trees which are found to be dead, dying, severely damaged or diseased within five years of the practical completion of the development or five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season.

Reason: To ensure a high quality of the public realm; to ensure residential amenity; to ensure that the development creates a safe and secure environment; ensure provision of biodiversity improvements; ensure that the development provides inclusive access.

12. Biodiversity

The development shall be completed in accordance with recommendations and Preliminary Ecological Appraisal as well as Biodiversity Net Gain Proposal, both documents were prepared by The Ecology Partnership and they have been dated October 2021 and 20/12/2022 retrospectively, unless otherwise agreed in writing by the Local Planning Authority, and thereafter permanently maintained for the stated purposes of biodiversity conservation.

Reason: Improve the natural environment and biodiversity.

13. Construction Waste Management Plan

The development shall be completed and be operational in accordance with Waste Management sections included in the Construction Logistic Plan, prepared by Markides Associates, dated 20/12/2022, reference CLP01, revision A.

Reason: To ensure that waste is disposed appropriately.

14. Residential Waste Management Plan

The development shall be completed and be operational in accordance with proposed Vehicle Access and Parking Provision, Servicing Strategy and LBBD Planning Advice Notes sections included in the Transport Assessment, prepared by Markides Associates, dated 14/12/2022, reference CLP01, revision A.

Reason: To ensure that waste is disposed appropriately.

15. Water Efficiency

- a) The proposed dwellings shall comply with the water efficiency optional requirement in paragraphs 2.8 to 2.12 of the Building Regulations Approved Document G.
- b) The proposed industrial development shall achieve at least the BREEAM excellent standard for the 'Wat 01' water category or equivalent.

Reason: To minimise the use of mains water.

16. Fire Strategy

The development shall be completed in strict accordance with submitted RIBA Stage 2 Outline Fire Strategy (ref: OF-000615-OFS-01-B, dated 09/02/2022) Gateway One Fire Statement (ref: OF-000615-FSS-01-B, dated 09/02/2023) both prepared by Orion Fire Engineering.

Reason: To achieve the highest standards of fire safety and ensure the safety of all building users.

17. Noise Protection Scheme

1. Internal Noise Protection Scheme. The external fabric building specification and ventilation and overheating strategy detailed within Sections 5 and 6 respectively, of the Noise Impact Assessment Report ref 23704.NIA.01 Rev. C dated 22/06/2022 submitted by KP Acoustics, shall be installed, and implemented in full. The scheme shall thereafter be retained as approved.
2. External Noise Amenity Area Protection Scheme. The external amenity area noise protection scheme detailed within Section 7 of the Noise Impact Assessment Report ref 23704.NIA.01 Rev.C , dated 22/06/2022 submitted by KP Acoustics shall be implemented in full. The scheme shall thereafter be retained as approved.
3. Commissioning Acoustic Report. A commissioning acoustic test and report shall be undertaken within 3 months of completion of the residential development, in order to demonstrate that conditions a and b above have been achieved. The results of the tests shall be submitted to and approved in writing by the LPA.

Reason: To ensure that the proposed residential units are adequately protected from noise and in accordance with policy BR13 of the Borough Wide Development Policies Development Plan Document and policy 7.15 of the London Plan.

PRIOR TO WORKS STARTING ON SITE

18. Site Contamination

No development shall commence (excluding demolition to ground level), until:

- a) an investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme 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 'Land Contamination Risk Management (LCRM)'; and

- b) In the event that contamination is found to be present, 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.
- c) If remediation is required, 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.

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

Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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

19. Piling Method Statement

- a) No development shall commence (excluding demolition to ground level), until a piling method statement detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to sub-surface sewerage infrastructure and the programme of works has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water.
- b) The approved piling method statement under part A shall be fully implemented. Any changes to the statement must be submitted to and agreed in writing by the Local Planning Authority in consultation with Thames Water.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact and/or cause failure of local underground sewerage utility infrastructure.

20. Archaeology Written Scheme of Investigation

No development (excluding demolition and ground remediation to a depth of 1m) shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, development (excluding demolition and ground remediation to a depth of 1m) shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works. If heritage assets of archaeological interest are identified the Stage 1 evaluation, a stage 2 WSI outlining the parts of the site which have archaeological interest shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

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

B. Where appropriate, details of a programme for delivering related positive public benefits.

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

Reason: Heritage assets of archaeological interest survive on the site. The planning authority wishes to secure the provision of archaeological investigation followed by the subsequent recording of significant remains prior to development (including preservation of important remains), in accordance with recommendations given by the borough and in the NPPF.

21. Archaeology Foundation Design

No development shall commence (excluding demolition to ground level and ground remediation works to a depth of 1m), until a detailed scheme showing the complete scope and arrangement of the foundation design and other below ground works, which have been submitted to and approved by the local planning authority.

Reason: Heritage assets of archaeological interest survive on the site. The planning authority wishes to ensure that significant remains are not disturbed or damaged by foundation works but are, where appropriate, preserved in situ.

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

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

- i. construction traffic management;
- ii. the parking of vehicles of site operatives and visitors;
- iii. loading and unloading of plant and materials;
- iv. storage of plant and materials used in constructing the development;
- v. the erection and maintenance of security hoarding(s) including decorative displays and facilities for public viewing, where appropriate;
- vi. wheel washing facilities;
- vii. noise and vibration control;
- viii. a scheme for recycling/disposing of waste resulting from demolition and construction works;
- ix. the use of efficient construction materials;
- x. methods to minimise waste, to encourage re-use, recovery and recycling, and sourcing of materials; and
- xi. a nominated Developer/Resident Liaison Representative with an address and contact telephone number to be circulated to those residents
- xii. consulted on the application by the developer's representatives. This person will act as first point of contact for residents who have any problems or
- xiii. questions related to the ongoing development.

Demolition and construction work and associated activities, other than internal works inaudible outside the site boundary, are only to be carried out between the hours of 08:00 and 18:00 Monday to Friday and 08:00 and 13:00 Saturday, with no work on Sundays or public holidays without the prior written permission of the Local Planning Authority. Any works which are associated with the generation of ground borne vibration are only to be carried out between the hours of 08:00 and 18:00 Monday to Friday.

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

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

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

23. Construction Logistic Plan

- a) No development shall commence on site (excluding demolition and ground remediation works) until a Construction Logistic Plan (CLP) that is in line with the TfL guidelines shall be submitted to and approved in writing by the Local Planning Authority in consultation with TfL. 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.
- b) 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.

24. Air Quality and Dust Management Plan (AQDMP)

- a) No development shall commence on site (excluding demolition and ground remediation works) until a full detail/s of the proposed mitigation measures for impact on air quality and dust emissions, in the form of an Air Quality and Dust Management Plan (AQDMP), must be submitted to and approved in writing by the Local Planning Authority.

In preparing the AQMDP the applicant should follow the guidance on mitigation measures for sites set out in Appendix 7 of the Control of Dust and Emissions during Construction and Demolition SPG 2014. Both 'highly recommended' and 'desirable' measures should be included.

The AQDMP can form part of the Construction Environmental Management Plan (CEMP). The AQDMP shall include the following for each relevant of work (demolition, earthworks, construction and trackout):

- i. A summary of work to be carried out;
- ii. Proposed haul routes, location of site equipment including supply of water for damping down, source of water, drainage and enclosed areas to prevent contaminated water leaving the site;
- iii. Inventory and timetable of all dust and NO_x air pollutant generating activities;
- iv. List of all dust and emission control methods to be employed and how they relate to the Air Quality (Dust) Risk Assessment;
- v. Details of any fuel stored on-site;
- vi. Details of a trained and responsible person on-site for air quality (with knowledge of pollution monitoring and control methods, and vehicle emissions);
- vii. Summary of monitoring protocols;

- viii. A log book for action taken in response to incidents or dust-causing episodes and the mitigation measure taken to remedy any harm caused, and measures employed to prevent a similar incident reoccurring.
- b) The demolition and development shall thereafter be carried out and monitored in accordance with approved AQDMP under part A of this condition.

Reason: To manage and mitigate the impact of the development on the air quality and dust emissions in the area and London as a whole, and to avoid irreversible and unacceptable damage to the environment.

25. Non-Road Mobile Machinery

- a) No development shall commence on site, including any works of demolition, until:
 - i. detail of all plant and machinery to be used at the demolition and construction phases shall be provided, and
 - ii. proof of registration at <http://nrmm.london/> for all Non-Road Mobile Machinery (NRMM) and plant to be used on the site of net power between 37kW and 560 kW,

must be submitted to and approved in writing by the Local Planning Authority

- b) 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 ensure that air quality is not adversely affected by the development.

26. Fire Evacuation Lift

No development shall commence on site (excluding demolition and ground remediation works) until details of fire evacuation lift shall be submitted to and approved in writing by the Local Planning Authority. The application shall demonstrate that 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 development shall be carried out in accordance with these details and maintained as such in perpetuity.

Reason: In the interests of fire safety.

PRIOR TO ABOVE GROUND WORKS

27. London City Airport

Prior to the commencement of above ground works the method of construction including details of the use, location and height of cranes and other plant and equipment or temporary structures in that Plot or part thereof, shall be submitted to and approved in writing by the Local Planning Authority in consultation with the operator of London City Airport.

Reason: To ensure that safeguarded surfaces for London City Airport are not infringed.

28. Materials

- a) Notwithstanding any indicative materials specified in Design and Access Statement (prepared by Carey Jones Chapman Tolcher, dated 22/12/2022, number 35015-CJCT-XX-XX-RP-A-0101 Rev P01), prior to above ground floor slab works starting on site, detail of all external materials to be used for the construction of the development (including hard landscaping) shall be submitted to and approved in writing by the Local Planning Authority.

Details submitted pursuant to this condition shall include:

- i. Detailed schedule of all materials to be used
 - ii. Detailed schedule and drawings of fenestration. Details of fenestration, where relevant, shall include reveals, sills and lintels. Drawings shall be at a scale of no less than 1:20
 - iii. Detailed schedule of materials used for hard landscaping within the site and along Thames Road and Ripple Greenway that demonstrated that the scheme is responding to the emerging design detail
 - iv. Drawings and details of entrances, where relevant, shall include doors, reveals, canopies, signage, entry control, post boxes, CCTV, lighting and soffit finishes
 - v. Details of roofing.
 - vi. Details of any balconies, terraces or wintergardens and associated balustrades, soffits and drainage.
 - vii. Details of any external rainwater goods, flues, grilles, louvres and vents.
 - viii. Details of any external plant, plant enclosures and safety balustrades.
 - ix. A Green Procurement Plan for sourcing the proposed materials. The Green Procurement Plan shall demonstrate how the procurement of materials for the development will promote sustainability, including through the use of low impact, sustainably-sourced, reused and recycled materials and the reuse of demolition waste.
- b) The development shall be constructed in full accordance with the approved materials under part a) of this condition.

Reason: In order to ensure that design makes an acceptable contextual response in terms of materials to be used and achieve a satisfactory quality of design and detailing.

29. Details of Boundary Treatment

- a) Prior to above ground works starting on site, drawings that show the design and material finish of the western boundary shared with No 11 Thames Road shall be submitted to and approved in writing by the Local Planning Authority.
- b) The approved design and finish of the western boundary treatment shall be in place prior to the occupation of the buildings hereby approved, and permanently maintained thereafter unless the neighboring site comes forward for development.

Reason: To ensure adequate security and a satisfactory appearance of the completed development.

30. Bird Nesting and Bat Roosting Bricks/Boxes

- a) Prior to above ground works starting on site, details (size, type, and number) and location of the bat and bird boxes and swift bricks that are incorporated into building fabric must be submitted to and approved in writing by the Local Planning Authority.

- b) The approved bird and bat boxes shall be installed on the building and permanently retained thereafter.

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

31. Noise Transmission from Industrial Use to Noise Sensitive Receiver

A scheme for the sound insulation of the partition party wall/floor/ceiling between commercial units/premise(s) and the structurally adjoining noise sensitive residential property shall be submitted to and approved in writing by the LPA. The scheme shall be in accordance with the details regarding construction and limiting noise levels provided in section 8 of the Noise Impact Assessment Report ref 23704.NIA.01 Rev. C dated 22/06/2022 submitted by KP Acoustics.

The scheme approved by the LPA shall be fully implemented in accordance with the approved details before the use, hereby permitted, commences. The works and scheme shall thereafter be retained in accordance with the approved details.

No alteration to the separating partition which undermines the sound insulation integrity shall be undertaken without the grant of further specific consent of the LPA.

Reason: To ensure that noise sensitive premises are adequately protected from noise and in accordance with policy BR13 of the Borough Wide Development Policies Development Plan Document and policy 7.15 of the London Plan.

32. Noise Transmission from Residential Use to Shared Space on the Roof

- a) Prior to above ground works starting on site, a scheme for protecting the proposed upper floor residential units from structure borne noise through the roof(s) used for recreation shall be submitted to and approved in writing by the Local Planning Authority.
- b) The scheme shall be fully implemented in accordance with the approved details under part a) of this condition. The works and scheme shall thereafter be retained in accordance with the approved details. No alteration to the separation partitions which undermines the sound insulation integrity shall be undertaken without the grant of further specific consent in writing from the Local Planning Authority.

Reason: To achieve the highest standards of residential standards and to protect future occupiers from noise.

33. Mechanical & Building Service Noise Assessment

Before any mechanical services plant including heating, ventilation, and air conditioning (HVAC), refrigeration and kitchen extraction plant, to which the application refers, is used, a scheme shall be submitted to and approved in writing by the LPA. The scheme shall be in accordance with the details regarding the maximum noise emission for mechanical plant and equipment, at the nearest residential receiver, provided in section 9 of the Noise Impact Assessment Report ref 23704.NIA.01 Rev. C dated 22/06/2022 submitted by KP

Acoustics and shall demonstrate that the following noise design requirements can be complied with. The scheme shall thereafter be retained as approved.

1. The cumulative measured or calculated rating level of noise emitted from the mechanical services plant to which the application refers, shall be lower than the existing background noise level by 10dB at all times when the plant is in operation.
2. The plant shall be supported on adequate proprietary anti-vibration mounts to reduce the structural transmission of vibration and regenerated noise within adjoining premises, and these shall be so maintained thereafter.
3. A commissioning acoustic test and report shall be undertaken within 3 months of mechanical services commissioning in order to demonstrate that condition a and b above has been achieved. The results of the test shall be submitted to and approved in writing by the LPA.

Reason: To ensure that the proposed residential premises are adequately protected from noise and in accordance with policy BR13 of the Borough Wide Development Policies Development Plan Document and policy 7.15 of the London Plan

34. **Cycle Parking**

- a) Notwithstanding the detail provided in the submitted documents and approved drawings in relation to the cycle parking, prior to above ground works starting on site, details of cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The required information to address this condition is:
 - Demonstrate that the development can accommodate 427 long-stay spaces for residents, 7 short-stay spaces for residents, and 6 for employees.
 - Demonstrate that out of the 436 cycle parking spaces at least 5% would be wider/larger cycle parking spaces.
 - Demonstrate that out of the 436 cycle parking spaces at least 20% would be accessible to users who cannot use two-tier racks.
 - Provide drawings to demonstrate that the cycle parking spaces would fully comply with the London Cycling Design Standards Chapter.
- b) The approved cycle parking under part a) of this condition shall be fully implemented and installed prior to the first occupation of the building and it shall be permanently retained thereafter for the users of the development and for no other purposes.

Reason: To ensure that there is satisfactory provision of cycle/mobility parking facilities for users of the development.

35. **Flood Risk Assessment and Flood Warning and Evacuation Plan**

- a) Notwithstanding the submitted Flood Risk Assessment (FRA) and Flood Warning and Evacuation Plan (FWEPP), prepared by Whitby Wood, dated 21/12/2022 and a letter dated 10/03/2023, prior to above ground works starting on site, revised FRA and FWEPP shall be submitted to and approved in writing by the Local Planning Authority. The revised document must address the comments issued within Stage 1 report (paragraph 109) issued by the Greater London Authority (GLA).

- b) The approved FRA and FWEP shall be fully implemented before first occupation of the development and they shall be permanently retained thereafter.

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

36. Sustainable Drainage

- a) Notwithstanding the submitted Drainage Strategy Report, prepared by Whitby Wood, dated 21/12/2022 and a letter dated 10/03/2023, prior to above ground works starting on site, a revised Drainage Strategy Report shall be submitted to and approved in writing by the Local Planning Authority. The revised strategy shall include detail for the rainwater harvesting including its dimensions and location of the rainwater harvesting shown on the drainage plan with all other proposed measures.
- b) The approved Drainage Strategy Report approved under part a) of this condition shall be fully implemented prior to first occupation of the development across the whole site and it shall be permanently retained thereafter.

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

PRIOR TO FIRST OCCUPATION (of relevant use)

37. External Lighting

- a) Prior to first occupation of the approved development, a full Lighting Strategy shall be submitted to and approved in writing by the Local Authority. The Lighting Strategy should include details of lighting within the scheme to illuminate the road and public realm to create a safe and welcoming environment.
- b) The development shall not be occupied until the approved scheme has been implemented. Thereafter the approved measures shall be permanently retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of security and safety, to avoid light pollution and safeguard neighbouring amenity.

38. Secure by Design

- a) The proposed development shall achieve security standards (based on Secured by Design principles) to the satisfaction of the Local Planning Authority and Metropolitan Police, Design Our Crime team, details of which shall be submitted to and agreed in writing by the Local Planning Authority prior to the first occupation of the approved development.
- b) All security measures applied to the approved development shall be permanently retained thereafter.

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

39. Green Roof System

- a) Prior to first occupation of the residential development a maintenance plan of the green roof systems is submitted and approved by the Local Planning Authority.
- b) The approved maintenance plan shall be implemented and retained thereafter unless otherwise agreed in writing with the Local Planning Authority.

Reason: To promote biodiversity on the site and to prevent an increased risk of flooding.

40. Parking Design and Management Plan

- a) Prior to the first occupation of the residential use within the development, a Parking Design & Management Plan demonstrating how the eight Blue Badge Car Parking Spaces would be marked, distributed and managed, including the design, specification, and exact location for the electric vehicle charging points serving all eight spaces provided, shall be submitted and approved in writing by the Local Planning Authority.
- b) The approved Parking Design & Management Plan under part a) of this condition shall be implemented and retained thereafter.

41. Commercial Vehicle Transportation Noise Impact Assessment

Prior to the first occupation of the development, a commercial vehicle transportation noise impact assessment, including the cumulative impact from vehicles, delivery and servicing vehicles accessing/egressing the proposed development shall be submitted to and approved in writing by the Local Planning Authority.

The assessment must consider the advice contained in the Guidance for Noise Impact Assessment form the Institute of Environment Management and Assessment (IEMA) 2014 which assess environmental noise impact with regards to different noise indices as LAeq, T, LA90, T and LAMax at different times of the day. It is considered that if the outcome of the assessment is greater than moderate, this would be considered unacceptable and further mitigation measures would be required to be proposed. The following Semantic Noise Impact Assessment presented below provided an example of approximate impact of change in noise level:

Sound Level Change sB(A)	Subjective Impression	Impact description
0.0	No Change	None
0.1 to 2.9	Imperceptible changes in loudness	Slight
3.0 to 4.9	Perceptible changes in loudness	Moderate
5.0 to 9.9	Up to doubling or halving of loudness	Substantial
10.0 or more	More than doubling or halving of loudness	Severe

Reason: To ensure that the proposed residential units are adequately protected from noise.

42. Delivery and Servicing Plan

- a) Prior to the first occupation of the development, a Delivery and Servicing Plan for all the proposed uses shall be submitted to an approved in writing by the local planning authority.

- b) The approved Delivery and Servicing Plan under part a) shall be fully implemented before the first use of the relevant residential and non-residential units and shall thereafter be permanently retained in an efficient manner.

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

43. BREEAM

Prior to the first occupation of the non-residential development, the BREEAM 2018 post-construction assessment demonstrating how the development will achieve (BREEAM Excellent), shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development is sustainable.

44. Whole Life Carbon (post-construction assessment in consultation with GLA)

The development shall not be occupied until confirmation of submission of the post-construction tab of the GLA's Whole Life-Cycle Carbon Assessment template in line with the GLA's Whole Life-Cycle Carbon Assessment Guidance is submitted to and approved in writing by the Local Planning Authority.

The post-construction assessment should be submitted to the GLA at: ZeroCarbonPlanning@london.gov.uk, along with any supporting evidence as per the guidance.

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

45. Circular Economy (post-construction monitoring report in consultation with GLA)

The development shall not be occupied until confirmation of submission of the post-construction monitoring report in line with the GLA's Circular Economy Statement Guidance is submitted to and approved in writing by the Local Planning Authority.

The post-construction monitoring report shall be submitted to the GLA, currently via email at: circulareconomystatements@london.gov.uk, along with any supporting evidence as per the guidance.

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

OTHER

46. Non-Residential Unit with a Commercial Kitchen

- a) If any of the industrial units as shown on Proposed Ground Floor Plan (drawing number (20)_100 Rev PL03), Proposed Upper Ground Floor Plan (drawing number (20)_100 A Rev PL03), and Proposed 1st Floor Plan (drawing number (20)_101 Rev PL04), are leased/occupied/sold to a business that operates as a commercial kitchen for any purpose. Prior to the first use details of the ventilation system for the removal and treatment of cooking odours from any commercial catering, including its appearance and measures to mitigate system noise, should be submitted to and approved in writing by the Local Planning Authority. The system and mitigation measures shall have regard to and be commensurate with guidance and recommendations in:

- The current edition of publication "Specification for Kitchen Ventilation Systems", DW/172, Heating and Ventilating Contractors Association, or other relevant and authoritative guidance; and
 - Publication, "Control of Odour and Noise from Commercial Kitchen Exhaust Systems – Update to the 2004 report prepared by NETCEN for the Department for Environment, Food and Rural Affairs", Ricardo.com, 2018.
- b) The approved details under part a) of this condition shall be fully implemented before the first use of the relevant non-residential unit and shall thereafter be permanently retained in an efficient manner.

Reason: To safeguard the appearance of the premises and minimise the impact of cooking odours and noise.

INFORMATIVE

1. Permission subject to Section 106 Legal Agreement

This permission is subject to a Section 106 of the Town and Country Planning Act 1990 legal agreement. The legal agreement shall be read in conjunction with the associated officer report and decision notice.

2. Evidence of compliance with Section 106 Legal Agreement Obligations

Section 106A of the Town and Country Planning Act 1990 makes provisions for a person bound by a Section 106 legal agreement to apply to the Local Planning Authority to have the obligation discharged. The obligation will only be discharged if the Local Planning Authority is satisfied that it has been complied with or when it no longer serves a useful purpose.

To discharge obligation/s from the Section 106 Legal Agreement you must submit an application to the Local Planning Authority in accordance with the Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992.

3. Discharge of planning conditions

All relevant planning conditions must be discharged in accordance with the triggers given. Requests to discharge conditions must be made by formal application. Fees are £116 per request.

4. Building Control

The approved development is required to comply with the Building Regulations. Please contact Be First Building Control at BuildingControl@befirst.london will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process.

5. Community Infrastructure Levy

This application is liable for the Community Infrastructure Levy (CIL) raised by the Mayor of London and London Borough of Barking and Dagenham Council.

You have completed and submitted Form 1: CIL Additional Information. We now require Form 2: Assumption of Liability to be submitted within the next two weeks after the decision notice being issued. This must be completed in order to produce a Liability Notice. This form tells us who is responsible for paying the CIL charge. If this form is not

completed within two weeks of the issue of the planning decision notice we will make a Land Registry search and send the CIL Liability Notice to the landowner and any other interested parties noted on the register.

If you wish to apply for an exemption from the levy, for example, for charitable or social housing relief, then please complete one of the forms below:

- Form 7: Self Build Exemption Claim – Part 1 & Part 2
- Form 8: Residential Annex Exemption Claim
- Form 9: Residential Extension Exemption Claim
- Form 10: Charitable and/or Social Housing Relief Claim

Exemption forms must be submitted before commencement of the development. Please provide these forms in good time as commencement should not start before the council has issued a Relief Decision Notice.

6. Street naming and numbering

Please note that you will be required to submit an application for new names or numbers for streets or buildings together with right supporting documentation. More information on how to apply can be found on our website at: <https://www.lbbd.gov.uk/street-naming-and-numbering>

7. London City Airport - Crane Methodology

You are advised that once crane methodology is chosen, the crane operator must inform the CAA as per CAP1096. The CAA would then notify the affected aerodromes of the proposed temporary obstacles.

8. Design out Crime

In aiming to satisfy this condition the applicant should seek the advice of the Police Designing out Crime Officers (DOCOs). The services of the Police DOCOs are available free of charge and can be contacted via docomailbox.ne@met.police.uk or 0208 217 3813. It is the policy of the local planning authority to consult with the DOCOs in the discharging of community safety condition(s).

9. Contaminated Land

Pursuant to the provision 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 report to the environmentalprotection@lbbd.gov.uk). 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 be undertaken and where remediation is necessary a remediation scheme must be prepared, implemented and verified with copied of all relevant records being provided to the Local Planning Authority.

10. Thames Water - Discharging groundwater into a public sewer

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.

Appendix 5:

Heads of Terms:

SCHEDULE ONE – ADMINISTRATIVE

- Payment of the Council's professional and legal costs, whether the Section 106 Agreement completes or not.
- Payment of £17,500 for the Council fees for monitoring and implement the Section 106 Agreement, payable on completion of the deed

SCHEDULE TWO - AFFORDABLE HOUSING

- Provision of on-site affordable housing consisting of 40 units / 126 habitable rooms of London Affordable Rent consisting of all units in Block D alongside 6x duplex units in Blocks A and B.
- Submission of an Early-Stage Review.
- Submission of the Late-Stage Review.

SCHEDULE THREE – PROVISION OF INDUSTRIAL FLOORSPACE OBLIGATIONS

- The Owners covenant that prior to first Occupation of any of the Residential Units within the Development:
 - the 2,714 square metres of the Industrial Gross Internal Area as shows on Proposed Ground Floor Plan (drawing number (20)_100 Rev PL03), Proposed Upper Ground Floor Plan (drawing number (20)_100 A Rev PL03), and Proposed 1st Floor Plan (drawing number (20)_101 Rev PL04) shall be delivered to Shell and Core;
 - the 1,572 square metres of External Shared Amenity that is ancillary to the Industrial floorspace provided as shows on Proposed Ground Floor Plan (drawing number (20)_100 Rev PL03) shall be provided in full; and
 - that the provided industrial units mentioned in paragraph(s) 1.1 and 1.2 of this Schedule will be marketed at least three months prior to their completion to local businesses.
- Shell and Core means provision of the outer building envelope (including walls, windows, doors, plumbing, lighting, internet connection) but excluding furnishings, interior lighting fixtures, interior walls or ceilings.

SCHEDULE FOUR – LOCAL EMPLOYMENT, SKILLS, AND SUPPLIERS OBLIGATIONS

Local Employment, Skills, and Suppliers Plan

- The Owner covenants to submit at least six months prior to the Commencement of the Development, an Employment, Skills and Suppliers Plan to be agreed in writing by the Council's Enterprise and Employment team (such approval not to be unreasonably withheld or delayed); an to cascade the approved Employment, Skills and Suppliers Plan to contractors and sub-contractors, but on the basis that the obligation remains of the Owner to comply with the approved plan.

Construction Phase Employment

- The Owner covenants to use Best Endeavours through the Construction Phase of the Development to:
 - ensure a minimum of 20% of the total jobs (calculated on a Full Time Employment basis ('FTE') created in the construction phase of the Development shall be new jobs;
 - ensure a minimum of 25% of the total FTE jobs created by the construction phase shall be filled by Residents of the Council's Area;
 - advertise all vacancies for the construction phase of the Development through the council's job brokerage services, with notification of job vacancies being made exclusively available to Residents of the Council's Area for a minimum of 10 days before being advertised more widely;
 - ensure compliance with the Unite Construction Charter, of which the Council and Be First are signatories. This includes ensuring that all operatives on site are directly employed on a PAYE basis under a contract of employment and paid no less than the London Living Wage.
 - work with the Council to achieve above targets including by providing skills forecast for the Development which highlights any shortages which should be reported to the Council's job brokerage service;
 - ensure that all sub-contractors are made aware of the requirements of this paragraph.

Construction Phase Training

- The Owner covenants to use Best Endeavours through the Construction Phase of the Development to:
 - provide at least one training opportunity for every 10 construction workers is delivered, including short courses, work experience, internship and other training related opportunities to support Residents of the Council's Area to obtain and progress within employment and at least half of which (or 5% of the

FTE workforce, whichever is the greater) must be provided for apprenticeships leading to a full recognised qualification.

- provide at least one apprenticeship for every 20 full time workers, delivered at or progressing to at least a Level 3 occupational qualification;
- provide at least 10 weeks of work experience for every 6 months of the duration of the construction phase of the Development;
- provide at least one educational workshop and or visit during each educational term for the duration of the construction phase to support local schools and careers services.
- the Owner shall secure that in delivering the required training outputs they and their sub-contractors will support the Council's efforts to create a clear route into the construction sector for Residents of the Council's Area by using the Council's preferred local education and training providers where possible.

Supply Chain during the Construction Phase

- The Owner covenants to use Best Endeavours through the Construction Phase of the Development to:
 - ensure that the Council's Construction Team is supplied with a detailed plan showing procurement for the Development which will identify the different trades which will be working on the Site, the tender event schedule, and how they will seek to achieve a minimum of 25% of goods and services through the local supply chain if possible. This will include, but is not limited to, goods, materials, and services;
 - companies based in the Council's Area shall be given a genuine opportunity to tender for all contracts and sub-contracts arising from the Development, ensuring feedback where possible when a business is unsuccessful;
 - a list of work packages being offered to competitive tender shall be submitted for the contractor and all sub-contractors, showing timeframes, values of packages and framework requirements;
 - details of when a package is awarded shall be submitted, including information about any local contractors that have tendered for work (both successful and unsuccessful, showing reasons for the decision);
 - there shall be participation in at least two events in each year of the life of the Development to promote opportunities to local suppliers to help them build their capacity, making an additional (or as an alternative) financial contribution to the delivery of such activity to ensure local suppliers are able to access opportunities arising from the Development;
 - support shall be provided to local businesses through the Council's Business Forum and events such as 'Meet the Buyers'.

Employment and Training Monitoring

- Prior to Commencement of the Development, the Owner shall appoint and employ a Construction Employment Co-ordinator for the duration of the Construction Phase of the Development.
- Once the Employment, Skills and Suppliers Plan has been approved and the Development has Commenced, the Owner shall submit monitoring forms to the Council by the designated coordinator responsible for managing recruitment and training on a monthly basis for the first three months and quarterly thereafter.
- Construction Employment Co-ordinator shall be responsible for:
 - submitting monitoring forms to the Council's employment team;
 - attending site visits or meetings with the Council job brokerage team to discuss the progress of the Development and compliance with the obligation in the schedule, such meeting is to be held on a quarterly basis PROVIDED THAT in cases where the Council has concerns regarding compliance with schedule, the Council may require the Construction Employment Co-Ordinator to meet on a monthly basis until such concerns are resolved.
 - attending the Council quarterly Construction Advisory Forum meetings, which enable the Council to identify challenges facing developers, to coordinate efforts to resolve these across the construction sector;
 - to provide documentation of the efforts made to discharge the obligations in this Schedule Two as requested by the Council.

Financial Contributions for Failure to Comply with Employment and Training Targets

- If the Employment and Training Monitoring Report(s) submitted in accordance with above paragraphs demonstrated a failure to use Best Endeavours to achieve the Local Employment Targets, the Owner covenants to pay employment and training compensation based on the shortfall against: to the Council within 30 days of agreement between the Owner and the Council of the amount due, based on the following calculations:
 - in the employment during construction phase, if the Owner are unable to meet the employment during construction targets, a financial contribution shall be made to the Council calculated with a formulae:
 - a multiple of the target number of jobs for Residents in the Council's Area and the sum of £5,000.00, which is the average cost of supporting an unemployed resident within the Council's Area into work;
 - if the owner/developer is unable to meet the training and apprenticeship targets, a multiple of the number of expected jobs for Residents in the Council's Area and the sum of £1,820.00, (which sum is based on 35 hours a week for

52 weeks in the year x the most recent hourly London Living Wage rate as set by the Living Wage Foundation).

- in the Occupation / End User phase, the target number of jobs for residents in the Council's Area multiplied by £5,000.00, which is the average cost of supporting an unemployed resident in the Council's area into work
- The Council will take into account the following when assessing whether reasonable endeavours have been achieved:
 - whether developer has provided a designated coordinator to manage recruitment, training and supply chain commitments;
 - whether this person has responded positively to requests for meetings, monitoring information, and evidence as required;
 - whether all vacancies have been advertised through the Council's job brokerage services; and
 - whether any problems affecting the owner/developer ability to meet targets have been raised with the council's job brokerage services and alternative options agreed, such as appropriate financial compensation.
- The Owner covenants to be responsible for any and all reasonable legal costs incurred by the Council in enforcing or ensuring compliance with the employment and training obligations in the event of a breach of this agreement.

End-user Phase

- Following completion of the Development, the Owner covenants to use Best Endeavours to ensure that any future tenant or owner of the industrial floorspace approved by the development, procure that:
 - at least 10% of the estimated total jobs (calculated on an FTE basis) created are filled by Residents of the Council's Area;
 - new apprenticeships shall be created for Residents of the Council's Area, to be calculated on a case-by case basis with the Council, based on an FTE basis;
 - all vacancies are advertised through the Council's job brokerage service, with notification of job vacancies exclusively available to residents for a minimum of 10 days before being advertised more widely; and
 - that staff are paid at least the London Living Wage.

SCHEDULE FIVE – RIGHTS OF WAY OBLIGATIONS

- Following the receipt of a written request from the freehold owner of Number 11 and/or 17 Thames Road together with the grant and implementation of the Number 11 and/or 17 Development, the Owner agrees on Practical Completion of the Owner's Development at 7 Thames Road to provide a right of way in the following terms:
 - for the owners of the Number 11 and 17 Development, future residents of the Number 9 Development, and tenants of the Number 9 Development over the area shaded yellow on the Right of Way Plan, twenty-four hours a day and

seven days a week throughout the calendar year in perpetuity for the lifetime of the Number 9 Development;

- on foot and with or without private motor vehicles and for refuse collection and emergency vehicles but not (for the avoidance of doubt) any construction vehicles);
- on terms that the cost of the maintenance and repair of the Right of Way would be shared equally between the Owners and the owner/occupiers of Number 9, provided that Number 9 shall be responsible for the reasonable legal costs of the Owner and on other terms which are reasonable and agreed between the Owner and Number 9.

SCHEDULE FIVE – VEHICLE PARKING CONTROLS OBLIGATIONS

Controlled Parking Zone

- To inform the First Occupier(s) of each Residential Unit within the Development prior to their First Occupation of the Council's policy that they shall not be entitled (unless they are a holder of a disabled person's badge issues pursuant to section 21 of the of the Chronically Sick and Disabled Persons Act 1970 (as amended)) to a Parking Permit to park a vehicle in an on-street Parking Bay in existing and any future Controlled Parking Zone and that they will not be able to buy a contract to park within any car park owned, controlled or licenced by the Council.
- To include the following in any new agreement, lease, and/or freehold transfer in respect to any part of the Site for the purposes of selling or letting any Residential Unit contains the following covenants (or a covenants in similar form):

“the [insert details as appropriate] and (their successors in title) being the Owner or Owner for the time being of the terms of years hereby granted covenants with the[insert details as appropriate] and separately with the Mayor and Burgesses of the London Borough of Barking & Dagenham not to apply for nor knowingly permit an application to be made by any person residing in the premises to the London Borough of Barking and Dagenham (“the Council”) for a residents or visitors car parking permit in respect of such premises and if such a permit is issued then it shall be surrendered within 7 days of written request to do so from the Council and this covenants shall also be enforceable by the Council under the Contracts (Rights of Third Parties) Act 1999 Section 1”.

- For the avoidance of doubt the provisions under paragraph 1.1 of this Schedule shall apply to each new and subsequent owner, resident, and occupier of any Residential Unit within the Development.

Car Parking Spaces for Disabled Persons

- The provided eight Car Parking Spaces as shown on Proposed Ground Floor (drawing number (20)_100 Rev PL03) will only be made available on a lease basis to a holder of a disabled person's badge issues pursuant to section 21 of the of the Chronically

Sick and Disabled Persons Act 1970 (as amended) that is owning or renting a Residential Unit within the Development, and to no other persons or entities.

- The provided eight Car Parking Spaces as shown on Proposed Ground Floor (drawing number (20)_100 Rev PL04) shall not be disposed of by way of outright sale to any Occupier or tenant within the Development.

SCHEDULE SIX – CAR CLUB MEMBERSHIP OBLIGATION

The Developer shall ensure that each household Occupying any Dwelling will be offered the opportunity of membership to a car club on the Development and that should that household take up such an offer the Developer will pay the full costs of membership to the car club for a period of two years from the date of first membership of the car club.

SCHEDULE SEVEN – TRAVEL PLANS OBLIGATION

Travel Plan

- Prior to first Occupation of the Development the Owner shall submit to the Council a Residential Travel Plan and Industrial Travel Plan.
- The Owner shall fund and procure the implementation of the Residential Travel Plan and Industrial Travel Plan in accordance with the actions and timetable specified therein; and thereafter comply with the Travel Plan for the Monitoring Period.

Travel Plan Co-Ordinator

- Three months prior to the first Occupation of the Development the Owners shall appoint and fund a suitable qualified Travel Plan Coordinator and notify the Council in writing of the name, address, telephone number and email address of the person appointed.

Travel Plan Monitoring

- On the 1st, 3rd, and 5th anniversary of the Residential Travel Plan and Industrial Travel Plan, the Owners or the appointed Travel Plan Coordinator shall undertake and submit an Annual Monitoring Report to the Council for approval, which shall demonstrate to the Council's reasonable satisfaction how the Travel Plan has been implemented and include the following:

- measures introduced and actions taken to promote the Travel Plan;
- a statistical summary of the modal split of employees/residents/users disclosed by the monitoring surveys;
- the progress of the Travel Plan in achieving targets and identifying any amendments to be agreed in writing by the Council in the event that targets are not achieved;
- a plan for future actions to be implemented.

Travel Plan Welcome Packs

- Prior to Occupation of the Development, the Owner shall agree with the Council in writing the details of the Residential Travel Plan Welcome Pack and Industrial Travel Plan Welcome Pack to be provided prior to first Occupiers moving in (such approval not to be unreasonably withheld or delayed).
- Prior to Occupation of the Development, the Owner shall provide the approved Residential Travel Plan Welcome Pack and Industrial Travel Plan Welcome Pack to each first Occupiers of the Residential Units and Industrial Units on Occupation of the Residential Units.
- Prior to Occupation of the Development, the Owner shall agree with the Council in writing details of information boards to be provided within the communal areas of the relevant Block(s) to provide details of the Travel Plan to all Occupiers of the Residential Units and Industrial Units.
- The Owner shall ensure that the approved Travel Plan Welcome Pack information is appropriately displayed on board in all shared and common areas within the residential block(s) and industrial space(s) prior to Occupation of the Development.

SCHEDULE EIGHT – HIGHWAY OBLIGATIONS

Off Site Highway Works

- Prior to Occupation of the Development the Owner shall submit to the Council a detailed highway design relating to access and egress and enter into the Highway Agreement to undertake the Traffic Management and Highways Works which will include new Traffic Management Orders.
- The Owners shall apply for and meet the full cost of any necessary Traffic Management Order(s) required to carry out the Traffic Management Measures.

Public Roads

- On Practical Completion of the Development the Owner shall repair any damage to the public highways (if required and warranted by the Council through the issue of sufficient photographic evidence to the Owner) and which the Council can reasonably

demonstrate arose because of the construction of the Development at their own cost and at nil cost to the Council.

SCHEDULE NINE – CARBON OFFSET OBLIGATIONS

Energy Performance

- Best Endeavours shall be used to ensure that the Development is constructed and delivered in accordance with the Energy & Sustainability Statement (prepared by The PES, dated 14/12/2022, version V2) and that the Development achieves a minimum of 76.87% reduction in carbon emissions over Part L of the Building Regulations 2021 (as at the date of this agreement) (when applying SAP 10 emission factors) through On-Site provisions. The remaining carbon emissions to achieve zero carbon of 23.13% shall be calculated at practical completion using Carbon Offset Contribution and they shall be paid to the Council upon Implementation of the Development.

Energy Performance Monitoring

- Prior to first Occupation of the Development, the Owners shall upload to the GLA Energy Monitoring Portal:
 - updated accurate and verified 'as-built' design estimates of the 'Be seen' energy performance indicators for each Reportable Unit of the relevant Block, as per the methodology outlined in the 'As-built stage' chapter / section of the Energy Monitoring Guidance; and
 - evidence 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 Energy Monitoring Guidance.
- On the first anniversary of the Occupation Date for each Block or following the end of the relevant Block's Defects Liability Period (whichever is the later) (the "Energy Performance Date") the First and Second Owners shall upload to the Energy Monitoring Portal accurate and verified annual in-use energy performance data for all relevant indicators under each Reportable Unit(s) and Industrial Unit(s) of the Development as per the methodology outlined in the 'In-use stage' chapter / section of the Energy Monitoring Guidance.
- The Owner shall submit to the Energy Monitoring Portal accurate and verified updates of the information specified in paragraph 3.1 on the first, second, third and fourth anniversaries of the Energy Performance Date for each Block.
- If the in-use energy performance information submitted under paragraphs 2.1 and 2.2 of this Schedule demonstrate that the as-built energy performance estimates submitted under paragraph 1.1 have not been or are not being met, the Owner shall investigate and identify the causes of underperformance and the potential mitigation measures and set these out in the relevant comment box of the 'Be seen' spreadsheet through Energy Monitoring Portal.

- An action plan comprising measures identified in paragraph 3.4 shall be submitted to the Council for written approval with copy to the GLA identifying measures which would be reasonably practicable to implement and a proposed timescale for implementation. The Council shall fully consult the GLA prior to granting approval for any action plan submitted and shall consider all representations of the GLA. The action plan and measures so approved shall be fully implemented by the Owners in accordance with the timescales set out in the approved action plan.
- If it is not possible to agree on the proposal set out Action Plan, the Council may require the Owners to pay a further Carbon Offset Contribution which shall be paid by the Owner to the Council in full within 28 days of written request for payment to be made.

SCHEDULE TEN – DISTRICT CHP OBLIGATIONS

- Development will not be Implemented until the District Heat Network Strategy that complies with the submitted Energy & Sustainability Statement and/or Addendum Energy & Sustainability Statement has been submitted to and approved in writing by the Council. The District Heat Network Strategy shall include but not be limited to:
 - measures to be taken to ensure that the Development will be designed and built so that it will be capable of connection from the Site boundary to the District CHP;
 - demonstration that the service interface within the Development can accommodate all known or expected and reasonable service entry routes including sleeves, pipework, reasonable access and space necessary for the purpose of connecting the development to the District CHP;
 - confirmation that individual supplies to the units will be metered;
 - confirmation that the pipework to each Block in the Development will be fitted with isolation valves and a heat meter so that consumption of energy can be monitored (if such technology is available for use at a reasonable cost);
 - confirmation that allowance has been made within the Development for hot water generation by way of heat exchanges connected to localised heating mains;
 - as far as practical, confirmation that the necessary equipment, plants, ducts or routes for pipes, meters, materials and other technology reasonably required (including plate heat exchanger and absorption chiller) are or will be available to facilitate connection to the District CHP.
- The Council shall provide to the Owners with a written response to the District Heat Network Strategy within 8 weeks of receipt of the same.
- If the Council's written response is to the effect that the District Heat Network Strategy is not approved the Council shall set out its reasons for not approving the said strategy and the Parties shall each use reasonable endeavours to discuss and reach agreement to the District Heat Network Strategy within the period of 8 weeks from the receipt by the Council of the District Heat Network Strategy or such other period as the Parties may agree.

- Following receipt of the Council's written approval to the District Heat Network Strategy the Owners shall carry out the Development in accordance with the approved the District Heat Network Strategy.

SCHEDULE TEN – AIR QUALITY OBLIGATIONS

- Prior to Practical Completion of the Development the Owner shall submit the Revised Air Quality Report to the Council for approval in writing. In the event that the Revised Approved Air Quality Report concludes that the Development is not Air Quality Neutral as per the Approved Air Quality Report (prepared by Air Quality Assessment Ltd, dated 15/12/2022, number J0630/1/F2) to pay the Council the Air Quality Neutral Contribution within 30 working days.

SCHEDULE ELEVEN – EDUCATION AND OPEN SPACE OBLIGATIONS

- Prior to first Occupation of any part of the Development the Owner covenant to pay to the Council a financial contribution of £748,092.80 Index Linked towards the land need for the provision of: a secondary school, and two new primary schools; and open space improvements.

SCHEDULE TWELVE – RIPPLE GREENWAY OBLIGATIONS

- Prior to first Occupation of any part of the Development the Owner covenant to pay to the Council a financial contribution of £104,370.00 Index Linked towards improvements to the Ripple Greenway.

SCHEDULE THITEEN – PLAY SPACE OBLIGATIONS

- Prior to first Occupation of any part of the Development the Owner covenant to pay to the Council a financial contribution of £125,400.00 Index Linked towards the upgrading of the existing facilities and/or the provision of new play facilities within public parks located within a 2-mile proximity to the Site suitable for use by age groups between 12 and 17-years.

SCHEDULE FOURTEEN – NHS OBLIGATIONS

- Prior to first Occupation of any part of the Development the First and Second Owners covenant to pay to the Council a maximum financial contribution of £61,250.00 Index Linked towards improvements to health care provision relating to existing and/or new General Practitioner and Primary Care Services located within a two 2 miles radius of the Site.

SCHEDULE FIFTEEN – THAMES ROAD IMPROVEMENT OBLIGATIONS

- Prior to first Occupation of any part of the Development the Owner covenant to pay to the Council a financial contribution of £61,250.00 Index Linked towards improvement and provision of public realm along Thames Road.

SCHEDULE SIXTEEN – TRANSPORT OF LONDON OBLIGATIONS

- Prior to first Occupation of any part of the Development the Owner covenant to pay to the Council a financial contribution of 112,210.00 Index Linked which will be transferred by the Council to Transport for London towards improvement and provision of public transport along Thames Road.