

LONDON BOROUGH OF BARKING & DAGENHAM
PLANNING COMMITTEE
Monday 16 October 2023
Application for the Discharge of Obligations required by Section 106 Legal Agreement

Case Officer:	Lewis Goodley	Valid Date:	-
Applicant:	Barking Riverside Limited.	Expiry Date:	Subject to PPA
Application Numbers:	23/01180/S106A	Ward:	Barking Riverside Ward
Address:	Barking Riverside Area, Renwick Road, Barking.		

The purpose of this report is to set out the Officer recommendations to Planning Committee regarding an application for approval of reserved matters and discharge of planning conditions relating to the proposal below at Barking Riverside Area, Renwick Road, Barking.

Proposals
23/01180/S106A

Application to discharge: 1. Schedule 4, Part 3 Para 27.1.2 (Housing Strategy July 2023); 2. Schedule 4, Part 3, Para 28.1 and Para 32.1 (Build to Rent Strategy Plot DC3B July 2023); 3. Schedule 4, Part 2, Para 10.1 and 10.2 (Transport Strategy July 2023); 4. Schedule 4, Part 2, Para 25.2 (Car Parking Strategy July 2023); 5. Schedule 4, Part 1, Para 12.2 (Travel Plan July 2023); 6. Schedule 3, Part 1, Para 1.2 (Retail and Non-Residential Use Strategy July 2023); 7. Schedule 3, Part 3, Para 7.2 (Health Strategy July 2023); 8. Schedule 3, Part 4, Para 10.2 (Placemaking Strategy July 2023); 9. Schedule 3, Part 5, Para 12.2 (Open Space and Recreation Strategy July 2023 with the Open Space and Recreation Strategy, 02 May 2018); 10. Schedule 3, Part 7, Para 16.2 (Energy Strategy July 2023); 11. Schedule 3, Part 13, Para 13.1 (Employment, Skills & Training Strategy July 2023); 12. Schedule 3, Part 8, Para 17.2 (Waste Strategy July 2023); 13. Schedule 4, Part 2, Para 8.1 (Transport Monitoring Report May 2023) of the Section 106 Legal Agreement dated 08 March 2019 (as varied 15 July 2021) of planning permission reference 18/00940/FUL (as amended).

Officer Recommendations

1. Agree the reasons for approval as set out in this report; and
2. Delegate authority to the London Borough of Barking and Dagenham's Strategic Director of Inclusive Growth (or authorised Officer), to approve the Revised Section 106 (S106) Legal Strategies (23/01182/AOD) for Barking Riverside.

OFFICER REPORT

Planning Constraints

- Air Quality Management Area
- London Riverside Opportunity Area
- Key Regeneration Area
- Archaeological Priority Area
- Site of Importance for Nature Conservation (adjacent).

Site, Situation and Proposal

Barking Riverside comprises some 179.3 hectares located on the north bank of the Thames. It lies at the centre of the London Riverside Opportunity Area.

Barking Riverside falls in the south of the Borough, approximately 2 miles to the south east of Barking Town Centre and 800 metres to the south of the A13. The wider site is irregular in shape and has maximum dimensions east to west of 2.2 km and north to south of 1.1 km. The site occupies a large area of brownfield land which was previously used for power generation, with associated ash lagoons representing the spoil from the now demolished coal fired power stations.

The surrounding area is mixed in character. To the north west of the site is an established residential area comprising predominantly 2- storey semi-detached dwellings built circa 1990, known as Great Fleete. The north of the site is bounded by the A13 and the southern boundary comprises a 2 km frontage to the River Thames. Industrial estates adjoin the east and western boundaries of the site.

To date, some 3,500 new homes benefit from detailed planning approval. In addition, four schools have been provided. Stage 1, which lies to the west of Renwick Road and north of River Road is largely complete (or consented to reserved matters stage) which includes the Rivergate Local Centre.

BRL are now building out Stage 2, which lies to the north of the Boulevard. A temporary Co-op is open and will relocate to a permanent store as the development proceeds and the community develops. The London Overground is now operational from the new station. River boat services (Thames Clipper) are now operational from the new pier. A frequent bus-based service organised around East London Transit (ELT) is also long-established and operational.

The S106 Legal Agreement requires the submission of revised Strategies, triggered by the submission of the Sub Framework Plan (SFP) for Stage 2 South Boulevard. Reference '23/01182/AOD'.

Plots 210A, 210B, 210C and 303A fall within 'Stage 2 South' on the Phasing Strategy. Plots DC3B and DC3C fall within 'District Centre'. Together these form the proposed SFP area named Stage 2 South, Boulevard.

Proposal

All the strategies save for the Biodiversity Strategy fall for review under the terms of the s106. The site-wide Biodiversity Strategy and subsequent addendum were approved in 2018 with compliance secured through condition 33 Nature Conservation & Landscape. In addition, the Travel Plan and Transport Monitoring Report fall for review as per the s106 Agreement. The Bus Service Strategy (BSS) also falls for review by TFL. Through the preparation of the Transport Monitoring Report (TMR), TFL advised that the BSS does not need to be amended.

A total of 13 strategies/documents have been prepared to support the above submissions. The schedule below lists the relevant S106 obligation for discharge.

S106 Obligation for discharge	Strategy	Update Proposed
Schedule 4, Part 3, Para 27.1.2	Housing Strategy (June 2018)	Housing Strategy July 2023
Schedule 4, Part 3, Para 28.1 and Para 32.1	n/a (as the last strategy was plot specific)	Build to Rent Strategy Plot DC3B July 2023
Schedule 4, Part 2, Para 10.1 and 10.2	Transport Strategy – 2018 Section 73 Application (May 2018)	Transport Strategy July 2023
Schedule 4, Part 2, Para 25.2	Parking Strategy (September 2018)	Car Parking Strategy July 2023
Schedule 4, Part 1, Para 12.2	Framework Travel Plan (January 2016) (appended to Transport Assessment 2016, note Transport Strategy – 2018 Section 73 Application (May 2018) identified no changes to the Travel Plan).	Travel Plan July 2023
Schedule 3, Part 1, Para 1.2	Retail and Non-Residential Use Strategy (June 2018)	Retail and Non- Residential Use Strategy July 2023
Schedule 3, Part 3, Para 7.2	Health Strategy (June 2018)	Health Strategy July 2023
Schedule 3, Part 4, Para 10.2	Placemaking and Cultural Strategy (March 2017)	Placemaking Strategy July 2023
Schedule 3, Part 5, Para 12.2	Open Space and Recreation Strategy (2 May 2018) and Open Space and Recreation Strategy July 2023 appended	Open Space and Recreation Strategy (2 May 2018)
Schedule 3, Part 7, Para 16.2	S106 Energy Strategy Update (2 May 2018)	Energy Strategy July 2023
Schedule 3, Part 13, Para 13.1	Employment and Skills Training Strategy (August 2017)	Employment, Skills & Training Strategy July 2023
Schedule 3, Part 8, Para 17.2	Waste Strategy (2018)	Waste Strategy July 2023
Schedule 4, Part 2, Para 8.1	Transport Monitoring Report May 2020	Transport Monitoring Report May 2023

Relevant Background Information

The application site which forms part of the Barking Riverside site has an extensive planning history and the most relevant planning applications are summarised below.

Barking Riverside received site-wide outline planning permission on 7 August 2007 (ref. 04/01230/OUT) which provided for, inter alia, the development of the site for up to 10,800 new homes, including the provision of an extension to the Docklands Light Railway (DLR). This was subsequently amended through a section 73 application (ref. 08/00887/FUL), for which permission was granted on 23rd July 2009 ('the

2009 OPP’).

This is a three-tier permission which introduces a requirement for Sub Framework Plans (‘SFP’) in advance of Reserved Matters (‘RMs’). The SFP and RMs for Stage 1 were approved by the Council on 20 August 2009, pursuant to the 2009 OPP (LPA ref. 08/00895/CDN and 08/00896/REM).

Following cancellation of the DLR, Barking Riverside has been subject to two further section 73 applications to accommodate the replacement of the DLR with an extension to the London overground (refs. 16/00131/OUT and 18/00940/FUL (‘the 2018 OPP’). This latest outline permission was granted on 26 October 2018.

This includes the requirement for the submission of details for site wide infrastructure as a reserved matter (see condition 16), to enable BRL to service the site, create development parcels for the provision of new homes by others.

The terms of the s106 agreements which accompanied the 2009 OPP and 2018 OPP were rationalised in a composite s106 agreement in 2019, drawing the provisions of earlier agreements into a single deed, with the obligations updated (‘the 2019 s106’). These include the requirement for the submission and approval of a number of strategies. These strategies guide the preparation of the SFPs and the RMs.

A Deed of Variation to the 2019 s106 agreement was approved in 15th July 2021.

This allows for, inter alia, the affordable housing definition to be updated to reflect the introduction of London Affordable Rent and London Shared Ownership, as well as updates to the provisions related to private rented housing and market housing. The SFP and S106 Strategies have been prepared on this basis, utilising these definitions.

Section 106 Legal Agreement (S106) Strategies

The 2019 s106 agreement requires the submission and approval of various site wide strategies on submission of the first Sub Framework Plan (SFP) relating to a stage provided that the strategy had not been reviewed in the preceding 12-month period.

The SFP is submitted under LBBD planning reference ‘23/01182/AOD’. This is considered as a separate agenda item for the committee.

The strategies submitted under this reference are:

- Car Parking Strategy July 2023
- Transport Strategy July 2023
- Travel Plan July 2023
- Transport Monitoring Report July 2023
- Housing Strategy July 2023
- Build to Rent Strategy July 2023
- Retail and Non-Residential Use Strategy July 2023
- Health Strategy July 2023
- Placemaking and Cultural Strategy July 2023
- Open Space and Recreation Strategy (2 May 2018) and Cover Statement July 2023
- Energy Strategy July 2023
- Employment and Skills Strategy July 2023
- Waste Strategy July 2023
- Financial Viability Note and Summary, August 2023

Key Issues

1. Environmental Impact Assessment (EIA)
2. Assessment of S106 Legal Strategy Update

Planning Assessment

1. EIA (Environmental Impact Assessment)

- 1.1 The Environmental Impact Assessment (EIA) process is the mechanism by which the likely significant effects of a development on the environment are assessed. It identifies likely effects and the residual effects once mitigated, as well as the cumulative effects with other developments in the surrounding area.
- 1.2 The matters considered are those relating to 106 Legal Strategies. The application would be considered a 'Subsequent Application' and the EIA Regulations require that all Subsequent Applications to an EIA Development (i.e. the original outline permission), are screened as to the need for further EIA. On such occasions, EIA will be required if the Proposed Development to which the subsequent Application relates is considered to result in likely significant effects on the environment that were not identified and or were not identifiable at the time of the principal decision.
- 1.3 Given the limited extent of the proposal, Officers consider that the proposals do not exceed the parameters of the outline consent and thus do not create any additional likely significant impacts not assessed as part of the original Environmental Statement (ES). Officers note that this approach has been applied to 'subsequent applications' including other SFP applications historically at Barking Riverside, whereby screening opinions for subsequent development have not previously been requested by Officers or the Local Planning Authority.

2. Assessment of S106 Legal Strategy Update

Housing Strategy July 2023

- 2.1. The Housing Strategy has been updated from its June 2018 version to provide an update to reflect progress to date and to reflect the housing proposals as per Stage 2 South Boulevard and Station Quarter. This is the second version ever published, triggered by the submission of the SFP for Stage 2 South.
- 2.2. The purpose of the Housing Strategy is to guide the response of BRL and hence Plot Developers to the form, tenure and marketing of the housing to be provided pursuant to the 2018 OPP across the entire Site, and specifically, as applied to the next SFP, in response to the s106.
- 2.3. This review of the strategy should also be read in the context of the AMR through which BRL reports annually to the Council and TfL as to progress in implementing the OPP, the strategies and issues that arise.
- 2.4. The s106 defines the content of the Housing Strategy at Schedule 4, Part 3, paragraph 28.1 as follows:
 - The proposed quantum of Affordable Housing and the Open Market Housing (including the Built to Rent Market Housing);
 - The proposed tenure and mix for the Affordable Housing and the Open Market Housing (including the Built to Rent Market Housing);
 - The proposed distribution of the Affordable Housing and Open Market Housing (including the Built to Rent Market Housing) across the Plots;
 - The proposed phasing delivery and construction of the Affordable Housing and Open Market Housing (including the Built to Rent Market Housing) across the Plots;

- The proposed distribution and tenure of the minimum 25% of Residential Units in the Barking Riverside Development on the Land to be 3 bed Residential Units or more and a review of whether the target to attain 30% of Residential Units in the Barking Riverside Development on the Land to be 3 bed or more Residential Units can be achieved (Note: This we say having regard to the market demand, form of development proposed and viability);
- A review of the viability and suitability of providing a mixed tenure extra care village or other residential institution under use class C2 within Stage 2 subject to this being in accordance with the 2018 OPP;
- Proposals for at least 10% (ten per cent) of the Residential Units to be built to be Wheelchair Accessible in accordance with the process outlined under paragraph 34 in Part 3 of Schedule 4;
- Proposals for the nomination rights for the Affordable Housing Units;
- Proposals for the marketing of the Open Market Housing that is not Built to Rent Market Housing in accordance with paragraph 33.3 in Part 3 of Schedule 4; and
- Proposals for the marketing, letting and management of the Built to Rent Market Housing in accordance with paragraph 32.2 in Part 3 of Schedule 4 and
- A phasing scheme confirming the current provision of Affordable Housing at the time of submission of the Housing Strategy and a programme for the delivery of the remainder of the Affordable Housing in accordance with paragraph 26.2 in Part 3 of Schedule 4.

2.5. In terms of housing provision, the SFPs will identify:

- The total quantum of homes to be provided per plot within the SFP area;
- The target mix of each plot within the SFP area;
- The distribution of tenure across the plots the subject of the SFP;
- The provision of 10% M4(3) (wheelchair user dwellings) units.

2.6. Further control of unit mix, tenure and marketing and management is set out in the s106, as follows:

- The provision of the baseline level of 35% affordable housing across the development as a whole;
- 5% of units to be London Affordable Rent, which includes 35 units for Young People Leaving Care and 25 units as Homes for People with Mental Health Needs, both within Stage 2 and 3;
- 5% of the units to be London Living Rent Housing;
- 5% of units to be Discounted Market Sale (unless the GLA ceases to support this tenure or the developer elects not to provide it, where upon it would be provided at London Shared Ownership or London Living Rent instead); and,
- 20% of the Affordable units shall be London Shared Ownership (in addition to any provided in place of DMR);
- The provision of a minimum of 25% 3 bed units.

2.7. A financial model was agreed between LBBD, GLA and BRL at the outline stage and informed the grant of permission, and now forms the basis of the review at each submission of the SFP.

2.8. The s106 requires the update of the model, with any loss from a preceding stage or phase of the development being reflected as a cost to be applied to the next phase, and likewise, any surplus

profit being reflected as a subsidy. The premise of the model is to maintain an IRR of not less than 12%. In terms of the financial model, the 2016 model takes the scheme at that time as day one i.e. from first implementation the financial position arising from the preceding phases (costs and revenues) flows through and informs the baseline position.

- 2.9. In the event that the IRR falls below 12%, then the affordable housing tenure shall be adjusted, subject to the baseline level and 5% minimum Affordable Rent provision. If IRR exceeds 15%, then 50% of the revenue shall be used by BRL to increase affordable provision up to the 50% maximum level. It is of course open to BRL to provide a level of affordable housing above that required under the terms of the s106 and in doing so, may provide additional tenures.
- 2.10. The terms of the s106 in so far as they relate to housing matters are applied across the development as a whole (i.e. including that part of the Barking Riverside development delivered pursuant to earlier phases of development), with the requirements in terms of tenure and mix applying cumulatively across the site. The s106 also requires the parties to seek to secure additional grant where possible.
- 2.11. The Financial Model has been independently reviewed on behalf of Be First/ LBBB and a public summary made available online. This is a supporting document to this application and has been made public at the request of officers.
- 2.12. The Housing Strategy acknowledges that BRL continues to deliver affordable housing above its minimum requirements, close to its 50% target. The Housing Strategy in combination with the Financial Model, which is summarised in the public document. It identifies that the Barking Riverside development runs at a financial deficit. Whilst facing many headwinds also faced by the development industry nationally the Housing Strategy identifies how the delivery of the next phase of homes will take place, building upon the 3,504 delivered to date across the site.
- 2.13. Officers note that the development is running at a deficit and welcome that the Applicant still seeks to provide affordable housing in a compliant manner. The historic rates of delivery above the 35% minimum and future opportunities to explore grant funding are noted.
- 2.14. The proposed phasing is logical and appropriate. Focusing delivery near to the Boulevard and District Centre in the short/ medium term is supported, with homes contributing to a critical mass within the heart of the development. The delivery of affordable housing and its location to date is noted. Further details will be provided as reserved matters application are submitted by Plot Developers.
- 2.15. Specialist Housing is not proposed as part of this Strategy or within the live SFP area. Officers have worked with LBBB to establish what the need for older persons housing is. The Applicant is aware that there is a Borough wide need for a more conventional care home, accommodating those with acute care needs associated with ageing. BRL under this application through the financial model have identified that the scheme is at a deficit and at this time cannot deliver this type of facility. Work to find a suitable site for such a facility within the development within a later stage will continue between LBBB, BeFirst and the Applicant.
- 2.16. The proposed 10% provision of fully wheelchair accessible housing is compliant. The proposed marketing of these properties is noted as being compliant with the obligations of the S106 Legal Agreement.
- 2.17. The approach to Build to Rent (BtR) is noted. Officers note the importance of BtR in delivering a mixed and balanced community within the development. The proposed approach accords with the established requirements of the S106 Legal Agreement.
- 2.18. In conclusion the Housing Strategy is considered to appropriately guide development and any future SFP applications. The strategy is therefore recommended for approval in accordance with Schedule 4, Part 3, Para 27.1.2.

- 2.19. The Applicant proposes a specific BtR Strategy for Plot DC3B within Stage 2 South Boulevard. This is proposed to accommodate BtR within this Plot.
- 2.20. Officers have reviewed this BtR Strategy and consider that it delivers more than the requirements of the original extant planning consent. The strategy captures the requirements of Policy H11 'Build to Rent' of London Plan (2021). Importantly this confirms that potential future occupants would have access to long leases, early break-clauses and clear upfront fees. This secures some of the important opportunities BtR can offer, providing certainty in the rental sector and enabling those who cannot afford to buy to have long leases from a reputable landlord/ organisation.
- 2.21. The proposed strategy is therefore supported and recommended for approval in accordance with Schedule 4, Part 3, Para 28.1 and Para 32.1.

Transport Strategy

- 2.22. The transport strategy outlines the approach to transport for the SFP area and provides a general update for the wider site. The transport strategy broadly aligns with the extant permission, namely a strategy that adopts best practices to deliver a sustainable community, where sustainable and active travel is at the heart of the proposals.
- 2.23. During the application it became clear to officers that the S106 scheme sought to seek approval to open the Boulevard to servicing vehicles potentially for latter phases, principally the District Centre. This represents a significant departure from previous strategies. Officers requested an amendment to ensure that this proposal was not indefinitely agreed.
- 2.24. Instead it was agreed with the Applicant that wording which allows future exploration and testing of this instead. This wording provides an opportunity for officers in collaboration with TfL to test and explore the suitability of such an approach. The wording allows future testing and in the absence of any information does not commit the Council as Local Planning Authority to this change in the absence of any testing.
- 2.25. The strategy is supported and will offer many benefits, placing sustainable transport at the heart of the development maximising the opportunities for active travel along the Boulevard and the network of streets and public realm. The transport strategy provides a strong basis for future reserved matter applications to be determined on. The proposals can therefore be approved in line with Schedule 4, Part 2, Para 10.1 and 10.2 of the signed S106 Legal Agreement.

Car Parking Strategy

- 2.26. The Car Parking Strategy has been updated in light of changes to policy including the London Plan 2021 and implementation to date, including changes to the approach to wheelchair car parking.
- 2.27. The key changes that have occurred since the CPS which was approved in 2018 are as follows:
- Development in local public transport provision and cycling and walking networks (including the opening of the Overground Station and the Thames Clipper)
 - Increase in provision of local facilities and services across the site
 - Changes to planning policy and Building Regulations
 - Reductions in car ownership levels amongst residents
 - The provision of car club vehicles across the site;
 - Improved cycle connection to Barking; and
 - The occurrence of the Covid-19 Pandemic.
- 2.28. Officers consider that the changes acknowledge the changes and capture the opportunities to promote a modal shift through a balanced car parking strategy. Officers note that the site is now

much better connected with good train, bus and boat access. Improvements to cycling connectivity has also occurred since the last CPS was approved and access to car club vehicles now available.

- 2.29. Officers welcome the improvements to the car parking strategy which places a greater onus on plot developers and their successors for the management/ allocation policy for car parking. This coupled with the review of on plot parking proposals at reserved matters stage ensure there is greater scrutiny to ensure the car parking provision as proposed is safeguarded. On balance the proposals accord with the aspirations of the London Plan and the proposals can be discharged in line with Schedule 4, Part 2, Para 25.2 of the S106 Legal Agreement.

Travel Plan

- 2.30. The Applicant seeks to update the travel plan to Reviewed in consultation with the Travel Plan Co-Ordinator and updated into a full Travel Plan.
- 2.31. The review takes into account measures and initiatives implemented to date and identifies targets for further improvements to achieve aspirational modal shares.
- 2.32. Officers have reviewed the proposals and identify that the travel plan is amended. Principally this amendment includes the clearer roles and responsibilities for the travel plan coordinator and the relevant stakeholders. The travel plan can therefore be approved in accordance with Schedule 4, Part 1, Para 12.2 of the S106 Legal Agreement.

Retail and Non-Residential Uses Strategy

- 2.33. This strategy has been reviewed in light of progress and success to date and market conditions, with the emphasis on meeting the needs of the community in the short term as it develops and creating the platform for the longer-term development of the district centre. Aligning the implementation with the Health and Placemaking and Cultural Strategy.
- 2.34. The review takes into account that the district centre will be the heart of the development but that economic challenges remain. Officers remain confident that as the development is built out and the population increases the district centre will be viable, accommodating local residents and being a destination, complimented by the Health and Leisure Hub and attractive open space. The strategy enables flexibility within the retail and non-retail elements and proposes a proportionate strategy that will complement other relevant strategies, including placemaking, culture and health.
- 2.35. The retail and non-residential strategy can therefore be approved in accordance with Schedule 3, Part 1, Para 1.2 of the S106 Legal Agreement.

Health Strategy

- 2.36. Barking Riverside is identified as a 'Healthy New Town'. Healthy New Towns was a strategy to achieve improvements in health and wellbeing inequalities and outcomes through the comprehensive planning and development of new communities, bringing together health care providers with community development professionals and developers, working in partnership with the communities that they serve.
- 2.37. Specifically for Barking Riverside, the identified vision was to create "healthier lives for a Thames Ward of inspired and empowered citizens, supported by innovation". The aims and objectives of Healthy New Towns were enshrined in a series of principles, which were carried forward into the terms of the planning permission through the s106 agreement.
- 2.38. This requires BRL to prepare a Health Strategy which shall: "State how the [development] is addressing (where relevant) the Planning for Health Principles in order for the [development] to contribute to the fulfilment of the Government's initiatives for Healthy New Towns." The Health Strategy was approved by the Council in 2018 and now falls for review in tandem with the submission of the next sub framework plan. The Government's HNT initiative was time limited and has now concluded. Nonetheless, the s106 remains.

- 2.39. The Health Strategy clearly outlines how the development seeks to meet its obligations in delivering the NHS Healthy Town Principles. It is clear that the delivery of the Health and Leisure Hub remains a priority and this is noted. In the interim the recommendations in the updated Health Strategy identify how, working with partners such as Thames Futures, the Applicant will instil positive health outcomes for this growing new community. BRL reaffirm their commitment to delivering this facility in the planned district centre.
- 2.40. The Health Strategy is therefore recommended for approval in accordance with Schedule 3, Part 3, Para 7.2.

Placemaking Strategy

- 2.41. The first and current Placemaking Strategy was published in March 2017. The progress is reported on in the Annual Monitoring Report (AMR). The focus of the strategy is to cover "...Both formal and informal opportunities to attract and retain people to the Barking Riverside Development..".
- 2.42. The Applicant notes the many successes to date of the strategy. The Applicant therefore doesn't seek to make substantial wholesale changes to the strategy, instead identify ways forward in a currently more challenging economic climate. These are:
- 2.43. These are:
- 2.44. Continuing to fund, support and promote a range of initiatives and events focused on the key themes of the strategy, to build a sense of community and place; • Review and adapt the 'initiatives' signposted in the original strategy;
- Continuing and expanding the 'pop up', temporary and meanwhile uses and events to support and encourage community development and placemaking.
 - Revisit the operation of multi-function community spaces, including faith by listening and working with the community and faith groups.
 - Encourage active leisure including the attraction of a cycle hire scheme and provision of exercise/wellbeing trails
 - Continue to support the Wilds and enhance the spaces available to ensure they are used to their maximum potential.
 - Promote the health and leisure hub within the District Centre.
 - To continue to work with the Young Foundation and to commission ongoing engagement through Thames Futures, with a 3 year full review and annual updates.
- 2.45. Officers acknowledge the good work to date and the many strands delivered under the existing Placemaking Strategy. Within the context of the continued economic headwinds the proposed update is considered appropriate. The proposed Strategy is therefore recommended for approval in accordance with Schedule 3, Part 4, Para 10.2.

Open Space and Recreation Strategy

- 2.46. The Applicant does not propose to alter the Open Space and Recreation Strategy. Instead they continue to work with interested parties, communities, community groups and stakeholders. Progress will continue to be reported within the Annual Monitoring Report.
- 2.47. Officers consider this approach to be acceptable. The proposed approach is therefore recommended for approval in accordance with Schedule 3, Part 5, Para 12.2.

Energy Strategy

- 2.48. The Applicant has reviewed the Energy Strategy within the context of changes to Building Regulations, planning policy and available technology. Identification of the intention to explore use

of secondary heat recovery from the Energy from Waste Plant to Dagenham Dock, which benefit from an extant planning consent. The applicant also seeks to remove reference to BREEAM Communities, an initiative which is no longer active/ supported by BREEAM.

- 2.49. The approved energy strategy update (May 2018) ('Energy Strategy 2018') is principally based upon using a district-wide heating network, primarily supplied by a natural gas-fired Combined Heat and Power (CHP) generator and gas-fired boilers.
- 2.50. The Applicant states that due to recent changes in Building Regulations Part L ('Part L 2021') and the decarbonisation of the electrical grid, the carbon savings from using CHP are significantly reduced. Moving forward, BRL is at an advanced stage of exploring secondary heat recovery from the consented 'Energy from Waste' (EfW) plant at Dagenham Dock, subject to viability and deliverability. The change would achieve the core target set out in the s106 agreement of at least 35% reduction in CO2 emissions against Building Regulations Part L 2010 (as amended). The plant is planned to be operational from winter 2026 and in the interim, BRL seek to continue to provide heat through the temporary energy centre (TEC) via the district-wide network strategy. Officers note that the EfW plant benefits from extant planning consent.
- 2.51. The Energy Strategy confirms that the applicant team will continue to explore and pursue other sources of on-site and offsite secondary heat, such as from non-residential heat-rejecting uses, data centres, and the Consolidated Markets site; which will be progressed in the event that Energy from Waste is not viable to pursue in whole or part.
- 2.52. Officers note that the London Plan supports use of emerging and existing sources of heat to deliver carbon reductions. As identified in the Energy Strategy there is an existing facility within close proximity to the development. The use of heat from this facility will result in a real-world reduction in the reliance on natural gas boilers as previously intended.
- 2.53. Given the requirements of the S106 Legal Agreement and the support offered by the London Plan in this instance an updated Energy Strategy that pivots more towards connecting to an EfW plant seems appropriate to deliver the required 35% reductions in carbon emissions (Part L 2021 Building Regulations).
- 2.54. Officers acknowledge that BREEAM Communities are now outdated and that the establishment has given no clear indication that the guidance will be updated. Therefore the removal of reference to this is acceptable.
- 2.55. Officers note that strategy seeks to explore other sources of heat locally and its commitments to providing renewable generation on-site or use of low carbon technologies on site to provide a 35% reduction. The use of PV solar to generate low carbon renewable energy on site is supported. A minimum saving of 35% will still be targeted but non-residential building are likely to need to consider a district heating connection to other standalone heating systems.
- 2.56. The use of an existing heat source to establish a local heat network is therefore, on balance, considered acceptable and officers consider based on the information provided that it represents a significant opportunity to, alongside opportunities for onsite Solar PV generation, reduce reliance on natural gas. The Strategy should be approved to ensure that the necessary 35% reductions in carbon emissions associated with the Barking Riverside development are secured in accordance with Schedule 3, Part 7, Para 16.2.

Employment, Skills and Training Strategy

- 2.57. The Employment and Training Strategy has been updated reviewed in light of success or otherwise to date. The s106 agreement requires the submission of the review and whilst it falls for consideration by the Council, approval is not required before the S2S Boulevard SFP can be approved: the strategy does not contain or relate to any matters that fall for determination through the SFP.

- 2.58. BRL have confirmed that they are keen to reach agreement with the Council and refine the strategy to deliver more positive outcomes for the community.
- 2.59. The ES&T Strategy Delivery Plan paragraph 5.3 states 'BRL will be responsible for allocating responsibility for delivering employment and skills outputs to the respective plot developers.
- 2.60. Officers consider that BRL have used reasonable endeavours to achieve this through continuous engagement by way of monthly Development Agreement meetings between plot developers and the ES&T Coordinator, as well as separate meetings with both parties at an officer and senior level.
- 2.61. Comments from LBB Employment and Skills points out an option to include the requirement in sale contracts and require a financial contribution. BRL have in writing stated that they "...do not agree that this in itself result in a greater level of success requiring enforcement through the terms of the contract and the procedural delays that would inevitably arise: it would not in BRL's view result in greater employment opportunities and skills development for local residents. A planning condition would likewise not be effective."
- 2.62. Officers consider this request and note the obligations of the S106. Here a penalty is not specified and no condition attached to the extant permission. Whilst this matter should be revisited if ever appropriate officers agree, on balance, that success is best secured through collaboration and joint working, on a flexible basis where changes in the market and funding opportunities can be responded to positively. For example, since the signing of the s106 in 2017, many developers have now adopted their own apprenticeship programmes and will be reluctant to run an additional, parallel programmes. Graduate programmes are also generally very competitive nationally based schemes.
- 2.63. Officers note that BRL work closely with the Barking Riverside Employment & Skills Coordinator and already contribute an annual sum towards the role.
- 2.64. BRL have confirmed that they will introduce a quarterly Employment & Skills Forum to improve coordination across plot developers and contractors and hold them accountable. This will then feed into the quarterly 'principals' meeting of the Steering Group'.
- 2.65. Based on the information provided and the stipulations of the S106 Legal Agreement and the relevant conditions attached to the extant permission officers at this time consider that proposal and the strategy provide the best opportunity at this time to capitalise on opportunities for employment, skills and training. The continued funded dedicated site-specific resource, reporting to the Steering Group, the Annual Monitoring Report and the proposed Employment and Skills Forum all represent positive steps forward and are welcomed.
- 2.66. The proposals are therefore acceptable in accordance with Schedule 3, Part 13, Para 13.1 of the signed S106 Legal Agreement.

Waste Strategy

- 2.67. The Applicant has reviewed the Waste Strategy in the context of changes to policy and government targets, updated household waste data, estimated waste arisings and arrangements for waste collection.
- 2.68. The waste strategy submitted is comprehensive in nature. The Applicant seeks to use the ENVAC system for residential homes within the Stage 2 South and District Centre. This aligns with the approach taken to Stage 2 North. Commercial refuse would be collected in a conventional way.
- 2.69. The Waste Strategy identifies the benefits of the ENVAC system and notes comparatively high recycling rates to date at Barking Riverside. Officers also note the benefits of ENVAC which include no requirement for general refuse/waste stores or a requirement for refuse vehicles having to traverse the site.

- 2.70. The strategy notes that progress will be reported through the Annual Monitoring Report. The strategy notes a fail-safe in the event of system downtime, an approach to bulky waste and the efforts of dealing with food waste.
- 2.71. Based on the information provided the Waste Strategy provides a good level of detail and is considered appropriate. The strategy will ensure that the successes of the ENVAC, which include high recycling rates are continued and built upon. It is therefore recommended that the strategy is approved in accordance with Schedule 3, Part 8, Para 17.2.

Transport Monitoring

- 2.72. The Transport Monitoring Strategy was updated to identify changes to ATC traffic data; congestion and traffic flow records; queue length data; accident records; public transport patronage; trip generation, distribution and modal split; parking provision and demand, construction vehicle movement; and committed development.
- 2.73. BRL in partnership with TfL have been publishing key elements of the monitoring data through the annual monitoring report. This has been successful and the update to the strategy will continue this good work. Officers consider that the changes are proportionate and capture the changes which have occurred onsite in the face of changed travel habits after the Covid Pandemic, the rise of online shopping and a growing population on-site.
- 2.74. Officers note the findings of the monitoring report. These will be used by Officers to monitor the approach to planned development, building on successes and learning from less successful elements of the transport approach.
- 2.75. Based on the robust and detailed information provided the strategy can be approved. Schedule 4, Part 2, Para 8.1 of the S106 Legal Agreement.

Conclusions

Section 106 Strategies 23/01180/S106A of the Section 106 Legal Agreement dated 08 March 2019 (as varied 15 July 2021) of planning permission reference 18/00940/FUL (as amended).

The submitted details demonstrate that all matters relating to the strategies are of a high quality and continue to pursue and raise the standard of the approach envisaged by the extant outline consent and the signed Section 106 Legal Agreement.

The proposals would facilitate the continued delivery of homes, commercial development and associated infrastructure in a compliant and innovative way.

The information submitted has been reviewed and has been subject to consultation.

Officers therefore recommend that the following details are sufficient to discharge:

1. Schedule 4, Part 3 Para 27.1.2 (Housing Strategy July 2023); 2. Schedule 4, Part 3, Para 28.1 and Para 32.1 (Build to Rent Strategy Plot DC3B July 2023); 3. Schedule 4, Part 2, Para 10.1 and 10.2 (Transport Strategy July 2023); 4. Schedule 4, Part 2, Para 25.2 (Car Parking Strategy July 2023); 5. Schedule 4, Part 1, Para 12.2 (Travel Plan July 2023); 6. Schedule 3, Part 1, Para 1.2 (Retail and Non-Residential Use Strategy July 2023); 7. Schedule 3, Part 3, Para 7.2 (Health Strategy July 2023); 8. Schedule 3, Part 4, Para 10.2 (Placemaking Strategy July 2023); 9. Schedule 3, Part 5, Para 12.2 (Open Space and Recreation Strategy July 2023 with the Open Space and Recreation Strategy, 02 May 2018); 10. Schedule 3, Part 7, Para 16.2 (Energy Strategy July 2023); 11. Schedule 3, Part 13, Para 13.1 (Employment, Skills & Training Strategy July 2023); 12. Schedule 3, Part 8, Para 17.2 (Waste Strategy July 2023); 13. Schedule 4, Part 2, Para 8.1 (Transport Monitoring Report May 2023) of the Section 106 Legal Agreement dated 08 March 2019 (as varied 15 July 2021) of planning permission reference 18/00940/FUL (as amended)

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.	
<i>National Planning Policy Framework (NPPF) (2023)</i>	
<i>London Plan (2021)</i>	Policy GG1 - Building strong and inclusive communities Policy GG2 - Making the best use of land Policy GG3 - Creating a healthy city Policy GG4 - Delivering the homes Londoners need Policy D1 - London's form, character and capacity for growth Policy D2 – Infrastructure requirements for sustainable densities 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 D11 – Safety, security and resilience to emergency Policy D12 – Fire Safety Policy D14 - Noise Policy H1 - Increasing housing supply Policy H4 – Delivering affordable housing Policy H6 – Affordable housing tenure Policy H7 – Monitoring of affordable housing Policy H12 - Housing size mix Policy G1 - Green infrastructure Policy G5 - Urban greening Policy G6 - Biodiversity and access to nature Policy SI8 - Waste capacity and net waste self-sufficiency Policy T1 - Strategic approach to transport Policy T2 - Healthy Streets Policy T3 - Transport capacity, connectivity and safeguarding Policy T4 - Assessing and mitigating transport impacts Policy T5 - Cycling Policy T6 - Car parking
<i>Local Development Framework (LDF) Core Strategy (July 2010)</i>	Policy CM1 - General Principles for Development Policy CR2 - Preserving and Enhancing the Natural Environment Policy CR3 - Sustainable Waste Management Policy CP2 - Protecting and Promoting our Historic Environment Policy CP3 - High Quality Built Environment Policy CC2: Social Infrastructure to Meet Community Needs
Local Development Framework (LDF) Borough Wide Development Plan Document (DPD) (March 2011)	Policy BR1 - Environmental Building Standards Policy BR3 - Greening the Urban Environment Policy BR4 - Water Resource Management Policy BR9 - Parking Policy BR10 - Sustainable Transport Policy BR11 - Walking and Cycling Policy BR15 - Sustainable Waste Management Policy BP2 - Conservation Areas and Listed Buildings

	<p>Policy BP8 - Protecting Residential Amenity Policy BP11 - Urban Design Policy BC6- Loss of Community Facilities</p>
<p><i>The London Borough of Barking and Dagenham's Draft Local Plan: (Submission Version, December 2021) is at an "advanced" stage of preparation. Having regard to NPPF the emerging document is now a material consideration and considerable weight will be given to the emerging document in decision-making unless other material considerations indicate that it would not be reasonable to do so.</i></p>	
<p><i>The London Borough of Barking and Dagenham's Draft Local Plan: (Submission Version December 2021)</i></p>	<p>Strategic Policy SPDG 1: Delivering growth in Barking and Dagenham Strategic Policy SPP1: Barking and the River Roding Area Strategic Policy SP 2: Delivering a well-designed, high-quality and resilient built environment Policy DMD 1: Securing high-quality design Policy DMD 2: Tall buildings Policy DMD 3: Development in town centres Policy DMD 4: Heritage assets and archaeological remains Strategic Policy SP 3: Delivering homes that meet peoples' needs Policy DMH 1: Affordable housing Policy DMH 2: Housing mix Strategic Policy SP 4: Delivering social and cultural infrastructure facilities in the right locations Policy DMS1 – Protecting and enhancing existing facilities. Policy DME 5: Evening Economy Policy DME 3: Encouraging vibrant, resilient, and characterful town centres Policy SP6: Green and blue infrastructure Policy DMNE 1: Parks, open spaces and play space Policy DMNE 2: Urban greening Policy DMNE 3: Nature conservation and biodiversity Policy DMNE 4: Water Environment Policy DMNE 5: Trees Strategic Policy SP7: Securing a clean, green and sustainable borough Policy DMSI 1: Sustainable design and construction Policy DMSI 2: Energy, heat and carbon emissions Policy DMSI 3: Nuisance Policy DMSI 4: Air quality Policy DMSI 5: Land contamination Policy DMSI 6: Flood risk and defences Policy DMSI 7: Water management Policy DMSI 9: Demolition, construction and operational waste Policy DMSI 10: Smart Utilities Strategic Policy SP8: Planning for integrated and sustainable transport Policy DMT 1: Making better connected neighbourhoods Policy DMT 2: Car parking Policy DMT 3: Cycle parking Policy DMT 4: Deliveries, servicing and construction Strategic Policy SP 9: Managing development Policy DMM 1: Planning obligations (Section 106)</p>
<p><i>Supplementary Planning Documents</i></p>	<p>DCLG Technical Housing Standards (nationally described space standard) (DCLG, March 2015) (as amended) Housing Supplementary Planning Guidance (2017) Accessible London: Achieving an Inclusive Environment (2014) Affordable Housing and Viability (2017) Character and Context (2014)</p>

	Housing (2016) Play and Informal Recreation (2012) Sustainable Design and Construction (2014)
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Additional Reference

Human Rights Act

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

Equalities

In determining this planning application, Be First, on behalf of the London Borough of Barking & Dagenham, has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010 (as amended).

For the purposes of this application there are not considered to be any adverse equalities issues. Be First is the Council's urban regeneration vehicle and undertakes planning statutory services on its behalf, including development management. LBBB remains the decision-maker. For major schemes Members determine planning applications at Planning Committee, and for smaller schemes, typically householder, decision-making powers are delegated to LBBB's Head of Planning Assurance. Appropriate governance procedures are followed to ensure there are no conflicts of interest

Appendix 2:

The following consultations have been undertaken with relevant internal and external stakeholders:

- Cllr Victoria Hornby (Barking Riverside)
- Cllr Josie Channer (Barking Riverside)
- Cllr Cameron Geddes (Barking Riverside)
- TfL Planning
- Be First Affordable Housing
- Be First Transport
- Environment Agency
- Historic England ARCHAEOLOGY
- LBBB - Affordable Workspace/ Skills and Employment
- LBBB - Commissioning Lead Sustainability for sustainability
- LBBB - Parking Enforcement and CPZ
- LBBB Access Officer
- LBBB District Heating / Energy
- LBBB Early Years / Nurseries
- LBBB Education
- LBBB Environmental Health and Trading Standards
- LBBB Environmental Protection
- LBBB Heritage and Culture
- LBBB Highways
- LBBB Housing Strategy
- LBBB Inclusive Growth
- LBBB Lead Local Flood Authority
- LBBB Leisure, Parks and Heritage
- LBBB My Place
- LBBB Parks, Allotments and Cemeteries
- LBBB Public Health
- LBBB Refuse Services
- LBBB Regeneration
- LBBB Reside Housing
- LBBB Social Care
- LBBB Social Care
- LBBB Specialist Services
- LBBB Strategic Refuse and Recycling
- London City Airport
- Met Police - Designing Out Crime Office
- National Grid - Electricity
- Natural England
- NHS Strategic Estates

- Port of London Authority
- TFL London Overground
- Thames Water
- UK Power Networks

Summary of Consultation responses for applications : 23/01180/S106A & 23/01182/AOD <i>(Consultation was combined).</i>		
Consultee and date received	Summary of Comments	Officer Comments
Met Police	No objections. Concluded that the applicant/ plot developers should engage early with the Met Police, Secured by Design team prior to the submission of Reserved Matters applications.	Noted.
National Grid	Regarding planning application 23/01182/AOD, there are no National Gas Transmission assets affected in this area.	Noted.
Port of London Authority (PLA)	<p>Thank you for consulting the Port of London Authority (PLA) on the above-mentioned application, for the approval of details in relation to Stage 2 South Boulevard Sub Framework Plan (SFP) pursuant to Condition 31 (Sub Framework Plan) and 32 (Details of Sub Framework Plan), as well as the partial discharge of conditions 4 (Phasing and Stages), 5 (Partial Discharge), 23 (Flood Defence Buffer Zones), 33 (Nature Conservation and Landscaping), 35 (Temporary Pedestrian and Cycle Routes) and 36 (Design Code) attached to planning permission 18/00940/FUL for the Barking Riverside development. I have now had the opportunity to review the submitted documents and can confirm the PLA have no in principle objection to the application but have the following comments to make.</p> <p>Within the submitted 'Explanation and justification document' there is a reference to an updated Travel Plan (2023) in support of the development of stage 2. This doesn't appear to form part of the submitted documents and should be shared when available. As part of the Travel Plan it must be ensured that this includes reference to the river bus services available at Barking Riverside Pier, which is referred to and promoted in section 3.4 (Public Transport Access) of the submitted Transport Statement.</p> <p>With regard to drainage section 9.2.4 of the Flood Risk Assessment highlights that the Stage 2 South Boulevard (S2SB) area is mainly located within Catchment F, which drains southwards ultimately discharging to the Thames via a new outfall referenced as Outfall C6. To highlight any new outfall requires a River Works Licence with the PLA, and the PLA statutory consents and compliance team should be contacted at lic.app@pla.co.uk on this matter.</p> <p>Finally to highlight condition 29 of permission 18/00940/FUL states that prior to any new public access being provided to within 50m of the riverside, provision of riparian life saving</p>	<p>Noted. The Travel Plan (2023) has been submitted to discharge the S106 Obligation as detailed in Schedule 4, Part 1, Para 12.2 and has been validated accordingly. The LPA reference is: 23/01180/S106A. The submitted Travel Plan (2023) does reference the river services provided by Thames Clipper at the Barking Riverside Pier at paragraphs 3.5.19 – 3.5.21 and Table 3-3.</p> <p>The proposed Outfall to the Thames referenced as C6 is part of the consented drainage strategy for the Development. Discussions have previously been carried out between BRL and the PLA regarding the form of this outfall and in advance of its construction the appropriate Licences will be obtained from the PLA, Environment Agency and the Marine Management</p>

	<p>equipment shall be made along the river edge to a standard recommended in the Hayes Report on the Inquiry into River Safety. With regard the plot DC3C which is on the riverside it is considered that this condition would likely apply and therefore would need to be partially discharged as part of the development of this stage.</p>	<p>Organisation.</p> <p>With regard to Condition 29 and the requirements in relation to life saving equipment, please note that this area is only included within the SFP submission boundary to provide Emergency Access for Plot DC3C and therefore no new public access will be provided to the river frontage. This area will be fenced off until the final construction of this area is completed, which will include provision of lifesaving equipment. To note the zone to the south of Plot DC3C will be detailed as part of the design of the future Strategic Infrastructure Scheme (SIS). The forthcoming Stage 2 South and District Centre East SIS application provides illustrative design only, final details will be provided in a future full details SIS submission, which will include details of the provision of life saving equipment for approval under Condition 29.</p>
<p>TfL Spatial Planning</p>	<p>Following discussions internally within TfL Spatial Planning, including Area Managers and bus colleagues, I can confirm that we share your concerns in relation to this proposal opening up the bus only route to servicing. Therefore, TfL would strongly object the approval of this application on operational and safety grounds if this part of the proposal was to be retained.</p>	<p>Noted, officers requested that this element of the strategy and SFP was removed and wording amended to enable further testing for agreement with the LPA (The Council) and TfL.</p>
<p>Environment Agency</p>	<p>We have reviewed the submitted information in 'S2S & DCE SFP Planning Submission', 'Response to EA Planning Objections' and are satisfied that conditions 23, 32 and 33 can be discharged. We have no comment to make on conditions 4, 31, 35 and 36.</p>	<p>Noted.</p>

<p>LBBB Parking Enforcement</p>	<p>Having reviewed the planning application and Transport Statement it is clear that some roads will remain private whilst other roads will be adopted public highway.</p> <p>Residents and businesses of this new development will not be eligible for any permits to park in any existing Controlled Parking Zones (CPZs) that are in place in the surrounding area.</p>	<p>Officers note that the proposals do not alter the agreed strategy, whereby all on-street parking will be subject to permits. The roads to be adopted by LBBB would also have parking restrictions.</p>
<p>LBBB Public Health</p>	<p>Affordable housing -Strongly encourage increase of affordable housing from the planned 38.4% given the deprived local population - Encourage building to meet the London Living Rent target of 5% as a minimum.</p> <p>Transport SPF 4.2.2. It is to be noted that 10% of the accommodation provided within S2SB SFP will be wheelchair accessible dwellings (M4(3)). The details of these dwellings will be secured at the reserved matters stage - This is a very small amount of accessible rooms which may not suit the needs of the growing population; many of which have health conditions. We understand the 'lifetime homes' standard has been superseded by optional buildings regulations, but these are important factors in our local population who are likely to have significant accessibility needs and in the growing UK population - Health in 2040: projected patterns of illness in England - The Health Foundation.</p> <p>Culture and community – what steps will be taken to achieve this within new developments? Particularly given the proportion of 3+ beds and provision for families. Obesity is a key problem in the borough – welcome the focus on active transport and on healthy food environments, are there ways this can be strengthened going forward? Does development take into account all aspects of the healthy streets approach? Healthy Streets London City Hall</p> <p>What steps have been taken to assess the growing health needs and ensure there is adequate health provision locally and access to healthcare for these communities? Does the wider development have a Health Impact assessment in place and what has been addressed in relation to this? What is the status of the proposed implementation of Healthy City guidelines?</p>	<p>The matters raised are noted but Officers consider all points have been comprehensively considered as part of the Extant Permission, the S106 Legal Agreement and the S106 Strategies.</p> <p>The matters raised in regard to accessible homes, all homes will be accessible and adaptable and 10% in total will be fully wheelchair M(4). Details of which are provided at Reserved Matters Stage.</p> <p>Requirements for a proportion of family homes (3 bed +) are stipulated with in the S106 and are complied with.</p> <p>A Health and Leisure Hub is planned.</p> <p>Active and sustainable travel is at the heart of the proposals and the extant permission.</p> <p>All matters are considered in the report above.</p>

LBBD Lead Local Flood Authority	Confirmed no comments.	Noted.
LBBD Environmental Protection Team	<p>Condition 32 (g) Noise</p> <p>I have reviewed the Stage 2 South Boulevard Sub Framework Plan Noise Assessment Project Reference No. 70055412-AC1Report by WSP . The report is based on the illustrative masterplan and is sufficient to discharge the condition, in that it demonstrates suitable internal noise levels can be achieved. It should be noted that more detailed assessments will be required in respect of noise break-in , noise mitigation , overheating and building services plant noise at the later design and reserved matters stages when more in depth information is available.</p>	Noted.
London City Airport	Confirmed no objections.	Noted.

Appendix 3:

Neighbour Notification:	
Site Notices Erected:	4 x Site Notices, 04 August 2023.
Date of Press Advertisement:	09 August 2023.
Number of neighbouring and nearby properties consulted:	568 addresses.
Number of public responses:	2 Individuals. 2 Interest Group 'Thames Life'.

Local and nearby residents (summary)

Comments from x1 property received.	<p>Too much noise by this company, cannot sleep, before long they will apply to work weekends as well with no care for residents.</p> <p>Not safe to allow these +redacted+ to continue to drive their plant equipment dangerously around a residential area, not enough is done to be safe, they nearly hit cars because they don't look before they exit site on the residential area, more needs to be done to make sure they don't kill a child coming out from school, this company does not care about safety and the council should enforce this as a number one rule, I pay council tax and the area is very unsafe because of the plant equipment in our small community.</p>	<p>This comment is noted. All development is undertaken in accordance with Construction Management Plans, these include details of ensuring construction traffic and works are undertaken in a safe and sensitive way.</p> <p>The matters raised by the resident are not considered as part of this application. The proposed safety of the temporary access arrangements are considered in the report above.</p>
Individual, Address not stated.	<p>The application does not indicate continuation of the public rights of way along Footpath 47 during the development.</p> <p>Buildings should be limited to 18 meters in height. The London Assembly reports and letters to Councillors firmly state that tall buildings are not the solution to London's housing problems.</p> <p>https://www.london.gov.uk/who-we-are/what-london-assembly-does/london-assembly-publications/covid-19-housing-typologies-and-design-london</p> <p>https://www.london.gov.uk/media/79520/download</p>	<p>Footpath 47 is outside of the redline boundary of the Stage 2 South Boulevard Sub Framework Plan, therefore public right of way access is not compromised.</p> <p>The Applicant has confirmed Barking Riverside Limited are fully committed to protecting the footpath and ensuring the footpath is preserved for public use'.</p> <p>The Outline Planning Permission sets a series of parameters that future development on site is required to comply with. One parameter is building heights. The SFP accords with the approved building height parameters as set by the Outline Permission.</p>
Friends of Footpath 47 (Interest Group)	<p>Ground Contamination</p> <p>The presence of Asbestos fibres and Asbestos Containing Materials (ACM), Pulverized Fuel Ash (PFA), and other contaminated ground "hotspots", has been identified on the site. Barking has an unfortunate history of public exposure to, and residents are aware of its toxic and chronic legacy. The site is within close proximity to Riverside Campus school, Barking Riverside</p>	<p>These comments are noted. Application 23/01182/AOD or 23/01180/S106A does not consider contamination. A site wide contamination strategy exists for the site. Further details are provided at reserved matters stage and by planning condition prior to development of each plot.</p> <p>The Barking Riverside Outline Planning Permission is supported by an Outline</p>

DLR, a Public Right of Way "Footpath 47", and the Uber river ferry. All potential places were the public congregate, and therefore greater potential for them to breathe in airborne toxins when construction machinery excavates the contaminated soil.

Wildlife habitat and biodiversity

This application's biodiversity statement does not contain sufficient detail that would allow it to conform to the GLA's London Plan, under Section 24 of the Planning and Compulsory Purchase Act 2004. The associated biodiversity statement is therefore insufficient. This application represents the steady encroachment towards The River Thames Inter-Tidal Mudflat, a habitat for wading birds, the most important wildlife area in London as designated by The Greater London Authority in its "Site of Metropolitan Importance for Nature Conservation" (SMI) (SINC) designation. Development of this type, where it encroaches on London's land of high nature conservation value, should only be presumed where the most stringent mitigation measures are in place, prior to commencement of any excavation works.

Remediation Strategy. The ORS details the remedial measures required during the works, including how soil won from material in-situ or in existing stockpiles will be re-used, necessary measures to prevent the spread of contamination and release of fugitive emissions, and required mitigation against potential ground gas risks. The ORS includes a watching brief and discovery strategy during groundworks to deal with any unforeseen contamination as the development progresses.

a Construction Environment Management Plan is prepared and submitted with each Reserved Matters planning application. The CEMP includes the techniques and controls required for environment management during the construction of the respective phase of the Barking Riverside project, outlining any significant environmental issues on the site, and the environmental management framework to which contractors and developers must follow when working on the site. The sitewide Environment Management Plan is a live document and updated as site specific information becomes available.

The proposed biodiversity and habit creation matters are considered in paragraphs 3.46 – 3.61 of the report for 23/01182/AOD.

The Biodiversity Statement has been informed by current and historical ornithological survey data. The presence of the River Thames and Tidal Tributaries SINC (and others) is also known and included within the assessment. The assessment details that all works will adhere to best practice & best practice pollution prevention protocols, and the site wide Construction Environmental Management Plan (CEMP). The works will also be addressed through the Ecological Permit process ensuring all necessary mitigation measures are adhered to. As committed within the Biodiversity Statement. Further mitigation is secured through the landscaping design which will incorporate natural screening to hide/break up the human silhouette when the development is operational. This screening can be combined with hard landscaping features such as, fencing to further minimise visual disturbance. With the mitigation during construction and operation, no adverse effect is envisioned on the SINC or its ecological/ornithological interest features

		<p>Footpath 47 is outside of the redline boundary of the Stage 2 South Boulevard Sub Framework Plan.</p> <p>LBBD's Environmental Protection Team and The Environment Agency have both reviewed the proposals and state that They have no objections to the proposals.</p>
Thames Life Interest Group	<p>The Resident Planning Forum which is comprised of local residents would like to comment with regards to the biodiversity statement:</p> <p>The animals that are using the Thames as their home will be disturbed by all the humans on the future promenade along the riverfront.</p> <p>Your biodiversity document states that light, noise and the silhouettes of humans can scare off wildlife. After construction is completed and once the estate is built there appears to be no plan for a physical barrier that would screen human footfall from the rare wading birds and seals that use the mudflats. Animals are scared by humans and if they can see humans they will not return to the site. The mudflats is a major migratory site for migrating birds and seals.</p> <p>The residents note that the path along the riverfront is a registered public footbath number 47. Historically it has been a treasured local footpath for the enjoyment of locals for many years. What is going to happen to the public footpath, is there going to be a nature reserve along the foreshore?</p> <p>The residents note the vast amount of concrete that is being laid on the waterfront, there will be no lizards or water voles able to live on the waterfront.</p> <p>Can you consider installing a physical barrier that would screen human footfall from wading birds and seals that use the mudflats? Doing this would increase the financial value of these flats once potential buyers are aware of the nature on their doorstep.</p>	<p>The proposals have been developed in line with the parameters and ecological strategies previously considered and approved as part of the extant permission. This includes where hard surfacing and access will be provided and where soft landscaping, biodiversity creation and areas of no access for the public will be provided.</p> <p>The matters raised are comprehensively considered in the report above for the S106 strategies and the SFP.</p> <p>The EA have also been consulted and raise no objections.</p>

Officer Summary:

The material planning considerations are addressed within the planning assessment for 23/01180/S106A & 23/01182/AOD.

Appendix 4 – Approved plans

23/01180/S106A - S2SB SFP S106 Strategies Submission Documents - For formal discharge of s106 obligations

	Title	Submission 1: Reference / Date	Submission 2: Reference / Date
1	Housing Strategy	Dated July 2023	
2	Build to Rent Strategy	Dated July 2023	
3	Transport Strategy	Dated July 2023 (Superseded)	Dated September 2023
4	Car Parking Strategy	Dated July 2023 (Superseded)	Dated September 2023
5	Travel Plan	Dated July 2023	
6	Retail and Non-Residential Use Strategy	Dated July 2023	
7	Health Strategy	Dated July 2023	
8	Placemaking Strategy	Dated July 2023	
9	Open Space and Recreation Strategy	Dated 2 May 2018	
10	Open Space and Recreation Strategy	Dated July 2023 appended to document 9	
11	Energy Strategy	Dated July 2023	
12	Employment, Skills and Training Strategy	Dated July 2023	
13	Waste Strategy	Dated July 2023	
14	Transport Monitoring Report	Dated May 2023	