


**LONDON BOROUGH OF BARKING & DAGENHAM**
**PLANNING COMMITTEE**
**12<sup>th</sup> February 2024**
**Application for s.73 Minor Material Amendment**

<b>Case Officer:</b>	<b>Alex Tayler</b>	<b>Valid Date:</b>	18 <sup>th</sup> October 2023
<b>Applicant:</b>	Major Commercial Property Ltd.	<b>Expiry Date:</b>	31 <sup>st</sup> March 2024
<b>Application Number:</b>	23/01560/VAR	<b>Ward:</b>	Village
<b>Address:</b>	Bryson House, 131 Church Elm Lane, Dagenham, Barking and Dagenham, RM10 9RR		

The purpose of this report is to set out the Officer recommendations to Planning Committee regarding an application for minor material amendments under s.73 of the Town and Country Planning Act (1990) (as amended).

**Proposal:**

Variation of conditions Condition 2 (approved plans), Condition 3 (contamination), Condition 4 (CEMP and SWMP), Condition 5 (Construction Logistics Plan), Condition 6 (Air Quality), Condition 7 (Acoustic Protection), Condition 8 (Plant), Condition 9 (hours of use), Condition 10 (Lighting and CCTV), Condition 11 (Piling), Condition 12 (Flood Risk Assessment), Condition 13 (Materials), Condition 14 (landscaping), Condition 15 (Travel Plan), Condition 16 (Waste), Condition 17 (Car Parking Design and Management Plan), Condition 18 (Cycle Parking), Condition 19 (Delivery and Servicing Plan), Condition 20 (Energy), Condition 21 (Accessible dwellings), Condition 23 (Water efficiency), Condition 24 (Non-residential units), Condition 25 (Fire) and Condition 26 (balustrades, screening and boundary treatments) attached to planning consent 19/00865/FUL (as amended by non-material amendment 23/01795/NONMAT, dated 17.12.2023) dated 10/01/2020 to allow for minor material amendments including an amended number of units, amended affordable housing provision, amendment from flexible B1/D1 uses at ground floor to 2no. Class E and 1no. Class F2 units, a reconfigured site and internal layout changes; redesigned playspace and landscaping; the relocation of balconies; the provision of one additional core; changes to materiality; and internal alterations on upper floors.

**Officer Recommendations:**

Planning Committee is asked to resolve to:

1. agree the reasons for approval as set out in this report; and
2. delegate authority to the London Borough of Barking & Dagenham's Director of Inclusive Growth in consultation with the Head of Legal Services to grant planning permission based on the proposed updates to the legal agreement under s106 of the Town and Country Planning Act 1990 (as amended) set out in the amended Heads of Terms identified at Appendix 5 of this report and the Conditions listed in Appendix 6 of this report; and
3. that, if by 12<sup>th</sup> August 2024 the legal agreement has not been completed, the London Borough of Barking & Dagenham's Director of Inclusive Growth is delegated authority to refuse planning permission or extend this timeframe to grant approval.

**Conditions Summary:**

1. Statutory Time Limit
2. Approved Plans
3. Contamination
4. CEMP, SWMP, AQDMP and Ecological Enhancements
5. CLP
6. Air Quality Neutral
7. Internal Acoustic Protection
8. Noise from Plant
9. Hours of Use (non-residential units)
10. Secured by Design
11. Piling
12. Flood Risk Assessment
13. Materials
14. Landscaping and Roof Terraces
15. Travel Plan
16. Bulky Waste
17. Car Parking Design and Management Plan
18. Cycle Parking
19. Delivery and Servicing Plan
20. Energy Strategy
21. Accessible and Adaptable Homes
22. Communal Television and Satellite System
23. Water Efficiency
24. Restrictions on Non-Residential Uses
25. Fire Strategy
26. Boundary Treatments, Balustrades and Balconies

**S106 – Summary of Heads of Terms:**Administrative

1. Council costs
2. Minor Wording Updates
3. Updates to supporting plans and appendices

Parks

4. £95,000 financial contribution to improvements at Old Dagenham Park

### Affordable Housing

5. Increase in proportion and number of affordable homes, as follows:

- At least 32 units (35%) and 106 habitable rooms (40%) as affordable housing
- Updates to affordable housing tenure plan to reflect changes
- All affordable housing to be provided at London Affordable Rent, in place of previous social rented and shared ownership split
- LBBB to have nomination rights for any London Affordable Rented units or social rented units as may be provided, including those not explicitly secured within the s.106 agreement.

### Commercial/Community Floorspace

6. Updates to definitions to cover new Class E/Class F2 floorspace

7. In relation to the Class F2 community unit, to secure the following:

- 10 years peppercorn rent
- Assistance with fit out for end user
- Marketing strategy for community use, with a focus on local operators, to be agreed with LBBB

### Car Club

8. Increase in duration of free car club membership from 24 months to 36 months

9. Reflect amended location of car club space

### Restrictions on Parking Permits Obligations

10. Remove reference to possibility of a Controlled Parking Zone being introduced and specifically state that no resident shall be eligible to apply for a parking permit within the Controlled Parking Zone area

### Carbon Offset Obligations

11. Update to carbon offset wording, to reflect latest GLA guidelines

### Employment, Skills and Supply Chain

12. Updates to wording on local employment, skills and supply chain to reflect latest guidance

### Relocation of Communal Bins

13. To pay for the relocation of communal waste bins to an alternative location, to be agreed with LBBB

All other agreed obligations secured in the existing s.106 legal agreement shall remain.

## OFFICER REPORT

### Site, situation and relevant background information:

The application site (0.25 hectares) comprises a rectangular shaped site located on the northern side of Church Elm Lane, Dagenham. Whilst much of the site is now surrounded by hoarding, the site currently comprises a three-storey building, the ground floor of which was occupied by a hand car wash and a car service and repair centre. The first floor comprises vacant offices whilst the second floor was formerly occupied by a church. The upper floors of the building have been vacant for at least three years.

The surrounding area comprises a mixture of commercial and residential uses. The application site is bordered by two-storey residential dwellings to the north in Ingleby Road. To the east of the site comprises 139-167 Church Elm Lane, a four-storey building comprising ground floor commercial units which form part of the Royal Parade/Church Street Neighbourhood Centre with residential above. Directly to the west of the application site are two-storey commercial buildings with residential above. To the south and on the opposite side of Church Elm Lane, there are number of flatted developments which include a 9-storey block of flats known as Bartlett House.

The Site has a PTAL of 3, at the point of access. It sits within Flood Zone 1 and falls within an Air Quality Management Area. It is within the Dagenham East and The Village Strategic Planning Sub Area, as set out within the draft new Local Plan (2021).

The site has a planning history dating back to 1974. Most of this is not considered relevant to this planning application. However, more recently, the site has benefitted from planning permission (19/00865/FUL) for the "Demolition of existing buildings and erection of a 5 to 9 storey building to provide 75 residential units (40 x 1-bed flats, 20 x 2-bed flats and 15 x 3-bed flats) together with 285 sqm (GEA) of flexible use Class B1/D1 commercial floorspace, associated car parking, children's play space and communal amenity space." This has been lawfully implemented, as confirmed under 23/00136/CLUE.

The applicant has undertaken an extensive pre-application with LBB and Be First Officers in relation to their proposals. During discussions, officers agreed that an application for minor material amendment under s.73 of the TCPA was the most appropriate mechanism to accommodate proposed amendments. To facilitate this, a non-material amendment to alter the description of development from that of the original consent was approved in December 2023 under 23/01795/NONMAT.

### Detailed Proposal:

The proposed scheme would maintain the key tenets of the original scheme, in terms of key land use principles and the core design intent. However, it would allow for the provision of 16 additional residential units; an increased provision of affordable homes; amendment from flexible B1/D1 uses at ground floor to 2no. Class E units and 1no F2 units; a reconfigured site and internal layout changes; redesigned playspace and landscaping; the relocation of balconies; the provision of one additional core; changes to materiality; and internal alterations on upper floors.

The proposed s. 73 minor material amendment would see the variation of the following conditions the compared with the extant permission (19/00865/FUL):

Condition 2 (approved plans), Condition 3 (contamination), Condition 4 (CEMP and SWMP), Condition 5 (Construction Logistics Plan), Condition 6 (Air Quality), Condition 7 (Acoustic Protection), Condition 8 (Plant), Condition 9 (hours of use), Condition 10 (Lighting and CCTV), Condition 11 (Piling), Condition 12 (Flood Risk Assessment), Condition 13 (Materials), Condition 14 (landscaping), Condition 15 (Travel Plan), Condition 16 (Waste), Condition 17 (Car Parking Design and Management Plan), Condition 18 (Cycle Parking), Condition 19 (Delivery and Servicing Plan), Condition 20 (Energy), Condition 21 (Accessible dwellings), Condition 23 (Water efficiency), Condition 24 (Non-residential units), Condition 25

(Fire) and Condition 26 (balustrades, screening and boundary treatments).

The key variations are noted in the table below. The remainder of the changes to the proposed conditions are to cover minor wording updates, to reflect relevant changes such as updated planning policy, report/drawing references or latest standard practise/guidance in relation to technical matters, such as air quality. The full list of proposed condition updates is set out at appendix 6.

<b>Proposed Key Amendments:</b>	<b>Applicant Reasoning:</b>
Reconfiguration of ground floor	To increase the proportion of active frontages on the Church Elm Lane elevation and allow for slightly larger commercial/community units. Plant, refuse storage and cycle parking relocated to the rear of the building, where it will have less visual impact.
One additional core to be provided, so that each side of the building benefits from two stairwells. Increase in storey height at western core, to accommodate second stairs and lift overrun.	The previous consent allowed for three separate, unlinked cores. Fire regulations have been updated recently and require that each core should have a second stairwell added, to aid firefighting and evacuation. The proposed amendments would ensure compliance with the revised regulations, and therefore a safer building. The western stairs and lift are required to rise to the roof terrace level to ensure equal access, but would be set back from the front elevation, so as to reduce visual impact. All lower residential floors would have access to all four sets of stairs, whilst the taller element on the eastern side of the block would have access to two sets of stairs across its full height.
Amended building footprint (greater set back on southern elevation, simplified building line, slight shift of footprint northward)	The previously approved scheme included many design inefficiencies, which impacted upon the deliverability of the scheme. The rationalised layout would be more buildable and would enable additional space for 16 more units. The amended footprint also enables space for a ground floor public realm, in response to officer and consultee comments.
Reduction in car parking	To comply with the revised London Plan which sets out that 'car-free' development is the start point for new development in London, with only the minimum level of car parking to be provided where required. The total parking quantum increased following discussions with ward councillors during pre-application process. The reduction in car parking also allows additional space for outdoor amenity and public realm.
Increase in total number and proportion of affordable units, including switch of all affordable provision to London Affordable Rent, in place of the previous 50:50 intermediate:social rented split.	Major Housing Association is the sister company of Major Commercial. The London Affordable Rented product is better suited to their delivery model. It would also align more closely with the areas of greatest housing need in LBBB.
Increase of 16no. units	The amendments to the building footprint and rationalisation of the layout enable the delivery of more homes, thereby responding to policy requirements, which seek that development should maximise site capacity.

Relocation of balconies	The balconies have been relocated to match the amended interior layouts. These have been designed to minimise new neighbouring amenity impacts and one balcony set has been relocated following community consultation.
Changes to materiality	The original concepts in materiality have been maintained. The core material will be continue to be brick and the fenestration concept remains true to the approved planning permission. However, design updates were required to better respond to the updated layout and massing proposals, and in order to ensure a durable, deliverable building. Nonetheless, a high design quality will be maintained.
Increased playspace	The increase in unit numbers and the switch to a scheme with more affordable units results in a greater expected child yield on the development. More playspace is therefore required on site. In addition, a financial contribution of £95,000 will be made to LBBP Parks for improvements at Old Dagenham Park, to mitigate the impact of more children in the local area.
Change from B1/D1 flexible ground floor uses to 2no. Class E unit and 1no. Class F2 community unit	To reflect the amended Use Class Order, to allow for a greater range of commercial units, and to respond to the feedback received during the community consultation events with regards to the provision of a community space.

In response to the provisions of Section 73 Town and Country Planning Act 1990, the application is to be assessed to consider the question of the conditions subject to which planning permission should be granted. S.73 States:

*(1) This section applies, subject to subsection (4), to applications for planning permission for the development of land without complying with conditions subject to which a previous planning permission was granted.*

*(2) On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and—*

*(a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and*

*(b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.*

Specifically, s.73 does not apply if the previous planning permission was granted subject to a condition as to the time within which the development to which it related was to be begun and that time has expired without the development having been begun. Further to this, s.73 does not permit a change to a condition subject to which a previous planning permission was granted by extending the time within which the development must be started or an application of reserved matters to be received.

The National Planning Practice Guidance directs the Local Planning Authority to consider the application against the development plan and material considerations, under section 38(6) of the Planning and Compulsory Purchase Act 2004 (*determination shall be made in accordance with the plan unless material consideration indicates otherwise*), and conditions attached to the existing permission. Local planning authorities should, in making their decisions, focus their attention on national and development plan policies, and other material considerations which may have changed significantly since the original grant of permission.

The acceptability of the proposed amendments is considered in the assessment sections of the report below.

#### Key issues:

1. Principle of the Development
2. Dwelling Mix, Quality of Accommodation and Affordable Housing
3. Design and Quality of Materials (including accessibility and designing out crime)
4. Impacts to Neighbouring Amenity
5. Public Realm, Landscape and Biodiversity
6. Sustainable Transport, Waste Management and Construction Impacts
7. Energy and Sustainability
8. Environmental Protection (Air Quality, Noise and Contamination)
9. Flooding
10. Archaeology
11. Local Employment

#### Planning Assessment:

##### 1. Principle of Development:

- 1.1 The National Planning Policy Framework 2023 (NPPF) states that to meet the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 1.2 Strategic Area Policy SPP5 (Dagenham East) sets out an indicative capacity for 1,200 new homes with the Dagenham East and Village area over the plan period.
- 1.3 Policy S1 of the London Plan sets out new community facilities should be easily accessible by sustainable transport modes and that development proposals which provide high-quality, inclusive social infrastructure should be supported.
- 1.4 The principle of development was established under planning permission 19/00865/FUL, which was granted approval following Planning Committee in January 2020. This reflected the adopted and emerging policy context of the time. This application seeks to make minor amendments to the consented scheme, whilst maintaining the original design intent.
- 1.5 As under the extant permission, the area is considered suitable for residential development and would contribute to policy targets for new homes in the borough. The proposed building would retain a stepped form, rising from 5 to 9 storeys. Residential amenity would continue to be provided within roof terraces and in open spaces surrounding the building. The ground floor would continue to be focussed on commercial and community space. However, a slight variation is proposed to reflect the latest Use Classes Order (2020).
- 1.6 Previously, 285sqm flexible B1 (offices) /D1 (non-residential institutions) was secured at ground floor, split into three smaller units. This went some way to mitigating the loss of the existing B1a and D1 uses on the site, albeit noting that the site has been largely vacant for some time. The revised proposals are for 2no. Class E (commercial) units and 1no. Class F2 (community) unit. The total floorspace of these units combined would be 349sqm, with 169sqm given the F2 use and the Class E units being 88sqm and 92sqm respectively. The revised commercial use class would allow for a wider range of commercial uses, including shops and cafes, thereby providing a greater level of flexibility for the ultimate end user. With regards to the F2 use in place of D1, the proposed F2 use would respond to feedback received during consultation events and discussions

with ward councillors, in that it would provide for a general community facility, rather than an F1 use, which would only allow for more formal institutional type facilities, such as libraries or a church. The revised use mix does not substantially deviate from the original planning permission and the proposals would continue to comply with the relevant planning policies, including Policy S1 of the London Plan. Further, officers note that the extant permission permitted the loss of 1,752sqm of B1a, B2 and D1 floorspace. The increased non-residential floorspace proposed under this s.73 application is not considered unacceptable in this instance and would ensure a lesser loss of non-residential floorspace. The proposed update to the ground floor permitted uses is therefore considered acceptable.

- 1.7 The principle of a residential-led, mixed-use development on the site remains acceptable as under the existing consent. Subject to the assessment of all other relevant matters, the principle of the proposed development remains strongly supported.

**2. Dwelling Mix, Quality of Accommodation and Affordable Housing**

Unit Mix and Tenure

- 2.1 The NPPF emphasises the importance of delivering sustainable development and states that planning policies and decisions should support development that makes efficient use of land.
- 2.2 Policy GG2 (c) of the London Plan seeks to ensure that development proposals make the most efficient use of land and states proactively explore the potential to intensify the use of land to support additional homes and workspaces, promoting higher density development, particularly in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling.
- 2.3 London Plan Policy H4 sets out a target that 50% of all new homes should be genuinely affordable and that affordable housing should generally be provided on-site. Policy H5 sets out a threshold approach to applications, whereby a minimum of 35% of development must be provided as affordable housing. Policy H6 sets out that the Fast Track Route is available to applicant that elect to provide low-cost rented homes in place of intermediate homes, provided the relevant threshold level is reached.
- 2.4 Core Strategy and Borough Wide Policies CM2 and BP10 seek to ensure that housing densities are considerate to local context and accessibility, design, sustainability, and infrastructure requirements, whilst ensuring optimum use of all suitable sites in the Borough in light of the high levels of identified housing need. Additionally, and similar to London Plan policy, Policy SP4 of the emerging local plan advocates a design-led approach to optimise density and site potential.
- 2.5 Policy DMH1 of the draft Local Plan sets out that all developments with capacity to provide 10 or more self-contained units will be required to provide affordable housing, applying the thresholds to viability as set out in the London Plan. Development should maximise the delivery of affordable housing. The borough's preferred tenure mix sets out that 50% of affordable housing should be an Intermediate product, such as London Living Rent or London Shared Ownership, whilst 50% should be for social rent of London Affordable Rent.
- 2.6 Policy DMH2 of the draft Local Plan sets out that development proposals will be required to provide a range of unit sizes in accordance with the Council's preferred housing size mix, which is set out in the table below:

<b>Bedroom/Dwelling Size</b>	<b>Private (%)</b>	<b>Intermediate (%)</b>	<b>Social (%)</b>
1-bed	39	17	10
2-bed	26	44	40



3-bed	25	19	40
4+-bed	10	19	10

2.7 The policy further sets out that the Council will consider a different housing mix, having regard to affordable housing requirements and up to date evidence on housing need.

2.8 The below tables set out the **previously approved** unit mix and affordable housing split:

*Previously Approved Mix and Tenure*

Unit Size	Private	Affordable	Total
1-bedroom	30	10	40 (53%)
2-bedroom	15	5	20 (27%)
3-bedroom	4	11	15 (20%)
<b>Total Units</b>	<b>49 (65.3%)</b>	<b>26 (34.7%)</b>	<b>75</b>
<b>Total habitable rooms (hr)</b>	<b>121 (60.5%)</b>	<b>79 (39.5%)</b>	<b>200</b>

*Previously Approved Affordable Housing Mix*

Unit Size	Social Rent	Shared Ownership	Total
1-bedroom	5	5	10 (13%)
2-bedroom	4	1	5 (7%)
3-bedroom	4	7	11 (15%)
<b>Total Units</b>	<b>13 (50%)</b>	<b>13 (50%)</b>	<b>26</b>
<b>Total habitable rooms (hr)</b>	<b>38 (48.1%)</b>	<b>41 (51.9%)</b>	<b>79</b>

2.9 The two tables below set out the unit mix and affordable housing mix **newly proposed under this application**:

*Proposed Mix and Tenure*

Unit Size	Private	Affordable	Total
1-bedroom	28	4	32 (35%)
2-bedroom	25	14	39 (43%)
3-bedroom	6	14	20 (22%)
<b>Total Units</b>	<b>59 (64.8%)</b>	<b>32 (35.2%)</b>	<b>91</b>
<b>Total habitable rooms (hr)</b>	<b>155 (60%)</b>	<b>106 (40%)</b>	<b>261</b>

*Proposed Affordable Housing Mix*

Unit Size	London Affordable Rent	Shared Ownership	Total
1-bedroom	4	0	4

2-bedroom	14	0	14
3-bedroom	14	0	14
<b>Total Units</b>	<b>32 (100%)</b>	<b>0</b>	<b>32 (100%)</b>
<b>Total habitable rooms (hr)</b>	<b>106 (100%)</b>	<b>0</b>	<b>106 (100%)</b>

- 2.10 The proposed development seeks to provide an **additional 16 residential units**, taking the total number of new dwellings to 91. In the context of a major development, this increase is considered proportionate within the scope of a s.73 amendment. There is a strong need for additional new homes in LBB, and so any increased provision is supported in principle, subject to the suitable assessment of any associated impacts.
- 2.11 In addition to the increase in the number of overall units, the proposed amendments include an increase in the provision of affordable housing, as measured by the number and proportion of habitable rooms and units. **At least 32 units would be provided as affordable housing, whereas only 26 would have been provided previously.**
- 2.12 In addition, whereas the previous consent secured a 50:50 intermediate:social rent split of affordable housing, the proposed development would secure all affordable units at London Affordable Rent. This is classed as a 'social rent' tenure within planning policy. The proposal removes the intermediate provision and ensures the delivery of more affordable tenures across the entirety of the affordable housing offer. This is supported.
- 2.13 In addition to the improvements in the number and proportion of affordable units, the proposed amendments would also result in a greater overall number and proportion of family sized (2 and 3 bedroom) units, with a reduction in the provision on 1-bedroom units. This ensures that the proposals would more closely align with the borough's preferred unit mix, based on recently assessed objectively assessed housing need.
- 2.14 Overall, it is considered that the proposed amendments would result in significant improvement, with increases in affordable housing and family sized units. This is strongly supported.

#### Accessible Housing and Minimum Space Standards

- 2.15 Policy D7 (Accessible housing) of the London Plan requires suitable housing to provide at least 10% of dwelling that meet the Building Regulation Part M4(3) "Wheelchair user dwellings requirements", and all other dwellings to meet Building Regulation M4(2) "Accessible and adaptable dwellings". This is supported by Policy BC2 (Accessible and Adaptable housing) of the Borough Wide Development Policy DPD.
- 2.16 Policy D6 of the London Plan sets out minimum internal space standards for new dwellings, which must be adhered to. These accord with the Nationally Described Minimum Space Standards (DCLG, 2015).
- 2.17 All units would continue to meet the Nationally Described Minimum Space Standards. The proposed development would also continue to deliver 90% of units as M4(2) 'accessible and adaptable' dwellings and 10% as M4(3) 'wheelchair user dwellings.' This is supported and the development is considered acceptable in this regard.
- 2.18 LBB Access confirmed that their previous comments have been incorporated into the scheme and thereby raised no objection. They did request that accessible design be incorporated into the playspace. Playspace detailed design is secured by condition and the incorporation of accessible design will be factored into decision taking when the detailed playspace designs are provided.

- 2.19 In addition to the above, all units would continue to meet the minimum London Plan standards in terms of private outdoor amenity provision, with each unit to be provided with its own balcony of at least 5sqm. Further to this, all residents will benefit from access to the communal roof terrace and ground floor amenity spaces, as per the existing consent.

#### Internal Daylight/Sunlight

- 2.20 A daylight and sunlight report for windows within the development was submitted in support of the application. This sets out that the proposed amendments would continue to ensure a high level of compliance with the BRE guidelines overall. Whilst there are instances where the Daylight Provision targets are not met, the results are not abnormal in the context of an urban location, particularly given planning policy requirements to maximise site capacity. 73% of all habitable rooms tested meet or surpass the BRE minimum illuminance recommendations, with many remaining rooms achieving near compliance. Previously, all rooms were in compliance. However, officers note that the BRE guidance has since been updated and, further, the previous scheme was inefficient and unrealistic in its layout. This resulted in a poor optimisation of the site's capacity and resulted in issues with deliverability. The proposed level of illuminance is considered a reasonable level of compliance in the context of an urban development site and is not considered unacceptable, in the context of the scheme as a whole.
- 2.21 In terms of overshadowing, the proposed public realm to the south of the building and the roof terraces perform very well, with almost 100% of the space receiving at least 2 hours of sunlight on 21<sup>st</sup> March. The ground floor rear garden, focussed on child play space provision would only see 12% of its area receiving at least 2 hours sunlight on the 21<sup>st</sup> March. This represents a poor result. However, officers acknowledge that the principle of a garden space in this north facing location adjacent to the tallest element of the building was considered acceptable under the extant scheme, given the constraints of the site. Further, given the focus on playspace provision in this location, overshadowing is considered less a significant issue and there are benefits in ensuring that children are given some shade when playing during the hottest months of the year. Given that all residents will benefit from the roof top open space provision, which has near unrestricted sunlight, it is considered that there would be an effective balance to the scheme when overshadowing is viewed in the round.
- 2.22 The development would provide units which accord with the relevant standards on accessibility and minimum space standards. The amendments would result in a greater provision of affordable housing, in tenures providing greater levels of affordability overall, as well as an increase in the provision of affordable housing. The proposals are therefore supported in this regard.

### **3. Design, Layout and Scale**

- 3.1 Paragraph 124 of the NPPF stresses the importance of good design and states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.
- 3.2 Chapter 3 (Design) of the London Plan sets out key urban design principles to guide development in London. Design policies in this chapter seek to ensure that development optimises site capacity; is of an appropriate form and scale; responds to local character; achieves the highest standards of architecture, sustainability, and inclusive design; enhances the public realm; provides for green infrastructure; and respects the historic environment.
- 3.3 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 of new building and spaces. Policy BP11 (Urban design) sets design principles that new development should follow.
- 3.4 The proposed development benefits from effective pre-application engagement with Be First Officers, as outlined in the applicant's planning statement.

- 3.5 The proposed development maintains the overall bulk and massing principles, established under the extant planning permission. The building height would range from five storeys at its western end, to nine storeys at its eastern end as per the extant scheme.
- 3.6 New fire regulations have emerged since the previous scheme was determined. This requires that each core be provided with a second staircase, to assist in firefighting and emergency evacuation. This results in an increased storey height around the lift and stair core in the centre of the building. However, there would be no increase in the maximum number of storeys and the area of increased height would be set back from the front elevation, thereby reducing its prominence on the street scene. Therefore, this change is not considered unacceptable, and officers also note that it will help ensure equal access to the roof terrace for residents on both sides of the building. This is supported.
- 3.7 Minor alterations are proposed to the building's footprint. To the south, the building would have a greater set back from Church Elm Lane. This provides new space for new public realm in front of the community/commercial units compared with the extant scheme, thereby providing additional public benefit under the current proposals.
- 3.8 On the east and west side of the site, the building line is largely unaltered. Vehicular access would continue to be provided along the between the edge of the site and the building on the eastern elevation, whilst the western elevation would sit in close proximity to the site boundary. To the north, the building line would be similar to the existing scheme, although it does extend slightly deeper than under the original scheme, most notably in the centre of the building. This is considered in more depth in the section of neighbouring amenity. In design terms, it is considered that the proposed amends to the footprint are acceptable.
- 3.9 The internal layouts of the building are altered, compared with the existing consent. This is to ensure a more rational, deliverable building design. However, all units would continue to benefit from a logical internal layout, which accords with the relevant space and size standards. Ideally, all units would benefit from true dual aspect. However, Policy D6 of the London Plan acknowledges that some single aspect units may be permitted where this is considered the most appropriate design solution to maximise site capacity through a design led approach, in line with Policy D3. There would be some units which officers do not consider to have an optimal aspect. However, all units would benefit from a degree of dual aspect, and most would benefit from a true dual aspect, as defined in the London Housing Design LPG (2023). This change is therefore considered acceptable within the wider planning balance.
- 3.10 At ground floor level, the changes to the building line and the reduction in car parking result in more space for ground floor outdoor amenity. The children's playspace to the rear of the site would be increased in size and the scheme would also benefit from additional amenity space along the building's frontage. This is supported by officers and represents an improvement on the extant scheme.
- 3.11 The proposed layout changes would also result in a reconfiguration of internal spaces. The previous scheme permitted a large amount of the building frontage to be taken up by refuse stores and parking, thereby resulting in sections of dead frontage. The revised scheme will benefit from greater street activation, with larger commercial and community units across the entire frontage, other than two entrances into the residential areas of the block. Refuse and cycle stores would be located to the rear of the building, resulting in less detriment to visual amenity. As a result of the layout change, the proposed ground floor commercial/community spaces would be larger than under the existing scheme, thereby allowing the possibility of their use by a wider range of end users. This is supported.
- 3.12 In line with the consented scheme, the core material for the scheme would be brick. Three separate brick types are proposed which provide a simpler colour palette to the approved scheme, taking reference from other recently constructed schemes in the borough. Final details

are secured by condition. However, officers found the initially proposed bricks to be of an acceptable quality.

- 3.13 Variance and depth are created in the facade using the same form of block structures with inset panelling. Brick detailing will ensure that there is visual interest across the elevations.
- 3.14 The fenestration design is true to the materiality concept of the approved planning permission. For reveal surrounds, doors and windows, anthracite grey aluminium is proposed.
- 3.15 The balconies will be wrapped in brown metal. The balcony balustrades will benefit from perforated geometric patterns to address privacy concerns. There will be two balcony types, one would use a denser pattern and be used to provide greater privacy and prevent overlooking. The other would be a less dense pattern, which would allow greater transparency, facing over less sensitive areas. Detailed architectural drawings are secured by condition, so that officers can ensure the level of perforation for each balcony type is suitable, based on its location.
- 3.16 The architectural approach of the revised scheme would align well with the extant permission and will continue to comprise a limited palette of materials, including brickwork and glazing. Detailed design elements result in a well-articulated building and provide additional levels of interest, whilst the increased span of active frontage across the southern elevation also reflects a positive change. Overall, it is considered that the proposed design amends respect local character and the principles established under the previous permission, thereby resulting in a high-quality design, in accordance with the relevant planning policies. The proposed bulk and massing principles of the original scheme are retained and, the minor changes in the building's proposed footprint are considered acceptable. The proposed amendments are therefore supported by officers with regards to matters of design, layout and scale.

#### Crime and Safety

- 3.17 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.
- 3.18 It is considered that the proposals have been well designed with regards to designing out opportunities for crime. Access to the residential areas and rooftop would be by fob only, with only residents permitted access. The rear car park and play space would sit behind a secure gateline with robust boundary treatments secured by condition. The Designing Out Crime Officer from the Metropolitan Police provided comments on the proposals. He advised that "the original Police response (PSSS) still has merit and it's reassuring to see the recommendations appear in this latest submission. As such we will offer no further comment." He did advise that mailboxes should be relocated if possible, but it is not considered that their proposed location is unacceptable. Overall, therefore it is considered that the proposals have been well considered with regards to the designing out of crime and are acceptable in this regard.

#### Fire Safety

- 3.19 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).
- 3.20 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.

- 3.21 A fire statement was prepared by in support of the application. This sets out that the assessor and the reviewer are suitably qualified and details how the building will comply and function in terms of the fire safety requirements of the London Plan. Entrances to firefighting cores are within 18m of a fire appliance. There will be two evacuation lifts and two firefighting lifts, that can be used as evacuation lifts if required. The evacuation lifts are deigned to operate for at least 120 minutes, which the report sets out would be adequate for the anticipated number of residents and visitors.
- 3.22 The London Fire Brigade were consulted on the proposals and advised they had no observations to make. The Health and Safety Executive were also consulted, and they advised that they were content with the fire safety design.
- 3.23 Given this and the measures set out within the Fire Statement, it is considered that the proposed development is acceptable with regards to planning policy requirements in relation to fire safety.

#### Summary of Design Matters

- 3.24 Given the above assessment, it is considered that the proposed development is acceptable with regards to matters of design, including appearance, scale and layout.

### **4. Impacts to neighbouring amenity:**

#### Policy

- 4.1 Paragraph 125 of the NPPF states that 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).
- 4.2 The London Plan Housing SPG states that “An appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties.”
- 4.3 Policy BP8 of the Borough Wide Development Policies DPD sets out that all developments are expected to have regard to the local character of the area. They should not lead to significant overlooking or overshadowing.
- 4.4 Policy DMD1 of the draft Local Plan sets out that all development proposals must consider the impact on the amenity of neighbouring properties. Major development should clearly demonstrate consideration of the individual and cumulative impact on amenity and neighbouring buildings.

#### Daylight, Sunlight and Overshadowing

- 4.5 A Daylight and Sunlight Assessment was prepared by Right of Light Consulting on behalf of the applicant. This considers the impact of the development on light receivable by all neighbouring residential property.
- 4.6 The below table shows a comparison of the results of the proposed scheme against the previously consented scheme, in terms of Daylight Distribution, Annual Probable Sunlight Hours and Vertical Skyline Component.

Assessed Property Name	Number of Assessed Windows	Number of BRE Window Fails					
		Vertical Sky Component (VSC)		Daylight Distribution (DD)		Annual Probable Sunlight Hours (APSH)	
		Proposed Scheme	Previous Scheme	Proposed Scheme	Previous Scheme	Proposed Scheme	Previous Scheme
134 Church Elm Lane	30	0	0	-	-	0	-
Bartlett House	118	0	0	2	-	0	0
136 Church Elm Lane	5	3	3	-	-	0	0
138 Church Elm Lane	5	3	3	-	-	0	0
140 Church Elm Lane	5	3	3	-	-	0	0
142 Church Elm Lane	5/4	3	1	-	-	0	0
144 Church Elm Lane	5	1	0	-	-	0	0
139 to 167 Church Elm Lane	49	10	0	-	-	10	6
31 Ingleby Road	7	4	1	-	-	0	0
29 Ingleby Road	7	3	0	-	-	1	0
56 Ingleby Road	10	4	0	-	-	2	2
54 Ingleby Road	10/9	0	0	0	-	3	4
52 Ingleby Road	11/10	0	0	0	-	2	0

50 Ingleby Road	6	0	0	0	-	1	0
34 Ingleby Road	9	4	1	-	-	1	0
32 Ingleby Road	21/20	6	7	-	-	4	0
30 Ingleby Road	14	3	0	-	-	0	0
28 Ingleby Road	8	0	0	-	-	0	-
6 Harrison Road	5	0	0	-	-	0	0
4 Harrison Road	5	0	0	-	-	0	0
2 Harrison Road	6	0	0	-	-	0	0
123 Church Elm Lane	6	0	0	-	-	0	0
125 Church Elm Lane	7	0	0	-	-	0	0
127 Church Elm Lane	10	0	0	-	-	0	0
125 Church Elm Lane	7	0	0	-	-	0	0
<b>Total Number of Windows</b>	<b>379</b>	<b>48 (12%)</b>	<b>19 (5%)</b>	<b>2 (1%)</b>	<b>-</b>	<b>24 (6%)</b>	<b>12 (3%)</b>

- 4.7 Of the total windows assessed (379), only 12% (48) fall below the BRE guidance in terms of VSC levels. Officers also note that this performance is less optimal than under the extant scheme. However, some additional impact was anticipated given the increase in the number of units proposed. Officers have scrutinised the results in depth. Of the windows that achieve a VSC score of both less than 27% and less than 0.8 times the former value, the majority fail only marginally. 23 of the failed windows achieve before/after ratios of 0.7 and above, against the BRE target of 0.8. Of the 7 remaining windows, 2 maintain a VSC score of 20% or more and the other 5 maintain scores of 15.3% to 19.3%.



- 4.8 Whilst not optimal, it is generally accepted that for large schemes in London, a VSC of 20% or more is acceptable, whilst isolated incidences of VSC scores in the mid-teens can also be acceptable in the context of a dense scheme, when viewed in the context of the wider planning balance. Overall, whilst the VSC scores are slightly lower than under the consented scheme, the results are not unusual in the context of an urban location. It is also noted that a greater number of windows were assessed under the revised proposals than under the consented scheme. The BRE guide explains that the numerical guidelines should be interpreted flexibly, since natural lighting is only one of many factors in site layout design. Further, the slightly increased daylight impacts must be balanced against the proposed increase in unit numbers and increase in affordable housing provision. In this context, the daylight impacts on neighbouring properties are not considered untypical and are considered acceptable in this instance.
- 4.9 In addition to the VSC testing, daylight distribution tests were undertaken on the revised scheme at the request of officers. This testing was not undertaken on the previous scheme, but officers felt that its inclusion would result in a more robust assessment. The scheme performed well in this regard and all rooms with a requirement for daylight passed the daylight distribution test.
- 4.10 In terms of sunlight to windows, all windows which face within 90 degrees of due south have been tested for direct sunlight. All main habitable windows pass both the total annual sunlight hours test and the winter sunlight hours test, with the exception of only 13 windows. The report sets out that APSH targets set out in the BRE guide are primarily intended to be applied to the main living room windows, with kitchens and bathrooms being attributed less importance in terms of sunlight. There is a minor increase in the number of transgressions when compared with the extant scheme. However, only 6% of windows tested fail under this test, in comparison with 3% previously. The BRE guidance acknowledges that where existing buildings sit close to the common boundary, a higher degree of obstruction may be unavoidable. This is particularly the case during the winter months in urban locations, where density makes full compliance impractical to achieve. Overall, the transgressions are considered few and not unacceptable when taken in the context of the scheme as a whole.
- 4.11 In terms of overshadowing, 24 gardens were tested against the BRE guidelines. Only 3 gardens (32, 54 and 56 Ingelby Road) fell short against the guidance, with sunlight availability to be reduced to less than 0.8 times its former value. Given that the gardens at these properties are sited directly to the north of the proposed development site, a greater level of overshadowing is to be expected. There is little change compared with the existing scheme in this regard. 32 and 56 Ingelby Road would see their sunlight availability reduced to less than 0.8 times their former value under the extant permission. The revised scheme is therefore considered to result in a relatively small change in this regard, with these impacts very challenging to avoid given their orientation in relation to the site.
- 4.12 Overall, and despite some slightly increased impacts, it is considered that the proposed scheme would continue to perform to an acceptable level with regards to daylight/sunlight, in the context of a relatively high-density scheme in an urban area. The scheme would also perform well with regards to overshadowing.
- 4.13 The numerical results demonstrate an overall high level of compliance with the BRE recommendations. Whilst there are instances where the Daylight Provision targets are not met, the results are not abnormal in the context of an urban location. The report demonstrates, on balance, a suitable living environment for future residents, and an acceptable impact on existing neighbours which is not judged to cause any significant harm to amenity.

#### Privacy and Overlooking

- 4.14 On the northern boundary, the building line would move slightly closer to neighbouring dwellings to accommodate the amended footprint of the building. However, an acceptable level of separation would be maintained between existing dwellings and the proposed building, with an

area of car park and open space to be maintained between the site boundary and the rear of the proposed building, as per the extant permission.

- 4.15 To the east and west, the building line is largely unchanged from the original scheme and no new impacts are anticipated in terms of overlooking or loss of privacy. To the south, the building line has been slightly set back, thereby reducing impact in comparison with the extant scheme. There would be one additional balcony on the eastern elevation. However, this is not anticipated to result in any direct overlooking with neighbouring property.
- 4.16 On the northwestern side of the building, a separation distance of 23 metres will be maintained between the rear of the proposed building and the existing dwelling at 32 Ingelby Close. This is considered an acceptable separation distance to prevent harmful loss of privacy. On the northeastern elevation, a separation distance of c. 12 metres would be maintained between the proposed building and the flank elevation of 56 Ingelby Close. Officers note that these appear to be secondary windows and that a similar separation distance of 15m was permitted under the extant permission. Given the characteristics of the neighbouring dwellings and the scheme permitted under the extant permission, the proposed layout changes are considered acceptable on balance, with regards to privacy and overlooking.
- 4.17 Officers note neighbour comments in relation to the slightly increased number of balconies on the northern elevation. Under the previous scheme, there were three north facing sets of balconies on each floor. Under the revised scheme there would be five sets on each floor. The London Plan requires that every unit be provided with a private balcony. Under the previous scheme, many of the units spanned the full depth of the building and would have had their balconies located on the southern elevation. This resulted in an inefficient scheme that the applicant advised was not viably deliverable, hence the proposed amendments under this scheme. Further, following public consultation, the balcony that would have directly faced 30/32 Ingelby Road was moved to a new location, where it would no longer face these dwellings directly. Further, a maintain a minimum c. 26 metre separation by balconies from the rear of these dwellings would be maintained. This separation distance is not considered unacceptable.
- 4.18 In addition to this, officers have negotiated the provision of two balcony types. In areas where there is a greater need to maintain privacy for neighbouring residents or to prevent overlooking into the scheme, a much denser pattern will be used, thereby providing a more solid barrier to reduce any sense of overlooking. These details, along with balustrade details to the roof terraces, are secured by condition, to ensure that they can be given full scrutiny.
- 4.19 Invariably in urban environments, there will be some overlooking between dwellings. However, the proposed scheme works well to minimise these impacts, through the placement and design of balconies and a good level of separation between windows on the proposed scheme and existing dwellings. It is therefore considered that the proposal is acceptable and will not result in any materially worse impact than under the extant permission.
- 4.20 Overall, the proposed development is considered to accord with the relevant planning policies and is therefore considered acceptable with regards to impacts on neighbouring amenity.

## **5. Public Realm, Landscape and Biodiversity**

### Landscaping

- 5.1 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. Policy G1 (Green infrastructure) expects development proposals to incorporate appropriate elements of green infrastructure that are integrated into London's wider green infrastructure network. 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 encourage borough to develop an Urban Greening Factor (UGF) to identify appropriate amount of urban greening required in new developments. Policy G6 (Biodiversity and access to nature) states that development proposal should manage impact on biodiversity. Policy G7 of London Plan seeks to ensure that wherever possible existing trees of value are retained.

- 5.2 At local level, Policy CR2 (Preserving and enhancing the natural environment) of the Core Strategy stated that the Council will seek to preserve and enhance the boroughs natural environment. Policy BR3 (Greening the Urban Environment) of the Borough Wide Development Policies DPD states that all development proposal needs to demonstrate that the sequential approach set out below to preserving and enhancing the natural environment.
- 5.3 Draft Local Plan Policy DMNE1 states that all major development should contribute to the delivery of sufficient new publicly accessible open space on-site, which should be of high-quality and accessible to all. It should provide multiple benefits, including recreation, improvements to biodiversity and links to green infrastructure, as well as any blue infrastructure, on and adjacent to the development site. Draft Policy DMNE2 sets out that development proposals will be supported where they maximise opportunities for urban greening, including landscaping and street trees. Draft Policy DMNE3 sets out that all development proposals are required to demonstrate a minimum of 10% biodiversity net gain using the DEFRA metric. Major development proposals are required to contribute to the strategic network of green and blue spaces. They must also submit ecology assessments to demonstrate biodiversity enhancements. Draft Policy DMNE 5 sets out that all major development is expected to incorporate new trees, shrubs and vegetation over and above any existing provision.
- 5.4 A landscaping strategy has been prepared by Weddle Landscape Design to accompany the application. As acknowledged in the officer report for the original consent, the site is highly constrained. Nonetheless, officers consider that the applicant has proposed a high-quality strategy, which makes an effective use of the space available.
- 5.5 At ground floor level, the scheme is proposed to be further set back than under the consented scheme. This allows for 64sqm outdoor amenity space on the building frontage. This will provide a new public benefit for the scheme, comprising informal play and seating. It will also form an attractive gateway to the proposed community space in the centre of the building.
- 5.6 At the rear, playspace would continue to be provided at ground floor and would be accompanied by an internal parents' room, which would function as an additional indoor amenity space for play, socialising and for parents to watch over children playing outside. Officers have some concern that the playspace will be heavily overshadowed, particularly in the winter months. However, the principle of this was established under the extant scheme. Further, a condition is recommended which would require details of planting to consider appropriate species for shaded conditions. This condition will require detailed landscape information for the whole site. As the car parking provision has been reduced compared with the extant scheme, additional playspace is proposed in this location, which is supported.
- 5.7 Roof terraces are maintained in the proposed scheme, which will provide high-quality amenity spaces for residents to enjoy. These will benefit from full sun, providing an effective balance with the more shaded space at ground floor on the northern end of the site. In order to prevent neighbouring amenity impacts caused by overlooking, and to ensure safety, the roof terraces would be set back from the edge of the building. Officers have recommended a condition, which would ensure permanent access to the roof terraces for all residents during daylight hours, thereby putting the onus on the applicant to maintain these spaces to a suitable standard.
- 5.8 Officers have assessed the scheme using the GLA's child playspace calculator. This results in a playspace requirement of 547.6sqm. The applicant has proposed 303sqm of playspace and a

44sqm 'parents' room'. Taking into account only the external playspace, there would be a shortfall of 244.6sqm of playspace. On this basis, the applicant has agreed to make a financial contribution in lieu of full on-site provision and has agreed to pay LBBD Parks £95,000 for improvements towards Old Dagenham Park. This will contribute to works in the park, such as the upgrade and repair of the BMX track, new signage, gates, seating, play space and play equipment upgrade and MUGA upgrade. The payment has been secured prior to commencement of above ground works in the heads of terms. Whilst on-site playspace provision is always the preferred approach, officers consider that this funding will help deliver significant improvement in the park, thereby offsetting the impact of the new development and resulting in new benefit for the wider community. This is therefore considered a positive improvement compared with the previous scheme.

### Ecology and Biodiversity

- 5.9 London Plan Policy G6 out that development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process.
- 5.10 Policy BR3 of the Borough Wide Development Policies DPD sets out that development should help to green the urban environment. Nature conservation enhancements are recommended and wildlife corridors should be promoted and encouraged through all new development.
- 5.11 Draft Policy DMNE3 sets out that all development proposals are required to demonstrate a minimum of 10% biodiversity net gain using the DEFRA metric.
- 5.12 A Preliminary Ecological Appraisal was submitted as part of the application. This confirms that nature of the proposed development, with additional surveys, mitigation, and precautionary measures in place, will ensure that the proposals will have no adverse impacts upon surrounding habitats, protected species, and wildlife in general. An update to condition 4 is proposed, which would require details of ecological and biodiversity measures to be implemented during the demolition, construction and operational phases of the development, and details of a follow up bat survey. Subject to this proposed update in condition wording, the development is considered acceptable with regards to ecological impact.
- 5.13 The proposed development would deliver a biodiversity net gain of 1718%, which exceeds the mandatory 10% requirement significantly. Despite this, under the first presented proposals under this application, the development would not have met the requirement of trading standards due to the loss of 15sqm of g3c neutral grassland within the site. Therefore, the landscape proposals were amended to incorporate an area of amenity grassland at ground floor level. The development is now therefore considered acceptable in this regard, and in full compliance with requirements for biodiversity net-gain.
- 5.14 Subject to the recommended the conditions and financial contribution to LBBD Parks, the development is considered to accord with the requirements of planning policy in terms of its high-quality landscaping proposals and is considered acceptable with regards to matters of ecology and biodiversity.

## **6. Sustainable Transport, Waste Management and Construction Impacts**

- 6.1 Paragraph 110 of the NPPF sets out that development proposals should ensure that appropriate opportunities to promote sustainable transport modes can be taken up; that there is safe and suitable access to the site for all users; that the design of streets, parking areas and other transport elements reflect current national guidance; and that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

- 6.2 Policy BR11 (Walking and cycling) of the Borough Wide Policies DPD seeks to ensure that conditions for cyclists and pedestrians are protected and where appropriate improved. Policy BR10 (Sustainable Transport) of the Borough Wide Policies DPD seeks to encourage sustainable transport.
- 6.3 Policy T6 of the London Plan sets out that car parking should be restricted in line with levels of existing and future public transport accessibility and connectivity. Car-free development should be the starting point of all development proposals that are well connected by public transport, with developments elsewhere designed to provide the minimum necessary parking ('car-lite'). Disabled persons parking should be provided for Blue Badge Holders.
- 6.4 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.
- 6.5 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.
- 6.6 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.
- 6.7 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.

#### Car Parking and Car Club

- 6.8 A Healthy Streets Transport Statement has been prepared by Caneparo, as part of the suite of application documents. This sets out that the western access point for vehicles on the western side of the site will be maintained. In total, the proposals provide 14 car parking spaces of which 3 are disabled spaces. This is a reduction compared with the previous proposals. However, the planning policy position has been updated since the previous scheme was assessed. The London Plan (2021) makes very clear that 'car-free' should be the start point for development in London. 'Car-lite' schemes are permissible in less well connected areas but should provide the minimum necessary level of parking. Outer London areas allow for an absolute maximum parking provision of up to 0.75 spaces per dwelling for 1 and 2 bed units, and up to 1 space per dwelling for 3+ bed units.
- 6.9 Given the proximity of the site to Dagenham Heathway Station and local services, as well as bus routes along Church Elm Lane, it is considered that the proposed 14 spaces represents a suitable level of parking provision for the site, in the context of the London Plan policy requirements. During pre-application consultation with Ward Councillors, a desire was expressed for additional car parking. This resulted in the addition of two more spaces, when the scheme was submitted, to bring the total to 14. The applicant has undertaken parking surveys of the surrounding streets to demonstrate that there is sufficient unused parking in the vicinity for the proposed development not to result in parking stress. Likewise, the s.106 will secure that residents are not eligible to apply for parking permits in the CPZ. Further, a car parking design and management plan is secured by condition, to ensure that the car park is adequately managed. On this basis, Be First Highways and LBB Highways have confirmed that no objections are raised with regards to the proposed car parking provision.
- 6.10 The London Plan requires that 3% of dwellings will have at least one designated disabled persons parking bay from the outset, with the potential for an additional 7% of units to have one.

The proposed provision of 3 spaces, with the potential to convert the remaining spaces meets this requirement and the proposals are considered acceptable in this regard.

- 6.11 The proposed scheme would continue to provide a car club, which would be free for all residents. However, the Heads of Terms secure that free membership would be provided for three years for all residents under the revised scheme, compared with two previously. This is a welcome improvement.

#### Cycle Parking

- 6.12 In terms of cycle parking, the proposed scheme would accord with the London Plan standards. 159 spaces are proposed, of which 9 would be oversized. 18 short stay visitor cycle spaces would be provided. 4 of these would service the residential spaces and 14 would service the commercial spaces. These will be located across the site frontage, so that they are publicly accessible, whilst all long stay spaces will be secured within the building.

#### Waste

- 6.13 In terms of waste, each of the two refuse stores provides 6no. 1100L eurobins for waste, and 6no. 1100L eurobins for recycling. This offers a capacity of 13,200L for waste, and 13,200L for recycling per refuse store for the entire building. Servicing and refuse collection will occur in the loading bay located along the front of the site. The loading bay has been enlarged since the original permission and will allow large vehicles to offload from ground floor to serve the entire development. Two service bays are provided on Church Elm Lane to minimise drag distances for waste collection as much as possible. This distance is c.12m on the west side, and c.9.4m on the east side. A secondary route of c.22m is also provided to the east side, to be used as and when required. LBBB's waste team have been consulted on the proposals and confirmed that the provision is sufficient. A bulky waste condition will be maintained from the previous consent. In addition, the legal agreement will secure that the communal bins outside the site will be moved at the applicant's expense. The exact location is to be agreed separately, but this is likely to be to the junction with Haresfield Road.

#### Delivery and Servicing

- 6.14 A Delivery and Servicing Plan, and Waste Management Plan have been prepared by Caneparo Associates and submitted in support of this planning application. A loading bay is proposed immediately outside the site which will measure 34m x3m (plus chamfers) to readily accommodate two of the largest expected refuse vehicles and delivery vehicles at the same time, or up to 4 Transit/Sprinter vans. Vehicles will be able to park off of the highway, ensuring the free flow of traffic on Church Elm Lane.

#### Highways Improvement

- 6.15 In order to facilitate the provision of the delivery and servicing bays, as well as the car club space, the applicant will enter into an off-site highways agreement with LBBB. As part of these proposals, and as per the extant permission, the applicant will also provide a new zebra crossing to replace the current speed hump outside the site. This will provide a notable improvement to the local pedestrian environment and facilitate trips between the site and Old Dagenham Park. This has been discussed extensively with highways officers and is strongly supported.

#### Summary

- 6.16 Overall, it is considered that access provisions have been well considered, car and cycle parking provision is appropriate, and all other matters are well resolved. Be First Highways, LBBB Highways and LBBB Waste have all confirmed that they raise no objection to the proposals. Subject to the relevant planning conditions and s.106 and s.278 legal agreements, the proposals

are considered to comply with the relevant planning policies and the development is therefore considered acceptable in this regard.

## 7. Energy and Sustainability

- 7.1 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.
- 7.2 Policy GG5 (Growing a good economy) of the London Plan recognises and promotes the benefits of a transition to a low carbon circular economy to strengthen London’s economic success. Policy SI2 (Minimising greenhouse gas emissions) directs that major development should be net zero-carbon, through reducing greenhouse gas emissions in accordance with the following hierarchy:
- Be lean: Use Less Energy
  - Be clean: Supply Energy Efficiently
  - Be green: Use Renewable Energy
  - Be seen: Monitor and Report
- 7.3 The policy requires a minimum on-site reduction of at least 35% beyond Part L Building Regulations for major development, of which 15% should be achieved through energy efficiency measures for non-residential development.
- 7.4 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. Policy BR2 (Energy and on-site renewables) outlines the expectations for significant carbon reduction targets to be achieved.
- 7.5 Policy DMSI2 (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.
- 7.6 London Plan Policy SI4 sets out that development proposals should minimise adverse impacts on the urban heat island. Major development proposals should demonstrate through an energy strategy how they will reduce the potential for internal overheating and reliance on air conditioning systems.
- 7.7 An Energy Statement has been prepared by dsa Engineering. This sets out that the residential units will benefit from the following to reduce their carbon emissions:
- Efficient fabric thermal u-values
  - PV panels
  - Waste Water Heat Recovery (WWHR) to all showers and baths
  - High efficiency services, i.e. low energy lighting, mechanical ventilation with heat recovery
  - Hot water generation via local air source heat pumps
- 7.8 The Energy Statement has been prepared in accordance with the London Plan hierarchy. The below table sets out how the residential element of the development responds to the requirements of the London Plan.

Be Lean	Savings from energy demand reduction – 14.3 tonnes CO2 per annum, equivalent to a 19% saving against regulated carbon emissions.
Be Clean	There are no district heat networks in the vicinity for the development to connect to. No savings are proposed at the Be Clean stage.

Be Green	Savings from renewable energy – 36.1 tonnes CO2 per annum, equivalent to a 47% reduction in regulated carbon emissions.
Total Savings	The total on-site saving would be 50.5 tonnes CO2 per annum, which is equivalent to a 66% reduction in regulated carbon emissions.

7.9 The energy reduction measures for the non-residential units has also been calculated. The below table shows the performance of the scheme as a whole, when both the residential and non-residential elements are included in the calculations.

Be Lean	Savings from energy demand reduction – 14.39 tonnes CO2 per annum, equivalent to a 18.5% saving against regulated carbon emissions.
Be Clean	There are no district heat networks in the vicinity for the development to connect to. No savings are proposed at the Be Clean stage.
Be Green	Savings from renewable energy – 26.34 tonnes CO2 per annum, equivalent to a 46.6% reduction in regulated carbon emissions.
Total Savings	The total on-site saving would be tonnes CO2 per annum, which is equivalent to a 65.1% reduction in regulated carbon emissions.

7.10 The Energy Statement confirms that the proposed carbon savings are 66% compared with the Building Regulations Part L. This is significantly above the minimum 35% reduction required by the London Plan.

7.11 In line with planning policy requirements to achieve carbon net zero on major development, the LBBDD Draft Planning Obligations SPD sets out that new major development which does not fully meet the required standards shall make a payment of £95 per tonne x30 years, equal to £2,850 per tonne. To achieve ‘zero carbon’ for the proposed building, the applicant has estimated that 817 tonnes of regulated CO2 are expected to be offset offsite. This would result in a cash in lieu contribution of approximately £77,597. This will be verified at a later stage. Accordingly, the applicant has agreed to a clause in the s.106 agreement, which will require a monetary contribution to LBBDD’s carbon offset fund to offset the remaining emissions. The exact amount will be dependent on an assessment to be made at practical completion of the development.

7.12 In addition to the above, a condition from the original consent will be retained which would limit the water consumption of each dwelling, in line with the optional requirements of Part G of the Building Regulations. A Site Waste Management Plan condition will capture matters relating to waste quantities and management strategies.

7.13 Subject to the recommended conditions and financial contributions, it is considered that the proposed development complies well with the requirements of planning policy in relation to energy and sustainability. The proposed development is therefore considered acceptable in this regard.

## **8. Environmental Protection (Air Quality, Noise and Contamination)**

### Noise

8.1 Policy D14 (Noise) of the London Plan seeks to reduce, manage, and mitigate noise to improve health and quality of life.

8.2 Policy BP8 (Protecting Residential Amenity) of the Borough Wide DPD seeks to protect residential amenity, by ensuring new developments including conversions, do not expose existing and proposed occupiers to unacceptable levels of pollution that may arise. This includes noise, smoke, fumes, refuse, comings, and goings and/ or lighting during construction and occupation.



- 8.3 Policy BR13 of the Borough Wide DPD sets out that where it is not possible to fully 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.
- 8.4 A Noise Assessment, prepared by ES Acoustics, was submitted with the application. This set out that significant adverse effects are unlikely to occur at the proposed development, so long as the appropriate mitigation measures are implemented. The report is clear that the revised proposals would not generate any new impacts not assessed under the previous consent.
- 8.5 Environmental Protection recommended some updates to the previous conditions in relation to noise. These have been duly included in the draft decision notice and form part of the recommendation to committee.
- 8.6 Subject to these conditions, it is considered that matters relating to acoustics have been well considered, in accordance with the relevant development plan policies. The proposed development is therefore considered acceptable with regards to matters relating to noise and vibration.

#### Air Quality

- 8.7 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.
- 8.8 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.
- 8.9 Policies SP7 (Securing a clean, green and sustainable borough) and DMSI 4 (Air quality) of the draft Local Plan require proposals to be air quality neutral. Local policy states that where proposals would not achieve the 'air quality neutral' benchmark, applicants will be expected to make a financial contribution in agreement with the Council, either through the carbon offset fund, or agree sufficient alternative offsetting arrangements in the borough via planning obligations. The local Air Quality Action Plan was updated in 2020 and provides a framework for reducing emissions and improving air quality.
- 8.10 The entire borough is a designated Air Quality Management Area; therefore, an Air Quality Assessment (AQA) was submitted with the application. The impact of the development on existing receptors is considered "Negligible" and the effect is "Not Significant". Air quality mitigation proposed includes 3 electric vehicle charging points, a car club parking bay, secure cycle storage and no combustion plant for space or water heating.
- 8.11 Environmental Protection have recommended some updates to the previous conditions in relation to air quality, including an air quality and dust management plan and an air quality neutral assessment.
- 8.12 Subject to these conditions, it is considered that air quality impacts of the development would be suitably mitigated, and that the development is therefore acceptable in this regard.

#### Contamination

- 8.13 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.

- 8.14 A contamination assessment and remediation strategy was secured by condition under the extant planning permission. Details were submitted and approved in relation to this. A letter by WDE Consulting has been submitted in support of this application, which sets out that the conclusions of the previous Phase 2 Geo-Environmental Assessment remain applicable.
- 8.15 Environmental Protection were consulted on the application and requested their standard condition in relation to contamination. Given that details have previously been approved, the condition has been modified slightly so that the remediation scheme must be carried out in accordance with the details previously approved by condition. Subject to this condition, the proposed development is considered acceptable with regards to contamination and remediation.

## **9. Flooding and Sustainable drainage:**

- 9.1 Policy SI 12 (Flood risk management) of the London Plan required development to minimise and mitigate the risk of flooding. Policy CR4 (Flood Management) of the Core Strategy and Policy BR4 (Water Resource Management) of the Borough Wide Development Policies DPD, and Policy DMSI 6 (Flood risk and defences) of the draft Local Plan echo the requirements above.
- 9.2 Policy SI 13 (Sustainable drainage) of the London Plan states that development proposal should aim to achieve greenfield run-off rates and ensure that surface run-off is managed as close to its source as possible.
- 9.3 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).
- 9.4 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. They expect that development proposals will utilise sustainable drainage methods to achieve greenfield run-off rates.
- 9.5 A Flood Risk Assessment and Drainage Strategy, prepared by Cole Easdon, was submitted as part of the application. This sets out that flood risk from all sources is considered to be low. No mitigation is required.
- 9.6 The surface water drainage strategy for the site has been prepared according to the drainage discharge hierarchy set out in CIRIA C753 The SuDS Manual. The site is underlain by impermeable clay, which would prevent the operation of infiltration-based SuDS. Therefore, in accordance with the drainage hierarchy, an attenuation-based surface water drainage strategy, with disposal to the existing surface water sewer is proposed. Post development surface water discharge will be restricted to a rate of 0.7l/s. This provides significant betterment over the existing brownfield situation.
- 9.7 The proposals in relation to flooding and drainage are similar to those secured under the extant permission. LBBD were consulted in their role as Local Lead Flood Authority (LLFA). They confirmed that the proposals were suitable and raised no objection. A condition is secured which would require compliance with the submitted scheme, which requires only a minor wording update compared with the extant permission.
- 9.8 It is therefore considered that the proposals accord with policies SI 12 and SI 13 of the London Plan, as well as policies CR1, CR4 of the Borough Wide Development Policies and draft Local Plan policy DMSI 6 and DMSI7. On this basis, the development is considered acceptable with regards to flooding and drainage.

## 10. Local Skills and Employment

- 10.1 London Plan policy E11 sets out that development proposals should support employment, skills development, apprenticeships, and other education and training opportunities in both the construction and end-use phases, including through s.106 obligations where appropriate. Draft Local Plan Policy SP5 sets out that new developments will generate employment, skills, training and supply chain opportunities during the construction and end occupation phases. The Council's Draft Planning Obligations SPD further details the s.106 requirements for new developments, with regards to local employment and skills obligations.
- 10.2 The proposed development would provide new employment in the borough, both during the construction phase and following occupation of the commercial units. The previous consent secured a commitment to providing local employment and skills. However, it is proposed under this application to update the legal agreement to reflect the latest standard wording agreed with LBBD's Employment and Skills Team. On this basis, the proposed development would be expected to generate significant local employment, and this is strongly supported in this regard.

### Conclusions:

This application is for a s.73 amendment to an existing consent 19/00865/FUL for 75 units, with associated amenity spaces and flexible ground floor commercial/community space.

The proposals would result in an increase of 16 units, and a greater proportion of family sized and affordable homes, thereby helping to address an acute need for more housing in Barking and Dagenham. The proposals are for a more deliverable scheme than the previous consent but would align well with the principles established under the previously approved scheme, in terms of height, scale and mass.

The proposed amendments have been independently reviewed by the Quality Review Panel and are considered to maintain the same level of quality as that consented under the extant planning permission.

They key benefits of the proposed amendments are as follows:

- 16no. additional new units;
- Increased proportion of family sized units;
- All affordable units to be delivered at London Affordable Rent, replacing the previous mix which would have included 50% intermediate affordable housing;
- 4no. additional affordable units, to be delivered at London Affordable Rent
- £95,000 financial contribution to improvements in Old Dagenham Park;
- 10 years peppercorn rent and assistance with fit out of the community space;
- An additional year of free car club membership for residents, bringing the total to 3 years
- Provision of an additional stairwell, to comply with updated fire safety regulations
- Increased play space provision and new public realm on the site's frontage

As outlined in the report, the proposals would secure a high-quality development that is of a high design quality and that will safeguard nearby residential amenity. Subject to the imposition of the recommended conditions and the finalisation of a Section 106 Legal Agreement the proposals will not cause any notable transport or adverse environmental impacts.

The proposals therefore accord with the adopted Development Plan and the proposed development recommended for approval as outlined in Section 1 of this report.

## Appendix 1:

<b>Development Plan Context:</b> 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) (Department for Levelling Up, Housing and Communities (DLUHC), 2023)</i>	
London Plan (2021)	<p>Chapter 1 Planning London’s Future – Good Growth:</p> <ul style="list-style-type: none"> <li>• Policy GG1 (Building strong and inclusive communities)</li> <li>• Policy GG2 (Making the best use of land)</li> <li>• Policy GG4 (Delivering the homes Londoners need)</li> <li>• Policy GG5 (Growing a good economy)</li> </ul> <p>Chapter 2 Spatial development polices:</p> <ul style="list-style-type: none"> <li>• Policy SD1 (Opportunity Areas)</li> </ul> <p>Chapter 3 Design:</p> <ul style="list-style-type: none"> <li>• Policy D1 (London’s form, character and capacity for growth)</li> <li>• Policy D2 (Infrastructure requirements for sustainable densities)</li> <li>• Policy D3 (Optimising site capacity through the design-led approach)</li> <li>• Policy D4 (Delivering good design)</li> <li>• Policy D5 (Inclusive design)</li> <li>• Policy D6 (Housing quality and standards)</li> <li>• Policy D7 (Accessible housing)</li> <li>• Policy D8 (Public realm)</li> <li>• Policy D9 (Tall buildings)</li> <li>• Policy D11 (Safety, security and resilience to emergency)</li> <li>• Policy D12 (Fire safety)</li> <li>• Policy D13 (Agent of change)</li> <li>• Policy D14 (Noise)</li> </ul> <p>Chapter 4 Housing:</p> <ul style="list-style-type: none"> <li>• Policy H1 (Increasing housing supply)</li> <li>• Policy H4 (Delivering affordable housing)</li> <li>• Policy H5 (Threshold approach to applications)</li> <li>• Policy H6 (Affordable housing tenure)</li> <li>• Policy H7 (Monitoring of affordable housing)</li> <li>• Policy H10 (Housing size mix)</li> </ul> <p>Chapter 5 Social infrastructure:</p> <ul style="list-style-type: none"> <li>• Policy S1 (Developing London’s social infrastructure)</li> <li>• Policy S2 (Health and social care facilities)</li> <li>• Policy S3 (Education and childcare facilities)</li> <li>• Policy S4 (Play and informal recreation)</li> <li>• Policy S5 (Sports and recreation facilities)</li> </ul> <p>Chapter 6 Economy:</p> <ul style="list-style-type: none"> <li>• Policy E1 (Offices)</li> <li>• Policy E2 (Providing suitable business space)</li> <li>• Policy E9 (Retail, markets and hot food takeaways)</li> </ul>

	<ul style="list-style-type: none"> <li>• Policy E11 (Skills and opportunities for all)</li> </ul> <p>Chapter 8 Green infrastructure and natural environment:</p> <ul style="list-style-type: none"> <li>• Policy G1 (Green infrastructure)</li> <li>• Policy G5 (Urban greening)</li> <li>• Policy G6 (Biodiversity and access to nature)</li> <li>• Policy G7 (Trees and woodlands)</li> <li>• Policy G9 (Geodiversity)</li> </ul> <p>Chapter 9 Sustainable infrastructure:</p> <ul style="list-style-type: none"> <li>• Policy SI 1 (Improving air quality)</li> <li>• Policy SI 2 (Minimising greenhouse gas emissions)</li> <li>• Policy SI 3 (Energy infrastructure)</li> <li>• Policy SI 4 (Managing heat risk)</li> <li>• Policy SI5 (Water infrastructure)</li> <li>• Policy SI 6 (Digital connectivity infrastructure)</li> <li>• Policy SI 7 (Reducing waste and supporting the circular economy)</li> <li>• Policy SI 12 (Flood risk management)</li> <li>• Policy SI 13 (Sustainable drainage)</li> </ul> <p>Chapter 10 Transport:</p> <ul style="list-style-type: none"> <li>• Policy T1 (Strategic approach to transport)</li> <li>• Policy T2 (Healthy Streets)</li> <li>• Policy T3 (Transport capacity, connectivity and safeguarding)</li> <li>• Policy T4 (Assessing and Mitigating Transport Impacts)</li> <li>• Policy T5 (Cycling)</li> <li>• Policy T6 (Car parking)</li> <li>• Policy T7 (Deliveries, servicing and construction)</li> </ul> <p>Chapter 11 Funding the London Plan</p> <ul style="list-style-type: none"> <li>• Policy DF1 (Delivery of the plan and planning obligations)</li> </ul>
<p>Local Development Framework (LDF) Core Strategy (July 2010)</p>	<p>Chapter 4 Managing growth:</p> <ul style="list-style-type: none"> <li>• Policy CM1 (General Principles for Development)</li> <li>• Policy CM2 (Managing Housing Growth)</li> <li>• Policy CM4 (Transport Links)</li> <li>• Policy CM5 (Town Centre Hierarchy)</li> </ul> <p>Chapter 5 Sustainable resource and the environment:</p> <ul style="list-style-type: none"> <li>• Policy CR1 (Climate change and environment management)</li> <li>• Policy CR2 (Preserving and enhancing the natural environment)</li> <li>• Policy CR3 (Sustainable Waste Management)</li> <li>• Policy CR4 (Flood management)</li> </ul> <p>Chapter 6 Creating a sense of community:</p> <ul style="list-style-type: none"> <li>• Policy CC1 (Family Housing)</li> </ul>

	<ul style="list-style-type: none"> <li>• Policy CC2 (Social Infrastructure to Meet Community Needs)</li> <li>• Policy CC3 (Achieving Community Benefits through Developer Contributions)</li> </ul> <p>Chapter 7 Ensuring a Vibrant Economy and Attractive Town Centres</p> <ul style="list-style-type: none"> <li>• Policy CE2 (Location of Office Development)</li> <li>• Policy CE3 (Safeguarding Release of Employment Land)</li> </ul> <p>Chapter 8 Creating a sense of place:</p> <ul style="list-style-type: none"> <li>• Policy CP3 (High quality built environment)</li> </ul>
<p>Local Development Framework (LDF) Borough Wide Development Plan Document (DPD) (March 2011)</p>	<p>Chapter 2 Sustainable resource and the environment:</p> <ul style="list-style-type: none"> <li>• Policy BR1 (Environmental Building Standards)</li> <li>• Policy BR2 (Energy and on-site renewables)</li> <li>• Policy BR3 (Greening the Urban Environment)</li> <li>• Policy BR4 (Water Resource Management)</li> <li>• Policy BR5 (Contaminated land)</li> <li>• Policy BR9 (Parking)</li> <li>• Policy BR10 (Sustainable Transport)</li> <li>• Policy BR11 (Walking and cycling)</li> <li>• Policy BR13 (Noise mitigation)</li> <li>• Policy BR14 (Air quality)</li> <li>• Policy BR15 (Sustainable Waste Management)</li> </ul> <p>Chapter 3 Creating a sense of community:</p> <ul style="list-style-type: none"> <li>• Policy BC1 (Delivering Affordable Housing)</li> <li>• Policy BC2 (Accessible and Adaptable Housing)</li> <li>• Policy BC6 (Loss of Community Facilities)</li> <li>• Policy BC7 (Crime Prevention)</li> <li>• Policy BC8 (Mixed Use Development)</li> <li>• Policy BC10 (The Health Impacts of Development)</li> <li>• Policy BC11 (Utilities)</li> <li>• Policy BC12 (Telecommunications)</li> </ul> <p>Chapter 4 Ensuring a Vibrant Economy and Attractive Town Centres:</p> <ul style="list-style-type: none"> <li>• Policy BE3: Retail Outside or on the Edge of Town Centres</li> <li>• Policy BE5: Offices – Design and Change of Use</li> </ul> <p>Chapter 5 Creating a sense of place:</p> <ul style="list-style-type: none"> <li>• Policy BP3 (Archaeology)</li> <li>• Policy BP4 (Tall Buildings)</li> <li>• Policy BP5 (External Amenity Space)</li> <li>• Policy BP6 (Internal Space Standards)</li> <li>• Policy BP8 (Protecting Residential Amenity)</li> <li>• Policy BP10 (Housing Density)</li> <li>• Policy BP11 (Urban design)</li> </ul>

*The London Borough of Barking and Dagenham’s Draft Local Plan: (Regulation 19 Submission Version, December 2021) is now at an “advanced” stage of preparation, having gone through Local Plan Examination in Public in November 2023. Having regard to NPPF paragraph 48, the emerging document is now a material consideration and significant weight will be given to the emerging document in decision-making.*

The London Borough of Barking and Dagenham’s Draft Local Plan (Regulation 19) – (Submission version December 2021)

- Chapter 3 Transforming LBBD:
  - Strategic Policy SPDG 1 (Delivering growth in Barking and Dagenham)
  - Policy SPP5 (Dagenham East)
- Chapter 4 Design:
  - Strategic Policy SP2 (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)
- Chapter 5 Housing:
  - Strategic Policy SP3 (Delivering homes that meet peoples’ needs)
  - Policy DMH1: Affordable Housing
  - Policy DMH2: Housing Mix
- Chapter 6 Social infrastructure:
  - Strategic Policy SP4 (Delivering Social Infrastructure, in the Right Locations)
  - DMS 2 (Planning for new facilities)
- Chapter 7 Economy:
  - Strategic Policy SP5 (Promoting inclusive economic growth)
- Chapter 8 Natural environment:
  - Strategic 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)
- Chapter 9 Sustainable infrastructure:
  - Strategic Policy SP7 (Securing a clean, green, and sustainable borough)
  - Policy DMSI 1 (Sustainable design and construction)
  - Policy DMSI 2 (Energy, heat, and carbon emissions)
  - Policy DMSI 3 (Nuisance)
  - Policy DMSI 4 (Air quality)
  - Policy DMSI 5 (Land contamination)
  - Policy DMSI 6 (Flood risk and defences)
  - Policy DMSI 7 (Water management)
  - Policy DMSI 8 (Demolition, construction and operational waste)
  - Policy DMSI 9 (Smart Utilities)

	<p>Chapter 10 Transport:</p> <ul style="list-style-type: none"> <li>• Strategic Policy SP8 (Planning for integrated and sustainable transport)</li> <li>• Policy DMT 1 (Making better connected neighbourhoods)</li> <li>• Policy DMT 2 (Car parking)</li> <li>• Policy DMT 3 (Cycle parking)</li> <li>• Policy DMT 4 (Deliveries, servicing, and construction)</li> </ul> <p>Chapter 11 Enabling Delivery</p> <ul style="list-style-type: none"> <li>• Strategic Policy SP9 (Managing Development)</li> <li>• Policy DMM1 (Planning Obligations – Section 106)</li> </ul>
Other Relevant Planning Documents	<ul style="list-style-type: none"> <li>• MHCLG National Design Guide (October 2019)</li> <li>• London Borough of Barking and Dagenham, Archaeological Priority Area Appraisal dated July 2016 by Historic England</li> <li>• Adopted Site Allocations Document 2010</li> <li>• The BRE Report, Site layout planning for daylight and sunlight: a guide to good practice</li> <li>• LBBB Draft Planning Obligations SPD (September 2022)</li> </ul>

**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 (Recent Relevant Planning History):

Reference Number	Description of development	Status
23/01795/NONMAT	<p>An application submitted under Section 96A of the Town and Country Planning Act (as amended) for non-material amendments to planning permission ref: 19/00865/FUL dated 10/01/2020 to read: “Demolition of existing buildings and erection of a 5 to 9 storey building to provide new residential units together with Community (Use Class F2) and Commercial (Use Class E) floorspace at ground floor, together with associated car parking, children’s play space and communal amenity space”; and in order to amend Condition 2 (approved plans), Condition 3 (contamination), Condition 4 (CEMP and SWMP), Condition 5 (Construction Logistics Plan), Condition 6 (Air Quality), Condition 7 (Acoustic Protection), Condition 8 (Plant), Condition 9 (hours of use), Condition 10 (Lighting and CCTV), Condition 11 (Piling), Condition 12 (Flood Risk Assessment), Condition 13 (Materials), Condition 14 (landscaping), Condition 15 (Travel Plan), Condition 16 (Waste), Condition 17 (Car Parking Design and Management Plan), Condition 18 (Cycle Parking), Condition 19 (Delivery and Servicing Plan), Condition 20 (Energy), Condition 21 (Accessible dwellings), Condition 23 (Water efficiency), Condition 24 (Non-residential units), Condition 25 (Fire) and Condition 26 (balustrades, screening and boundary treatments).</p>	Approved
23/00136/CLUE	<p>Application for a lawful development certificate (existing) for the commencement of approved application 19/00865/FUL by the</p>	Lawful

	construction of part of the foundations	
22/01744/AOD	Details pursuant to Condition 3 (Contamination) attached to planning consent 19/00865/FUL dated 10/01/2020	Partial discharge in relation to parts a) and b)
22/01740/AOD	Details pursuant to Condition 4 (Construction Environmental Management and Site Waste Management Plan) attached to planning consent 19/00865/FUL dated 10/01/2020	Approved
22/01698/AOD	Details pursuant to Condition 5 (Construction Logistics Plan) attached to planning consent 19/00865/FUL dated 10/01/2020	Approved
22/01627/AOD	Details pursuant to Condition 6 (Air Quality) attached to planning consent 19/00865/FUL dated 10/01/2020	Approved
22/01460/NONMAT	Non-material amendment to planning permission 19/00865/FUL dated 10/01/2020 comprising of the addition of a new condition relating to the implementation of the development to be phased through Phase 1 and Phase 2	Withdrawn
19/00865/FUL	Demolition of existing buildings and erection of a 5 to 9 storey building to provide 75 residential units (40 x 1 bed flats, 20 x 2 bed flats and 15 x 3 bed flats) together with 285m <sup>2</sup> (GEA) of flexible Use Class B1/D1 commercial floorspace, associated car parking, childrens play space and communal amenity space.	Approved

### Appendix 3:

The following consultations have been undertaken:

- Cllr Phil Waker (Village)
- Cllr Lee Waker (Village)
- Cllr Margaret Mullane (Village)
- London Fire Brigade
- Metropolitan Police
- Thames Water
- Historic England (GLAAS)
- Transport for London
- LBBB Regeneration
- LBBB Lead Local Flood Authority and Drainage
- LBBB Access
- Be First Highways
- LBBB Parking Enforcement and CPZ
- LBBB Highways
- LBBB Specialist Services
- LBBB Lighting
- LBBB Refuse Services
- LBBB Environmental Protection
- LBBB District Heating and Energy
- LBBB Sustainability
- LBBB Trees
- LBBB Parks
- LBBB Employment and Skills Team
- LBBB Participation and Engagement
- LBBB Public Health
- LBBB Education
- Be First Head of Affordable Housing
- Essex and Suffolk Water Company
- National Gas Transmission
- National Grid – Electricity
- UK Power Networks
- National Health Service
- Healthy and Safety Executive

<b>Summary of Consultation responses received:</b>		
<b>Consultee and date received</b>	<b>Summary of Comments</b>	<b>Case Officer Comments</b>
TfL Infrastructure Protection 19.10.2023	I can confirm that London Underground/DLR Infrastructure Protection has no comment to make on this planning application.	N/A
Designing Out Crime Officer (Metropolitan Police) 20.10.2023 and 10.01.2024	Thank you for making me aware of the proposed changes. I have viewed the submission and all I would ask is that if possible, the mail boxes for the Eastern block are brought in to the secure lobby.  Parcel/mail theft is a major challenge for us now in this borough. The original Police response	A secured by design condition is included and a full assessment of the design in relation to crime within section 3 of this report.

	<p>(PSSS) still has merit and it's reassuring to see the recommendations appear in this latest submission.</p> <p>As such we will offer no further comment.</p> <p>Subsequently advised that no objections were raised, subject to a secured by design condition.</p>	
<p>GLAAS Archaeology 24.10.2023</p>	<p>Having considered the proposals with reference to information held in the Greater London Historic Environment Record and/or made available in connection with this application, I conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest. No further assessment or conditions are therefore necessary.</p>	N/A
<p>LBBB Access 26.10.2023</p>	<p>I cannot see any of the units identified as wheelchair accessible, please can you confirm this development meets the 10% required?</p> <p>Some of the refuse bins will need to be accessible for disabled residents.</p>	<p>The plans were updated during the course of the application and the development will continue to deliver 10% M4(3) units and 90% M4(2) units.</p> <p>The applicant has identified that some bins could include accessible provision, in accordance with LBBB standards.</p>
<p>London Fire Brigade 29.10.2023</p>	<p>The London Fire Brigade (LFB) has been consulted with regard to the above-mentioned premises and have no further observations to make. It should be ensured that if any material amendments to this consultation is proposed, a further consultation may be required.</p>	<p>A condition of compliance with the submitted fire statement is included.</p>
<p>National Grid Electricity Transmission 03.11.2023</p>	<p>There are no existing National Grid Electricity Transmission assets affected in this area.</p>	N/A
<p>London Fire Brigade Water Team 07.11.2023</p>	<p>Consideration has been given to the provision of fire hydrants in this area, and 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.</p>	N/A
<p>LBBB Environmental Protection 08.11.2023</p>	<p>No objections subject to the imposition of conditions in relation to acoustic protection, noise insulation of party construction, external plant, air quality and dust management plan, air quality neutral assessment, contaminated land, and a construction environmental management plan.</p>	<p>Conditions on acoustic protection, noise insulation of party construction, external plant, air quality and dust management plan, air quality neutral assessment, contaminated land, and a construction environmental management plan all included.</p>
<p>LBBB Parks 21.11.2023</p>	<p>Provided a list of improvements required for Old Dagenham Park and advised a financial contribution in lieu of playspace would be required, in accordance with the Planning Obligations SPD and our usual obligations.</p>	<p>Financial contribution of £95,000 to LBBB Parks to be secured in the s.106 legal agreement to support improvements in Old Dagenham Park. New zebra crossing to be installed across</p>

		Church Elm Lane, to link the site with the Park, within the s.278 agreement.
LBBB Participation and Engagement 03.01.2024	Advised that, as the community use would not be taken on by the Council, that they were more relaxed about the approach taken. Peppercorn would be beneficial if deliverable and also agreed the principle of assistance with fit out for the community use and a marketing strategy to target local community groups.	Applicant has agreed to provide 10 years peppercorn rent and assistance with fit out. A marketing strategy will also be required to ensure that local community groups are made aware of the space being made available.
Be First Highways 29.11.2023	<p>We are generally satisfied with the new layout but would recommend a slight tweak with the car parking bays. Our concern is if a high sided vehicle was to be parked in the end space this would obscure sight lines for vehicles exiting the adjacent service road. We would recommend instead of two spaces reducing it to one and set it back slightly for the sole use of a car club bay and should be a minimum of 2.4M wide.</p> <p>The drawing suggests the design will be a full kerb inset loading bay. We recommend if levels permit the bay and club space should be at-grade which would remove the need for a drop kerb for servicing and improve accessibility to the car club space.</p> <p>Proposed operational times of the loading bay should be confirmed and reflect the DSP.</p> <p>The survey data provided in relation to parking was observed on two weekdays and not on a weekend. This provides a snapshot that at certain times there is capacity for on-street parking, but they should also be minded about other developments within this area. With these and a loss of on-street parking due to the proposed zebra crossing and loading bay there will be a cumulative detrimental impact to the available number of on-street bays. As mentioned before outside of the limited operating period of the CPZ it is very likely that these residents and their visitors will park on-street which will add further parking pressure to the area. We would recommend as per the previous consented scheme on this site to retain the obligation that this development will not be eligible for any existing or new CPZ introduced by LBBB and is secured through the s106.</p> <p>A new location for the bottle banks still must be determined and agreed with LBBB refuse.</p> <p>The design should also consider safe access to the development for cyclists and what</p>	<p>The loading bays and car club have been amended as requested by highways, with full details of kerb dimensions to be agreed as part of a s.278 agreement. There will be an obligation in the s.106 that prevents any residents of the site from acquiring a parking permit for use in the CPZ. The bottle banks will be re-located at the applicant's expense, in agreement with LBBB. Cycle parking and access is in accordance with planning policy requirements.</p>

	improvements can be made to connect with the local cycle network infrastructure.	
Health and Safety Executive 15.12.2023	Following a review of the information provided, in respect of the above conditions as part of this s73 application, HSE is content with the fire safety design as set out in the project description, to the extent it affects land use planning considerations.	A condition is included to secure the measures set out in the fire statement, which has also been reviewed by the LBF.
LBBB Drainage and LLFA 04.10.2024	I have reviewed this submission, and it appears to be satisfactory from an LBBB Drainage and LLFA perspective.	N/A
LBBB Waste and Recycling 08.01.2024	The waste bin provision and storage arrangement detailed in the Operational Waste Management Plan are adequate. You may want to consider making provision for food waste collection which will become mandatory in the new future. It is recommended to have adequate space for bulky waste storage.	A bulky waste storage condition is included in the draft decision notice.
National Gas Transmission Asset Protection 10.01.2024	There are no National Gas Transmission assets affected in this area.	N/A
Be First Head of Affordable Housing 12.01.2024	LAR is classed as social rent which is the borough's greatest need and the larger units are preferred in that tenure.  I would like to make sure that the revised s106 agreement includes a nominations agreement so that the borough keeps all the nominations in perpetuity.	The nominations agreement would form part of the s.106 agreement and is secured in the Heads of Terms. This would apply to any additional units delivered in LAR or social rented tenures, beyond those required as a minimum in the s.106 agreement.
LBBB Highways 18.01.2024	We have previously raised some questions and concerns regarding the parking arrangement and can confirm that the applicant has addressed these matters.  We would just re-iterate that these properties and or residents who occupy them will <b>not</b> be eligible for parking permits for any CPZs that we have in place.	There will be an obligation in the s.106 that prevents any residents of the site from acquiring a parking permit for use in the CPZ.

## Appendix 4: Neighbour Consultation

Neighbour Notification:		
<b>Date Site Notice Erected:</b>	08/01/2024	
<b>Date of Press Advertisement:</b>	10/01/2024	
<b>Number of neighbouring properties consulted:</b>	413	
<b>Number of public responses:</b>	4	
Address	Neighbour Comments	Case Officer Comments
Not provided - email only supplied	Hello, I received a letter informing me of new builds and I was wondering if a 2 bed would be available? Reference code 23/01560/VAR.	Noted that this neighbour would be interested in a property – reflects demand for housing in LBBDD.
32 Ingelby Road	<p>Advised that they attended the developer consultation event and requested amends at this.</p> <p>Concern that an increased number of balconies would face their garden/house and reduce their privacy. Advised the applicant had said that they would amend the balcony design following their comments and concern that this has not been done.</p> <p>Concern around the height and materiality of the boundary wall, would like this to be a good height to protect against overlooking.</p>	<p>Boundary wall details are secured by condition. However, the dividing wall between this property and the site shall be 2m and of solid materiality, as is standard for boundary walls of this nature.</p> <p>Details of balconies in relation to overlooking are assessed in more depth within section 4 of the report. However, it is noted that one set of balconies was relocated to a different location following the comments of this resident, to maintain an acceptable separation distance and to ensure that it would not directly face 30/32 Ingelby Road. Further, the balconies will be designed to minimise any sense of overlooking when users are seated, through use of a dense perforated metal over standard balustrades.</p> <p>The general building line and height/massing principles were established under the extant planning permission. Officers do not consider that the proposed amendments would result in unacceptable overlooking/privacy issues, particularly given the principles established by the previous consent.</p>
Not provided – email only supplied	I hope this is not too early as building works is yet to start, but I would like to enquire on the process of registering for one of	Noted that this neighbour would be interested in a property – reflects demand for housing in LBBDD.

	the flats to be built at 131 Church Elm Lane , RM10 9RR.	
30 Ingelby Road	<p>Advised that they attended the developer consultation event and requested amends at this.</p> <p>Concern that an increased number of balconies would face their garden/house and reduce their privacy. Advised the applicant had said that they would amend the balcony design following their comments and concern that this has not been done.</p> <p>Concern around the height and materiality of the boundary wall, would like this to be a good height to protect against overlooking.</p>	<p>Boundary wall details are secured by condition. However, the dividing wall between this property and the site shall be 2m and of solid materiality, as is standard for boundary walls of this nature.</p> <p>Details of balconies in relation to overlooking are assessed in more depth within section 4 of the report. However, it is noted that one set of balconies was relocated to a different location following the comments of this resident, to maintain an acceptable separation distance and to ensure that it would not directly face 30/32 Ingelby Road. Further, the balconies will be designed to minimise any sense of overlooking when users are seated, through use of a dense perforated metal over standard balustrades.</p> <p>The general building line and height/massing principles were established under the extant planning permission. Officers do not consider that the proposed amendments would result in unacceptable overlooking/privacy issues, particularly given the principles established by the previous consent.</p>



## Appendix 5

### **Heads of Terms:**

The proposed alterations are proposed to be secured through a Deed of Variation to the existing Section 106 Legal Agreement:

#### Administrative and Minor Updates

1. Payment of the Council's professional and legal costs, whether or not the agreement completes and payable on completion of the variation of the deed;
2. Minor updates to definitions, named parties, and other relevant wording to link with the amends secured under the s.73;
3. Updates to supporting plans within the appendices, in light of amendments to planning permission, secured under the s.73.

#### Parks

4. Financial Contribution of £95,000 to LBBDD towards improvements in Old Dagenham Park in lieu of on-site playspace. The parks contribution must be paid in full to the Council prior to development above ground floor slab.

#### Affordable Housing

5. Updates to affordable housing split, tenure and definitions to reflect the following:
  - I. At least 32 units and 106 habitable rooms to be delivered as affordable housing. This shall equate to 35% affordable housing when measured by units and 40% affordable housing when measured by habitable rooms.
  - II. A Tenure Plan shall be included in the appendices to reflect the change to the agreed minimum level of affordable housing provision.
  - III. All affordable housing shall be delivered at London Affordable Rent, in place of the previously agreed social rented and shared ownership housing.
  - IV. LBBDD shall have nomination rights for any London Affordable Rented or social rented units that may be provided on site, including those not explicitly secured within the s.106 legal agreement.

#### Commercial and Community Floorspace

6. Updates to definitions and total provision to reflect amends to consent, including the floorspace areas to be provided as Class E (commercial) and Class F2 (community).
7. In relation to the Class F2 unit, the following shall be secured:
  - A minimum of 10 years peppercorn rent
  - The application shall provide assistance with fit out for the end user of the community space prior to first occupation facility. This shall include fit out of the following items as a minimum:
    - Flooring and internal decoration and finished to a suitable standard
    - Electrical installation including wiring and water suitable for community use
    - An appropriate number of wall sockets
    - Adequate emergency lighting in appropriate areas
    - An appropriate number of ceiling-hung LED light panels
    - An individual metered water supply or another specification suitable for community use

- Sanitary appliances to be provided that comply with statutory requirements
  - Ensure that there is a means of escape proposal that complies with statutory requirements
- Prior to first use of the development hereby approved, a marketing strategy, community use agreement and programme of management and leasing of the community space shall be agreed with the LPA and LBB, with a focus on attracting local community operators to the facility.

#### Car Club

8. Increase the duration of free car club membership for all residents from 24 months to 36 months.
9. Reflect amended location of car club space in text and within a plan to be included in the appendices.

#### Restriction on Parking Permits Obligations

10. Remove reference to possibility of a Controlled Parking Zone being introduced and specifically state that no resident shall be eligible to apply for a parking permit within the Controlled Parking Zone area.

#### Carbon Offset Obligations

11. Update to wording of schedule 7 to follow the latest GLA guidance on carbon offsetting, and in line with the following: "The development shall achieve a minimum 35% reduction in carbon dioxide emissions over Part L of the Building Regulations 2021 (when applying updated SAP 10 emission factors) through onsite provision. An assessment shall be made and submitted to the Local Planning Authority at Practical Completion of the development, and a monetary contribution (at £95 per tonne in accordance with the GLA's Carbon Offset Fund Guidance), shall be made to the Local Authority's carbon offset fund to offset any remaining carbon emissions to net zero-carbon prior to Occupation of the development if required. No payment will be required if net-zero carbon is achieved."

#### Employment and Skills Obligations

12. To amend schedule 8 to comply with the Council's standard agreement on local employment and suppliers, as follows:
  - I. Six months prior to the commencement of construction works on site, the owner/developer shall submit to the Council the Employment, Skills, and Supply Plan and shall not commence the development or permit commencement of the development until a plan has been submitted to the Council.
  - II. The Employment, Skills, and Supply Plan shall include reasonable endeavours to maximise opportunities for local residents to gain employment and training at the site during construction and end-user phase, and for the local businesses to gain contracts at the site to source goods and services.
  - III. The Local Employment and Training section of the plan shall provide information about a forecast of the estimated full-time employment workforce; the number of all vacancies; paid work placements and short courses that will be created over the lifetime of the development and a method statement setting out how this will be delivered, including who in the organisation will be responsible for managing recruitment and training, how they will ensure compliance by trade contractors and how this will be managed, how health and

safety issues will be managed, and how they will engage with the local community and contribute to educational engagement with local schools.

- IV. The Employment During Construction phase section shall provide: that reasonable endeavours will be used to secure a target of 25% of the total jobs (calculated on an FTE basis) created by the construction phase are filled by residents of the Council's Area; all vacancies through the council's job brokerage services, with notification of job vacancies exclusively available to residents for a minimum of 10 days before being advertised more widely; a skills forecast for the development and highlight any shortages to the council's job brokerage service; expectation that developers and their sub-contractors use reasonable endeavours to adhere to the Unite Construction Charter, of which the Council and Be First are signatories. This includes using reasonable endeavours to procure 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.
- V. The 'Training and work experience during construction' section shall explain and provide information on how reasonable endeavours will be used to offer: at least one training opportunity for every 20 construction workers is delivered, and at least half of which must be provided for apprenticeships leading to a full recognised qualification, at least 7 weeks of work experience for every 6 months of the construction phase, with each placement lasting a minimum of 2 weeks at least one educational workshop / visit per educational term for the duration of the construction phase to support local schools and careers services.
- VI. The 'Supply chain during the construction phase' section shall ensure that: Tender Event Schedule is submitted detailing the list of work packages being offered to competitive tender for the developer and all sub-contractors, including timeframes, values of packages and framework agreements; Source goods and services from the borough wherever possible, and use reasonable endeavours to procure that this will represent at least 25% of the value of all goods and services required for the development; companies based in Council Area are given a genuine opportunity to tender for all contracts and sub-contracts arising from the development; details each time a package is awarded including information about any local contractors that have tendered for work (both successful and unsuccessful, with the reasons why) are provided; they participate in at least one event in each year of the development to promote opportunities to local suppliers and build their capacity and/or contribute financially to the delivery of such activity to ensure local suppliers are able to access opportunities arising from the development.
- VII. The owner/developer shall implement and where necessary procure implementation and promote the agreed objectives of the employment plan.
- VIII. For the first three months and quarterly thereafter, the designated coordinator responsible for managing recruitment and training shall prepare and submit monitoring forms to the Council. The designated employment coordinator will be responsible for: attending regular site visits or meetings with the Council to ensure compliance with this schedule and discuss how the obligations contained in this schedule are progressing. These site visits and meetings will take place quarterly in cases where the Council has concerns that the Owner or its contractors/sub-contractors have not been adequately complying with their obligations contained in this schedule. Where the Owner can demonstrate to the Council that they are complying with their obligations in this schedule, such site visits and meetings will be held on a less regular basis at the Council's discretion.
- IX. Before the Council will approve a developer's application for discharge of the obligations in this Agreement. Confirmation that all employment obligations have been met – or appropriate employment and training compensation agreed – must be provided. Employment and training compensation will be calculated based on: the shortfall against the target number of jobs for LBBD residents X £5,000 (average cost of supporting an

unemployed borough resident into work) and the shortfall against the target number of apprenticeship starts X £8,000 (approximate wage costs of a one-year apprenticeship at the minimum apprenticeship rate). Subject to the findings of evidence collected through the agreed employment and training processes, the Owner will pay employment and training compensation to the Council within 30 days of the Council's written request if it is found that the shortfall in the delivery of any employment or training specified in this schedule can be attributed to the Owner having not used all reasonable endeavours to follow the agreed processes. The Owner shall be responsible for all legal costs incurred by the Council in enforcing or ensuring compliance with this schedule.

#### Relocation of Communal Bins

13. Prior to the commencement of off-site highways works, the communal refuse bins outside the site on Church Elm Lane shall be relocated to a new location west of the application site and opposite the junction of Haresfield Road, or at an alternative location as may be agreed with LBBD in writing, at the owner's/developer's expense.

For reference, the below sets out the previous heads of terms, secured under the extant planning permission. Unless mentioned above, the previously secured obligations are to remain within the s.106 agreement and this application does not seek to remove these.

**Appendix 6:**

**Conditions**

Condition Number	Current wording under Extant Planning Permission (19/00865/FUL)	Proposed wording under this application (23/01560/VAR)	Case Officer Notes
<b>Outline Conditions</b>			
1.	<p>The development permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by S.51 of the Planning and Compulsory Purchase Act 2004).</p>	No change.	Condition to be repeated. No changes.
2.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>418_000 418_001 418_002            418_003 418_010 418_020            418_PL_201 418_PL_202            418_PL_203 418_PL_204            418_PL_205 418_PL_301            Rev A 418_PL_302            418_PL_500 418_PL_501            418_PL_502 418_PL_100            Rev A 418_PL_101 Rev B            418_PL_102 Rev A            418_PL_103 Rev A            418_PL_104 Rev A            418_PL_105 418_PL_106            418_PL_107 Rev A</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>	<p>The development hereby approved shall be carried out in accordance with the following approved plans and documents:</p> <ul style="list-style-type: none"> <li>• Proposed Site Plan - 1118-99-P0</li> <li>• Proposed Ground Floor Plan - 1118-100-P0</li> <li>• Proposed Typical Floor (1-4) Plan - 1118-101-P0</li> <li>• Proposed 5th Floor Plan - 1118-102-P0</li> <li>• Proposed 6th Floor Plan - 1118-103-P0</li> <li>• Proposed 7th Floor Plan - 1118-104-P0</li> <li>• Proposed 8th Floor Plan - 1118-105-P0</li> <li>• Proposed Roof Plan - 1118-106-P0</li> <li>• Proposed North Elevation - 1118-141-P0</li> <li>• Proposed East Elevation - 1118-142-P0</li> <li>• Proposed South Elevation - 1118-143-P0</li> <li>• Proposed East Elevation - 1118-144-P0</li> </ul>	Updated to reflect revised plans, incorporating proposed changes within scheme. Documents also included in list, to ensure that approved details are complied with.

		<ul style="list-style-type: none"> <li>• Proposed Section AA - 1118-131-P0</li> <li>• Proposed Site Sections - 1118-135-P0</li> <li>• Bay Detail 01 – Typical Façade - 1118-601-P0</li> <li>• Bay Detail 02 – Wrapped Balconies - 1118-602-P0</li> <li>• Bay Detail 03 – Inset Façade - 1118-603-P0</li> <li>• Landscape Masterplan Ground Floor - 1578-001 Rev C</li> <li>• Landscape Masterplan 7<sup>th</sup> Floor – 1578-002</li> <li>• Proposed Parking and Loading Arrangement - 5171-002 Rev C</li> <li>• Affordable Housing Allocation Plan, Ackroyd Lowrie, January 2024</li> <li>• Car Club Allocation Plan, Ackroyd Lowrie, January 2024</li> <li>• Proposed Parking &amp; Loading Arrangement, 5171-002, Rev C</li> <li>• Urban Greening Factor (UGF) Report, October 2023, Syntegra Consulting, Ref: 18-4536, Rev A</li> <li>• Preliminary Ecological Appraisal Report &amp; Biodiversity Net Gain Report, Syntegra Consulting, Ref: 18-4536, Rev A</li> <li>• Flood Risk Assessment &amp; Drainage Strategy,</li> </ul>	
--	--	--	--

		<p>October 2023, Issue No. 2, 9325</p> <ul style="list-style-type: none"> <li>• Operational Waste Management Plan, October 2023, Caneparo Associates</li> <li>• Residential Travel Plan, October 2023, Caneparo Associates</li> <li>• Delivery &amp; Servicing Plan, October 2023, Caneparo Associates</li> <li>• Outline Construction Logistics Plan, October 2023, Caneparo Associates</li> <li>• Planning Statement including Affordable Housing Statement, Hybrid Planning, October 2023</li> <li>• Utility Assessment Report, Cole Easdon, October 2023, Issue No. 2, 8344</li> <li>• Archaeology &amp; Heritage Statement, prepared by ACD Environmental, PRI24350-AHA, September 2023</li> <li>• Design and Access Statement, prepared by Ackroyd Lowrie, October 2023</li> <li>• Environmental Noise Impact Assessment Report for Planning, 20455.ENIA.RPT.0 1 Rev. A, prepared by ES Acoustics</li> <li>• London Plan Fire Statement, prepared by fds consulting uk, 3<sup>rd</sup> October 2023</li> </ul>	
--	--	--	--

		<ul style="list-style-type: none"> <li>• Gateway 1 Fire Statement Issue 2, prepared by fds consulting uk, October 2023, 8328</li> <li>• Energy Statement, prepared by dsa Engineering, September 2023, Rev.0</li> <li>• Daylight and Sunlight Report (Within Development), Right of Light Consulting, 26 September 2023</li> <li>• Daylight and Sunlight Report (Neighbouring Properties), Right of Light Consulting, 23 June 2023</li> <li>• Contamination Letter, prepared by WDE Consulting, 26<sup>th</sup> September 2023, 21236c01</li> <li>• Planning Stage Air Quality Assessment, prepared by Anderson Acoustics, September 2023, 3990_002R_3-0_AG</li> <li>• Statement of Community Involvement, prepared by Hybrid Planning &amp; Development, October 2023</li> </ul> <p>No other drawings or documents apply.</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>	
3.	<p>No development shall commence until:</p> <p>a) an investigation and risk assessment, in</p>	<p>No development shall commence until:</p>	<p>Amendments to reflect prior partial discharge of</p>



	<p>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:</p> <ul style="list-style-type: none"> <li>i. a survey of the extent, scale and nature of contamination;</li> <li>ii. an assessment of the potential risks to human health; property (existing or proposed)</li> </ul>	<p>a. The remediation scheme set out in the Desk Study and Stage 1 Risk Assessment - 221751/DS - September 2022, the Remediation Method Statement - 221751/RMS/v2 - October 2022 and the Phase 2 Geo-Environmental Assessment - 21009R1 - September 2020, approved under 22/01744/AOD 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.</p> <p>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</p>	<p>this condition and latest standard Environmental Protection wording.</p>
--	--	---	---

	<p>including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; ground waters and surface waters; ecological systems; archaeological sites and ancient monuments; and;</p> <p>iii. an appraisal of remedial options, and proposal of the preferred option(s).</p> <p>This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management</p>	<p>Planning Authority. The report shall include results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met.</p> <p>b. 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.</p> <p>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.</p> <p>Reason: Contamination must be identified prior to commencement</p>	
--	--	---	--

	<p>of Land Contamination, CLR11'; and</p> <p>b) 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.</p> <p>c) 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</p>	<p>of development to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy BR5 of the Borough Wide Development Policies Development Plan Document and policy DMSI 5 of the draft Local Plan.</p>	
--	--	--	--

	<p>commencement of the remediation scheme works.</p> <p>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.</p> <p>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.</p> <p>Reason: Contamination must be identified prior to commencement of development to ensure that risks from land contamination to the future users</p>		
--	---	--	--

	<p>of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy BR5 of the Borough Wide Development Policies Development Plan Document and policy 5.21 of the London Plan.</p>		
<p>4.</p>	<p>No development shall commence, including any works of demolition, until a Construction Environmental Management Plan (CEMP) and a Site Waste Management Plan (SWMP) have been submitted to and approved in writing by the Local Planning Authority. These Plans shall incorporate details of:</p> <ul style="list-style-type: none"> <li>a) construction traffic management;</li> <li>b) the parking of vehicles of site operatives and visitors;</li> <li>c) loading and unloading of plant and materials;</li> <li>d) storage of plant and materials used in constructing the development;</li> <li>e) the erection and maintenance of security hoarding(s) including decorative displays and facilities for public viewing, where appropriate;</li> <li>f) wheel washing facilities;</li> <li>g) measures to control the emission of dust, dirt and emissions to air during construction; such measures to accord with the guidance provided in the document "The Control of Dust and Emissions during</li> </ul>	<p>2. No development shall commence, including any works of demolition, until a Construction Environmental Management Plan (CEMP), a Site Waste Management Plan (SWMP), an Air Quality and Dust Management Plan (AQDMP), bat survey and scheme of ecological enhancements and mitigations have been submitted to and approved in writing by the Local Planning Authority. These Plans shall incorporate details of:</p> <ul style="list-style-type: none"> <li>a) construction traffic management;</li> <li>b) the parking of vehicles of site operatives and visitors;</li> <li>c) loading and unloading of plant and materials;</li> <li>d) storage of plant and materials used in constructing the development;</li> <li>e) the erection and maintenance of security hoarding(s) including decorative displays and facilities for public viewing, where appropriate;</li> <li>f) wheel washing facilities;</li> <li>g) measures to control the emission of dust, dirt and emissions to air during</li> </ul>	<p>Additions to capture ecological and bat survey requirements, as well as an air quality and dust management plan.</p>

	<p>Construction and Demolition", Mayor of London, July 2014; including but not confined to, non road mobile machinery (NRMM) requirements;</p> <p>h) noise and vibration control;</p> <p>i) a scheme for recycling/disposing of waste resulting from demolition and construction works;</p> <p>j) the use of efficient construction materials;</p> <p>k) methods to minimise waste, to encourage re-use, recovery and recycling, and sourcing of materials; and</p> <p>l) a nominated Developer/Resident Liaison Representative with an address and contact telephone number to be circulated to those residents consulted on the application by the developer's representatives. This person will act as first point of contact for residents who have any problems or questions related to the ongoing development.</p> <p>Demolition and construction work and associated activities, other than internal works not audible outside the site boundary, are only to be carried out between the hours of 08:00 and 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</p>	<p>construction; such measures to accord with the guidance provided in the document "The Control of Dust and Emissions during Construction and Demolition", Mayor of London, July 2014; including but not confined to, non road mobile machinery (NRMM) requirements;</p> <p>h) noise and vibration control;</p> <p>i) a scheme for recycling/disposing of waste resulting from demolition and construction works;</p> <p>j) the use of efficient construction materials;</p> <p>k) methods to minimise waste, to encourage re-use, recovery and recycling, and sourcing of materials; and</p> <p>l) a nominated Developer/Resident Liaison Representative with an address and contact telephone number to be circulated to those residents consulted on the application by the developer's representatives. This person will act as first point of contact for residents who have any problems or questions related to the ongoing development.</p> <p>m) full details of the proposed mitigation measures for impact on air quality and dust emissions, following the guidance 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;</p> <p>n) details of ecological and biodiversity measures to be implemented during the</p>	
--	---	--	--

	<p>to be carried out between the hours of 08:00 and 18:00 Monday to Friday.</p> <p>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.</p> <p>Once approved the Plans shall be adhered to throughout the construction period.</p> <p>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.</p>	<p>demolition, construction and operational stages of development, in accordance with the recommendations of the Preliminary Ecological Appraisal Report and Biodiversity Net Gain Report, prepared by Synterga; and</p> <p>o) details and findings of a follow up bat survey based on the recommendations of the Preliminary Ecological Appraisal Report and Biodiversity Net Gain Report, prepared by Synterga.</p> <p>Demolition and construction work and associated activities, other than internal works not audible outside the site boundary, are only to be carried out between the hours of 08:00 and 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.</p> <p>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.</p> <p>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.</p>	
--	--	---	--

		<p>Once approved the Plans shall be adhered to throughout the construction period. All ecological enhancements shall be implemented prior to first occupation in accordance the approved scheme of ecological enhancements and thereafter retained in perpetuity. If a bat is found during the construction process, all works are to stop immediately, and a suitably licenced ecologist is to be contacted. A further bat report detailing any necessary mitigations shall then be submitted to and approved in writing by the Local Planning Authority prior to the re-commencement of any construction or demolition works.</p> <p>Reason: The CEMP, AQDMP 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 and Policy T7 of the London Plan. Ecological details are required in the interest of protecting and enhancing biodiversity and ecology.</p>	
5.	<p>No development shall commence, including any works of demolition, until a Construction Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall be designed to minimise deliveries of materials and export of any waste materials within the times of peak traffic congestion on the local road network. The Plan shall be implemented in accordance with the approved</p>	<p>No development shall commence, including any works of demolition, until a Construction Logistics Plan, that is in line with TfL guidelines, has been submitted to and approved in writing by the Local Planning Authority. 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 demolition and construction works are properly managed to prevent any unwanted disruption to other highway users,</p>	<p>Wording updated to reflect latest standard wording.</p>



	<p>details and thereafter maintained.</p> <p>Reason: The Construction Logistics Plan is required prior to commencement of development in order to minimise the impact of construction on the free flow of traffic on the local highway network and in the interests of highway safety, and in accordance with policy BR10 of the Borough Wide Development Policies Development Plan Document and policy 6.3 of the London Plan.</p>	<p>and other matters relating to traffic management to be agreed with the licensing officers of the council. The Plan shall be designed to minimise deliveries of materials and export of any waste materials within the times of peak traffic congestion on the local road network. Approved details shall be implemented throughout the project period, unless otherwise approved in writing by the Local Planning Authority.</p> <p>Reason: The Construction Logistics Plan is required prior to commencement of development in order to minimise the impact of construction on the free flow of traffic on the local highway network and in the interests of highway safety, and in accordance with policy BR10 of the Borough Wide Development Policies Development Plan Document and policy T7 of the London Plan.</p>	
6.	<p>Prior to the commencement of development, the developer will use best endeavours to meet the air quality neutral benchmarks for transport emissions and sustainable design and construction and details shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the first occupation of the development hereby permitted.</p> <p>Reason: Details demonstrating that the development will meet air quality neutral benchmarks for transport emissions and sustainable design and construction is required prior to the commencement of development in order to minimise the impact of the development on air quality, and in accordance with policy BR14 of the Borough Wide Development Policies Development Plan Document and policy 5.3 of the London Plan.</p>	<p>Prior to the commencement of development, an Air Quality Neutral assessment taking into account emissions from temporary and permanent boilers, transport and construction sources, and all other sources of emissions shall be submitted to and approved in writing by the Local Planning Authority. The assessment methodology used shall be in line with the GLA Air Quality Neutral Guidance 2023.</p> <p>Where the air quality neutral assessment does not meet the benchmarks for building or transport a scheme for air pollution mitigation shall be submitted to the Local Planning Authority for written approval. The approved details shall be implemented before the first occupation of the development hereby permitted.</p> <p>Reason: Details demonstrating that the development will meet air quality neutral benchmarks for transport emissions and sustainable design and</p>	Updated to reflect latest standard wording.

		<p>construction is required prior to the commencement of development in order to minimise the impact of the development on air quality, and in accordance with policy BR14 of the Borough Wide Development Policies Development Plan Document and policy SI 1 of the London Plan.</p>	
7.	<p>No above ground new development shall begin until a scheme of acoustic protection of habitable rooms against transport noise has been submitted to and approved in writing by the Local Planning Authority. The scheme of acoustic protection shall be sufficient to secure internal noise levels no greater than:</p> <p>a. 35 dB LAeq in living rooms and bedrooms (07:00 hours to 23:00 hours) with windows closed; and b. 30 dB LAeq in bedrooms (23:00 hours to 07:00 hours) with windows closed.</p> <p>Additionally, where the internal noise levels will exceed 40 dB LAeq in living rooms and bedrooms (07:00 hours to 23:00 hours) or 35dB LAeq in bedrooms (23:00 hours to 07:00 hours) with windows open the scheme of acoustic protection shall incorporate a ventilator system which is commensurate with the performance specification set out in Schedule 1 (paragraphs 6 and 7) of The Noise Insulation Regulations 1975 (as amended). The approved scheme shall be fully implemented before the first occupation of the residential unit to which it relates and shall be maintained at all times thereafter.</p> <p>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</p>	<p>No above ground new development shall begin until a scheme of acoustic protection of habitable rooms has been submitted to and approved in writing by the Local Planning Authority. The scheme of acoustic protection shall be sufficient to secure internal noise levels no greater than:</p> <p>a. 35 dB LAeq in living rooms and bedrooms (07:00 hours to 23:00 hours) with windows closed; and b. 30 dB LAeq in bedrooms (23:00 hours to 07:00 hours) with windows closed.</p> <p>Additionally, where the internal noise levels will exceed 40 dB LAeq in living rooms and bedrooms (07:00 hours to 23:00 hours) or 35dB LAeq in bedrooms (23:00 hours to 07:00 hours) with windows open the scheme of acoustic protection shall incorporate a ventilator system which is commensurate with the Acoustic Ventilation and Overheating Residential Design Guide January 2020. The approved scheme shall be fully implemented before the first occupation of the residential unit to which it relates and shall be maintained at all times thereafter.</p> <p>External space noise levels shall be assessed in accordance with BS8233.</p> <p>Additionally, no above ground new development shall commence until a scheme of noise insulation of party construction between the residential units and the non-residential uses (including plant</p>	<p>Updated to reflect latest technical guidance and planning policies.</p>

	<p>Development Plan Document and policy 7.15 of the London Plan.</p>	<p>rooms, commercial units and community uses) has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the first occupation of the non-residential / residential unit(s) to which it relates.</p> <p>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 D14 of the London Plan.</p>	
8.	<p>The combined rating level of the noise from plant installed pursuant to this permission shall not exceed the existing background noise level outside the window to any noise-sensitive room. Any assessment of compliance with this condition shall be made according to the methodology and procedures presented in BS4142:2014. Any machinery and equipment installed pursuant to this permission shall be designed and installed to ensure that structure borne (re-radiated) noise emissions shall not exceed 30 LAeq dB (5 min) when measured in any habitable room in adjoining residential premises.</p> <p>Reason: To ensure that the proposed residential units and neighbouring occupiers are adequately protected from noise and in accordance with policies BP8 and BR13 of the Borough Wide Development Policies Development Plan Document and policy 7.15 of the London Plan.</p>	<p>Prior to the installation of any external mechanical services plant including heating, ventilation, and air conditioning (HVAC), refrigeration and kitchen extraction plant to which the application refers, a scheme shall be submitted to and approved in writing by the LPA which demonstrates that the following noise design requirements can be complied with and shall thereafter be retained as approved:</p> <p>a) 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. Measurements shall be made at a height of 1.2 – 1.5 metres above the adjacent ground level and at least 3.5 metres from any sound reflecting surfaces other than the ground or 1 metre from the facade of the nearest first floor (or higher) noise sensitive premises, and in</p>	Updated to reflect latest standard wording.

		<p>accordance with the latest British Standard BS4142:2014.</p> <p>b) 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.</p> <p>A commissioning acoustic test and report shall be undertaken within 7 days of mechanical services commissioning in order to demonstrate that conditions a and b above have been achieved. The results of the test shall be submitted to and approved in writing by the LPA.</p> <p>Reason: To ensure that the proposed residential units and neighbouring occupiers are adequately protected from noise and in accordance with policies BP8 and BR13 of the Borough Wide Development Policies Development Plan Document and policy D14 of the London Plan.</p>	
9.	<p>Other than with the prior written approval of the Local Planning Authority, the proposed non-residential uses hereby permitted are to be permitted to trade between the hours of 07:00 hours and 23:00 hours on any day and at no other time. Noise from any D1 use hereby permitted, including, but not limited to, live and amplified music shall be controlled to be inaudible inside adjoining and other noise-sensitive premises in the vicinity of the. The initial test for compliance with the 'inaudibility' criterion will be that noise should be no more than barely audible outside those noise-sensitive premises. In the event there is disagreement as to whether entertainment noise is or is not audible the following</p>	<p>Other than with the prior written approval of the Local Planning Authority, the proposed non-residential uses hereby permitted are to be permitted to trade between the hours of 07:00 hours and 23:00 hours on any day and at no other time. Noise from any Class E of F2 use hereby permitted, including, but not limited to, live and amplified music shall be controlled to be inaudible inside adjoining and other noise-sensitive premises in the vicinity of the development hereby approved. The initial test for compliance with the 'inaudibility' criterion will be that noise should be no more than barely audible outside those noise-sensitive premises. In the event there is disagreement as to whether entertainment noise is or is not audible the following</p>	<p>Updated to reflect amendments to use classes and to reflect latest standard wording/planning policies.</p>

	<p>numerical limits shall be used to determine compliance with this condition:</p> <p>the LAeq (D1AN) shall not exceed LA90 (WD1AN) and; the L10 (D1AN) shall not exceed L90 (WD1AN) in any 1/3 octave band between 40Hz and 160Hz.</p> <p>D1AN = D1 use Activity Noise level, WD1AN = Representative background noise level without D1 use activity noise, both measured 1 metre from the façade of the noise-sensitive premise.</p> <p>No loudspeaker, tannoy, television, radio or similar audio broadcast device is to be installed or operated outside D1 use unit(s) hereby permitted.</p> <p>Reason: To ensure that the proposed residential units and neighbouring occupiers are adequately protected from noise and in accordance with policies BP8 and BR13 of the Borough Wide Development Policies Development Plan Document and policy 7.15 of the London Plan.</p>	<p>numerical limits shall be used to determine compliance with this condition:</p> <p>the LAeq (D1AN) shall not exceed LA90 (WD1AN) and; the L10 (D1AN) shall not exceed L90 (WD1AN) in any 1/3 octave band between 40Hz and 160Hz.</p> <p>D1AN = D1 use Activity Noise level, WD1AN = Representative background noise level without D1 use activity noise, both measured 1 metre from the façade of the noise-sensitive premise.</p> <p>No loudspeaker, tannoy, television, radio or similar audio broadcast device is to be installed or operated outside the Class E or F2 use unit(s) hereby permitted.</p> <p>Reason: To ensure that the proposed residential units and neighbouring occupiers are adequately protected from noise and in accordance with policies BP8 and BR13 of the Borough Wide Development Policies Development Plan Document and policy D14 of the London Plan.</p>	
10.	<p>The development hereby permitted shall not be occupied until a scheme showing the provisions to be made for external lighting, CCTV coverage, access control and any other measures to reduce the risk of crime, has been submitted to and approved in writing by the Local Planning Authority. The external lighting of the development is to be designed, installed and maintained so as to fully comply with The Association of Chief Police Officers Secured by Design publication "Lighting Against Crime - A Guide for Crime Reduction Professionals", ACPO SPD, January 2011. The design shall satisfy criteria to limit obtrusive light presented in</p>	<p>Notwithstanding the details submitted with the application, prior to first occupation of the development, the following shall be submitted to and approved in writing by the Local Planning Authority:</p> <p>a) Certificate of Compliance in respect of the Secured by Design scheme, or alternatively achieve security standards (based on Secured by Design principles) to the satisfaction of the local authority &amp; Metropolitan Police, and</p> <p>b) A scheme showing the provisions to be made for external lighting, CCTV coverage, access control and any other measures to reduce the risk of crime.</p>	Amended to reflect latest standard wording.

	<p>Table 1, p25 of the guide, relating to Environmental Zone E3 - medium district brightness areas.</p> <p>The development shall not be occupied until the approved scheme has been installed. Thereafter the approved measures shall be permanently retained.</p> <p>Reason: In the interests of security and safety, to avoid light pollution and safeguard neighbouring amenity and in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document.</p>	<p>The external lighting of the development is to be designed, installed and maintained so as to fully comply with The Association of Chief Police Officers Secured by Design publication "Lighting Against Crime - A Guide for Crime Reduction Professionals", ACPO SPD, January 2011. The design shall satisfy criteria to limit obtrusive light presented in Table 1, p25 of the guide, relating to Environmental Zone E3 - medium district brightness areas.</p> <p>The development shall not be occupied until the approved scheme has been installed. Thereafter the approved measures shall be permanently retained.</p> <p>Reason: In the interests of security and safety, to avoid light pollution and safeguard neighbouring amenity and in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document.</p>	
11.	<p>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.</p> <p>If piling or ground improvement work is undertaken pursuant to this permission then the 5% level of vibration attributable these activities shall not exceed a peak particle velocity of 1.5mm/sec when measured at the point of</p>	<p>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.</p> <p>If piling or ground improvement work is undertaken pursuant to this permission then the 5% level of vibration attributable these activities shall not exceed a peak particle velocity of 1.5mm/sec when measured at the point of entry to any adjoining residential development. In the event of</p>	Updated to require approval in writing by LPA in event that monitoring information is required.

	<p>entry to any adjoining residential development. In the event of reasonable complaint of vibration nuisance and at the request of the Local Planning Authority monitoring to evaluate compliance with this condition is to be carried out and the results submitted to the Local Planning Authority. There is to be no use of driven piling in the construction of the development hereby permitted.</p> <p>Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure and in order to reduce the impact of construction and development on the amenities of neighbouring residents, and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.</p>	<p>reasonable complaint of vibration nuisance, and at the request of the Local Planning Authority, monitoring to evaluate compliance with this condition is to be carried out and the results submitted to and approved in writing by, the Local Planning Authority. There is to be no use of driven piling in the construction of the development hereby permitted.</p> <p>Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure and in order to reduce the impact of construction and development on the amenities of neighbouring residents, and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.</p>	
12.	<p>The development shall be carried out in accordance with the submitted Flood Risk Assessment and SUDS Report prepared by Nimbus Engineering Consultants, Document Number C2106-R1-Rev-A (Dated April 2019). Minor amendments to the Flood Risk Assessment and SUDS Report may be agreed in writing from time to time by the Local Planning Authority.</p> <p>Reason: In order to reduce the risk of flooding and to protect controlled waters and in accordance with policy BR4 of the Borough Wide Development Policies Development Plan Document and policy 5.13 of the London Plan.</p>	<p>The development shall be carried out in accordance with the submitted Flood Risk Assessment and Drainage Strategy prepared by Cole Easdon (October 2023, 9325, Issue 2).</p> <p>Reason: In order to reduce the risk of flooding and to protect controlled waters and in accordance with policy BR4 of the Borough Wide Development Policies Development Plan Document and policy SI 12 of the London Plan.</p>	Updated to reflect new technical report.
13.	<p>No above ground new development shall commence until full details, including samples (brick with mortar), specifications, annotated plans and fire safety ratings, of all</p>	<p>No above ground new development shall commence until full details, including samples (brick with mortar), specifications, annotated plans and fire safety ratings, of all external facing</p>	Additional wording to reflect scheme specific requirements.

	<p>external facing materials have been submitted to the Local Planning Authority for approval in writing.</p> <p>The development shall only be implemented in accordance with the approved details and to the satisfaction of the Local Planning Authority.</p> <p>Reason: To protect or enhance the character and amenity of the area and to ensure an exemplar finish to the building in accordance with policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document and policies 7.1, 7.4 and 7.6 of the London Plan.</p>	<p>materials have been submitted to the Local Planning Authority for approval in writing.</p> <p>External metal shutters shall not be used to cover over ground floor glazed frontages at any time.</p> <p>The development shall only be implemented in accordance with the approved details and to the satisfaction of the Local Planning Authority.</p> <p>Reason: To protect or enhance the character and amenity of the area and to ensure an exemplar finish to the building in accordance with policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document and policies D1, D4, D6, D12 of the London Plan.</p>	
14.	<p>No above ground new development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of soft and hard landscaping for the site which shall include indications of all existing trees, shrubs and hedgerows on the site and details of those to be retained and areas to be hard landscaped. The scheme shall include the detailed design of the children's playspace areas.</p> <p>The hard landscaping and playspace as approved shall be implemented in full prior to first occupation and maintained in accordance with the details provided.</p> <p>The soft landscaping scheme as approved shall be carried out in the first planting and seeding seasons following the occupation of any of the buildings or completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the</p>	<p>Notwithstanding the details submitted with the application, no above ground works shall take place until the following soft and hard landscaping details have been submitted to and approved in writing by the local planning authority:</p> <ul style="list-style-type: none"> <li>i. A scheme of Planting plans and full planting specification for the whole scheme including details of the number of all trees, hedges and shrubs to be planted, together with a planting schedule providing sizes and total quantities of</li> </ul>	<p>Updated to reflect the revised scheme and to secure additional information at condition stage.</p>



	<p>development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.</p> <p>Reason: To safeguard and improve the appearance of the area in the interest of design quality, to improve biodiversity and in accordance with policies CP3 of the Core Strategy, BP11 and BR3 of the Borough Wide Development Policies Development Plan Document and Section 197 of the Town and Country Planning Act 1990.</p>	<p>individual species. The number, type and location of trees should reflect that agreed under condition 2 (approved plans). These plans should also show appropriate plant species given likely levels of shade or direct sunlight.</p> <ul style="list-style-type: none"> <li>ii. Details of tree planting within hard landscaped areas to include root cell crates;</li> <li>iii. the detailed design of the children's playspace areas, including specifications of all play equipment and details of accessible/inclusive design;</li> <li>iv. Street/external furniture, including general waste and recycling bins, cycle</li> </ul>	
--	---	---	--

		<p>stands, seating and any other relevant items;</p> <ul style="list-style-type: none"> <li>v. Details of boundary treatments including materials;</li> <li>vi. Details of lighting (in relation to appearance/design);</li> <li>vii. Details of wayfinding and other signage/public art;</li> <li>viii. Details of surfacing materials to be used in the external finished of all roads, footpaths, and parking areas, together with specification of edging and kerbs; and</li> <li>ix. Landscape and Open Space Management Plan, to include details of landscape maintenance and measures to ensure the satisfactory operation of all outdoor amenity space for</li> </ul>	
--	--	---	--

		<p>use by residents.</p> <p>The hard landscaping and playspace as approved shall be implemented in full prior to first occupation and maintained in accordance with the details provided.</p> <p>The soft landscaping scheme as approved shall be carried out in the first planting and seeding seasons following the occupation of any of the buildings or completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.</p> <p>The roof terrace areas shall be made available for use by all residents during daylight hours in perpetuity from point of first occupation. These spaces shall be suitably maintained so as to ensure the safety and enjoyment of all residents.</p> <p>Reason: To safeguard and improve the appearance of the area in the interest of design quality, to improve biodiversity and in accordance with policies CP3 of the Core Strategy, BP11 and BR3 of the Borough Wide Development Policies Development Plan Document and Section 197 of the Town and Country Planning Act 1990.</p>	
15.	The development shall be carried out in accordance with the submitted Travel Plan prepared by Caneparo Associates (Dated May 2019). Minor amendments to the Travel Plan may be agreed in writing	<p>The development shall be carried out in accordance with the submitted Travel Plan prepared by Caneparo Associates (Dated October 2023).</p> <p>Reason: In order to encourage the use of sustainable transport and in</p>	Updated to reflect revised travel plan.

	<p>from time to time by the Local Planning Authority.</p> <p>Reason: In order to encourage the use of sustainable transport and in accordance with policy BR10 of the Borough Wide Development Policies Development Plan Document and policy 6.1 of the London Plan.</p>	<p>accordance with policy BR10 of the Borough Wide Development Policies Development Plan Document and policy T1 and T4 of the London Plan.</p>	
16.	<p>The development shall not be occupied until a management scheme for the removal of bulky waste has been submitted to and approved in writing by the Local Planning Authority. Thereafter development shall be implemented in accordance with the details approved.</p> <p>Notwithstanding the above, the development shall be carried out in accordance with the submitted Waste Management Plan prepared by Caneparo Associates (Dated May 2019). Minor amendments to the Waste Management Plan may be agreed in writing from time to time by the Local Planning Authority. The approved refuse stores shall be provided before the first occupation of the development and thereafter permanently retained. The collection of waste is only permitted to take place between 07:00 hours and 21:00 hours on any day.</p> <p>Reason: To provide satisfactory refuse storage provision and the removal of bulky waste in the interests of the appearance of the site and locality and to protect residential amenities in accordance with policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.</p>	<p>The development shall not be occupied until a management scheme for the removal of bulky waste has been submitted to and approved in writing by the Local Planning Authority. Thereafter development shall be implemented in accordance with the details approved.</p> <p>Notwithstanding the above, the development shall be carried out in accordance with the submitted Operational Waste Management Plan prepared by Caneparo Associates (Dated October 2023). Minor amendments to the Waste Management Plan may be agreed in writing from time to time by the Local Planning Authority. The approved refuse stores shall be provided before the first occupation of the development and thereafter permanently retained. The collection of waste is only permitted to take place between 07:00 hours and 21:00 hours on any day.</p> <p>Reason: To provide satisfactory refuse storage provision and the removal of bulky waste in the interests of the appearance of the site and locality and to protect residential amenities in accordance with policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.</p>	<p>Updated to reflect revised Waste Management Plan.</p>
17.	<p>The development hereby permitted shall not be occupied until a Car Parking Design and Management Plan has been</p>	<p>The development hereby permitted shall not be occupied until a Car Parking Design and Management Plan has been</p>	<p>Updated to reflect revised parking layout</p>

	<p>submitted to and approved in writing by the Local Planning Authority. The Plan must include details of how car parking will be allocated, including blue badge car parking spaces.</p> <p>All 24 parking spaces shall be constructed and marked out prior to the occupation of the development. 20% of all car parking spaces shall be installed with active electric vehicle charging points (EVCPs) and 80% shall be installed with passive EVCPs.</p> <p>3 residential blue badge car parking spaces shall be marked out prior to the occupation of the development as accessible parking bays (to be clearly marked with a British Standard disabled symbol).</p> <p>Reason: To ensure sufficient off-street parking, to encourage the use of electric cars in order to reduce carbon emissions and to promote easier access for disabled persons and in accordance with policies BC2, BR9 and BR10 of the Borough Wide Development Policies Development Plan Document and policy 6.13 of the London Plan.</p>	<p>submitted to and approved in writing by the Local Planning Authority. The Plan must include details of how car parking will be allocated, including blue badge car parking spaces.</p> <p>All 14 parking spaces shall be constructed and marked out prior to the occupation of the development. All car parking spaces shall be installed with active electric vehicle charging points (EVCPs).</p> <p>3 residential blue badge car parking spaces shall be marked out prior to the occupation of the development as accessible parking bays (to be clearly marked with a British Standard disabled symbol).</p> <p>Reason: To ensure sufficient off-street parking, to encourage the use of electric cars in order to reduce carbon emissions and to promote easier access for disabled persons and in accordance with policies BC2, BR9 and BR10 of the Borough Wide Development Policies Development Plan Document and policy T6 of the London Plan.</p>	<p>and requirements.</p>
<p>18.</p>	<p>The development hereby permitted shall not be occupied until the cycle parking spaces within and outside of the building as indicated on drawing number 418_PL_101 Rev B have been fully implemented. Thereafter, the cycle parking facilities shall be permanently retained. Minor amendments to the cycle parking details may be agreed in writing from time to time by the Local Planning Authority.</p> <p>Reason: In the interests of promoting cycling as a safe, efficient and non-polluting mode of transport and in accordance with policy BR11 of the Borough</p>	<p>The development hereby permitted shall not be occupied until the cycle parking spaces within and outside of the building as indicated on drawing number 1118-100 Rev PO have been fully implemented. All cycle parking must comply with the London Cycle Parking Design Standards (LCDS). Thereafter, the cycle parking facilities shall be permanently retained.</p> <p>Reason: In the interests of promoting cycling as a safe, efficient and non-polluting mode of transport and in accordance with policy BR11 of the Borough Wide Development Policies</p>	<p>Updated to include latest technical guidance.</p>

	Wide Development Policies Development Plan Document and policy 6.9 of the London Plan.	Development Plan Document and policy T5 of the London Plan.	
19.	<p>The development shall be carried out in accordance with the submitted Delivery and Servicing Plan prepared by Caneparo Associates (Dated May 2019). Minor amendments to the submitted Delivery and Servicing Plan may be agreed in writing from time to time by the Local Planning Authority.</p> <p>Reason: In order to minimise the impact of the development on the local highway network and traffic congestion and in accordance with policy BR10 of the Borough Wide Development Policies Development Plan Document and policy 6.3 of the London Plan.</p>	<p>The development shall be carried out in accordance with the submitted Delivery and Servicing Plan prepared by Caneparo Associates (Dated October 2023).</p> <p>Reason: In order to minimise the impact of the development on the local highway network and traffic congestion and in accordance with policy BR10 of the Borough Wide Development Policies Development Plan Document and policy T7 of the London Plan.</p>	Updated to reflect updated report.
20.	<p>The development hereby permitted shall be carried out in accordance with the submitted Energy Strategy August 2019, Rev 2, prepared by DSA Engineering. Minor amendments to the submitted Energy Strategy may be agreed in writing from time to time by the Local Planning Authority. The development shall not be occupied until the approved details have been implemented.</p> <p>Reason: In the interests of safeguarding the environment and providing sustainable development in accordance with policy CR1 of the Core Strategy, policies BR1 and BR2 of the Borough Wide Development Policies Development Plan Document and policies 5.2, 5.3, 5.5, 5.6 and 5.7 of the London Plan.</p>	<p>The development hereby permitted shall be carried out in accordance with the submitted Energy Strategy September 2023 Rev.0, prepared by DSA Engineering. The development shall not be occupied until the approved details have been implemented. A post completion report demonstrating compliance with the submitted Energy Strategy shall be submitted to, and approved in writing, by the Local Planning Authority within six months of first occupation of any part of the development. This report must also provide detail of 'Be Seen' measures to be implemented and maintained, in accordance with the London Plan Energy Hierarchy.</p> <p>Reason: In the interests of safeguarding the environment and providing sustainable development in accordance with policy CR1 of the Core Strategy, policies BR1 and BR2 of the Borough Wide Development Policies Development Plan Document and</p>	Updated to reflect updated report.

		policies SI2, SI3 and SI4 of the London Plan.	
21.	<p>10% of the residential units hereby permitted shall meet Building Regulations Approved Document M Volume 1 (2015 Edition) M4 (3) 'wheelchair adaptable dwellings' and 90% of the residential units hereby permitted shall meet Building Regulations Approved Document M Volume 1 (2015 Edition) M4 (2) 'accessible and adaptable dwellings'. Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.</p> <p>Reason: To ensure that sufficient accessible housing is provided in accordance policy BC2 of the Borough Wide Development Policies Development Plan Document and policy 3.8 of the London Plan.</p>	<p>10% of the residential units hereby permitted shall meet Building Regulations Approved Document M Volume 1 (2015 Edition) M4 (3) 'wheelchair adaptable dwellings' and 90% of the residential units hereby permitted shall meet Building Regulations Approved Document M Volume 1 (2015 Edition) M4 (2) 'accessible and adaptable dwellings'. Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.</p> <p>Reason: To ensure that sufficient accessible housing is provided in accordance policy BC2 of the Borough Wide Development Policies Development Plan Document and policy D7 of the London Plan.</p>	Updated to reflect amended planning policy.
22.	<p>The development hereby permitted shall not be occupied until details of a communal television and satellite system have been submitted to and approved in writing by the Local Planning Authority. The approved system shall be provided prior to occupation of the development and be made available to each residential unit within the development. No antennae or satellite dishes may be installed on the exterior of the building, with the exception of 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.</p>	No change.	No change.

	Reason: To safeguard the external appearance of the buildings in accordance with policy CP3 of the Core Strategy and policies BP2 and BP11 of the Borough Wide Development Policies Development Plan Document.		
23.	<p>The development hereby permitted shall comply with the water efficiency optional requirement in paragraphs 2.8 to 2.12 of the Building Regulations Approved Document G. Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.</p> <p>Reason: To minimise the use of mains water in accordance with policy BR4 of the Borough Wide Development Policies Development Plan Document and policy 5.15 of the London Plan.</p>	<p>The development hereby permitted shall comply with the water efficiency optional requirement in paragraphs 2.8 to 2.12 of the Building Regulations Approved Document G. Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.</p> <p>Reason: To minimise the use of mains water in accordance with policy BR4 of the Borough Wide Development Policies Development Plan Document and policy SI5 of the London Plan.</p>	Updated to reflect latest planning policies.
24.	<p>Following the first occupation of the flexible use non-residential units hereby permitted, any further change of use to another use specifically permitted by this permission must be carried out within a period of 10 years from the date of this permission.</p> <p>Reason: To provide flexibility of use between the approved uses in accordance with Class V, Part 3 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015.</p>	<p>Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended), the 2no. commercial (Class E) units and the 1no. community (Class F2) unit hereby approved shall be only used for their respective Class E and F2 uses only. The approved floorspace shall not be used for any other purposes or any provision equivalent to these Classes, or for any other use, in any statutory instrument revoking and re-enacting that Order without modification.</p> <p>Reason: To safeguard the commercial and community uses hereby permitted and to ensure that no additional impacts which have not been assessed as part of the planning application proposal arise.</p>	Updated to reflect revised Use Classes Order and updates to proposed ground floor uses.



25.	<p>No above ground new development shall commence until a Fire Strategy has been submitted to and approved in writing by the Local Planning Authority. The Fire Strategy shall be produced by an independent third party suitably qualified assessor which shall detail the building's construction, methods, products and materials used; the means of escape for all building users including those who are disabled or require level access together with the associated management plan; access for fire service personnel and equipment; ongoing maintenance and monitoring and how provision will be made within the site to enable fire appliances to gain access to the building. The development shall be carried out in accordance with the approved details.</p> <p>Reason: In order to provide a safe and secure development in accordance with policy CP3 of the Core Strategy and policy D11 of the Draft London Plan.</p>	<p>The development shall be carried out in accordance with the approved London Plan Fire Statement, prepared by FDS consult UK (3<sup>rd</sup> October 2023) and the Gateway 1 Fire Statement Issue 2, prepared by fds consulting uk, October 2023, 8328, and all measures thereafter maintained.</p> <p>Reason: In order to provide a safe and secure development in accordance with policy CP3 of the Core Strategy and policy D11 and D12 of the London Plan.</p>	Updated to reflect compliance with submitted fire statement.
26.	<p>No above ground new development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the position, design, materials and type of boundary treatment to be erected including details of balustrades and screening for rooftop terraces. No part of the development shall be occupied until the approved boundary treatment for that part has been provided. The approved boundary treatment shall be retained unless the Local Planning Authority gives prior written approval for its removal.</p> <p>Reason: To ensure the boundary treatment protects or enhances the character and amenity of the area in accordance with Policy</p>	<p>No development above ground floor slab shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the position, design, materials and type of boundary treatment to be erected and balconies, including details of balustrades and screening for rooftop terraces. The balcony designs shall include detail of both types a and b, including detailed architectural drawings to show the density of perforation for privacy purposes. No part of the development shall be occupied until the approved boundary treatment or balcony design for the relevant part has been provided. The approved boundary treatment and balcony shall be retained unless the Local Planning</p>	Updated to include details of balconies and delivery trigger.

	BP11 of the Borough Wide Development Policies Development Plan Document.	<p>Authority gives prior written approval for its removal.</p> <p>Reason: To ensure the boundary treatment and balconies protects or enhances the character and amenity of the area and ensures a suitable level of privacy for neighbouring occupiers in accordance with Policy BP11 of the Borough Wide Development Policies Development Plan Document.</p>	
--	--	---	--

**Revised Final Conditions List:**

1. The development permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by S.51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby approved shall be carried out in accordance with the following approved plans and documents:

- Proposed Site Plan - 1118-99-P0
- Proposed Ground Floor Plan - 1118-100-P0
- Proposed Typical Floor (1-4) Plan - 1118-101-P0
- Proposed 5th Floor Plan - 1118-102-P0
- Proposed 6th Floor Plan - 1118-103-P0
- Proposed 7th Floor Plan - 1118-104-P0
- Proposed 8th Floor Plan - 1118-105-P0
- Proposed Roof Plan - 1118-106-P0
- Proposed North Elevation - 1118-141-P0
- Proposed East Elevation - 1118-142-P0
- Proposed South Elevation - 1118-143-P0
- Proposed West Elevation - 1118-144-P0
- Proposed Section AA - 1118-131-P0
- Proposed Site Sections - 1118-135-P0
- Bay Detail 01 – Typical Façade - 1118-601-P0
- Bay Detail 02 – Wrapped Balconies - 1118-602-P0
- Bay Detail 03 – Inset Façade - 1118-603-P0
- Landscape Masterplan Ground Floor - 1578-001 Rev C
- Landscape Masterplan 7<sup>th</sup> Floor – 1578-002
- Proposed Parking and Loading Arrangement - 5171-002 Rev C
- Affordable Housing Allocation Plan, Ackroyd Lowrie, January 2024
- Car Club Allocation Plan, Ackroyd Lowrie, January 2024
- Urban Greening Factor (UGF) Report, October 2023, Syntegra Consulting, Ref: 18-4536, Rev A
- Preliminary Ecological Appraisal Report & Biodiversity Net Gain Report, Syntegra Consulting, Ref: 18-4536, Rev A
- Flood Risk Assessment & Drainage Strategy, October 2023, Issue No. 2, 9325

- Operational Waste Management Plan, October 2023, Caneparo Associates
- Residential Travel Plan, October 2023, Caneparo Associates
- Delivery & Servicing Plan, October 2023, Caneparo Associates
- Outline Construction Logistics Plan, October 2023, Caneparo Associates
- Planning Statement including Affordable Housing Statement, Hybrid Planning, October 2023
- Utility Assessment Report, Cole Easdon, October 2023, Issue No. 2, 8344
- Archaeology & Heritage Statement, prepared by ACD Environmental, PRI24350-AHA, September 2023
- Design and Access Statement, prepared by Ackroyd Lowrie, October 2023
- Environmental Noise Impact Assessment Report for Planning, 20455.ENIA.RPT.01 Rev. A, prepared by ES Acoustics
- London Plan Fire Statement, prepared by fds consulting uk, 3<sup>rd</sup> October 2023
- Gateway 1 Fire Statement Issue 2, prepared by fds consulting uk, October 2023, 8328
- Energy Statement, prepared by dsa Engineering, September 2023, Rev.0
- Daylight and Sunlight Report (Within Development), Right of Light Consulting, 26 September 2023
- Daylight and Sunlight Report (Neighbouring Properties), Right of Light Consulting, 23 June 2023
- Contamination Letter, prepared by WDE Consulting, 26<sup>th</sup> September 2023, 21236c01
- Planning Stage Air Quality Assessment, prepared by Anderson Acoustics, September 2023, 3990\_002R\_3-0\_AG
- Statement of Community Involvement, prepared by Hybrid Planning & Development, October 2023

No other drawings or documents apply.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. No development shall commence until:

- a. The remediation scheme set out in the Desk Study and Stage 1 Risk Assessment - 221751/DS - September 2022, the Remediation Method Statement - 221751/RMS/v2 - October 2022 and the Phase 2 Geo-Environmental Assessment - 21009R1 - September 2020, approved under approved under 22/01744/AOD 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.

- b. 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 in accordance with policy BR5 of the Borough Wide Development Policies Development Plan Document and policy DMSI 5 of the draft Local Plan.

4. No development shall commence, including any works of demolition, until a Construction Environmental Management Plan (CEMP), a Site Waste Management Plan (SWMP), an Air Quality and Dust Management Plan (AQDMP), bat survey and scheme of ecological enhancements and mitigations have been submitted to and approved in writing by the Local Planning Authority. These Plans shall incorporate details of:
- a) construction traffic management;
  - b) the parking of vehicles of site operatives and visitors;
  - c) loading and unloading of plant and materials;
  - d) storage of plant and materials used in constructing the development;
  - e) the erection and maintenance of security hoarding(s) including decorative displays and facilities for public viewing, where appropriate;
  - f) wheel washing facilities;
  - g) measures to control the emission of dust, dirt and emissions to air during construction; such measures to accord with the guidance provided in the document "The Control of Dust and Emissions during Construction and Demolition", Mayor of London, July 2014; including but not confined to, non road mobile machinery (NRMM) requirements;
  - h) noise and vibration control;
  - i) a scheme for recycling/disposing of waste resulting from demolition and construction works;
  - j) the use of efficient construction materials;
  - k) methods to minimise waste, to encourage re-use, recovery and recycling, and sourcing of materials; and
  - l) a nominated Developer/Resident Liaison Representative with an address and contact telephone number to be circulated to those residents consulted on the application by the developer's representatives. This person will act as first point of contact for residents who have any problems or questions related to the ongoing development.
  - m) full details of the proposed mitigation measures for impact on air quality and dust emissions, following the guidance 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;
  - n) details of ecological and biodiversity measures to be implemented during the demolition, construction and operational stages of development, in accordance with the recommendations of the Preliminary Ecological Appraisal Report and Biodiversity Net Gain Report, prepared by Synterga; and
  - o) details and findings of a follow up bat survey based on the recommendations of the Preliminary Ecological Appraisal Report and Biodiversity Net Gain Report, prepared by Synterga.

Demolition and construction work and associated activities, other than internal works not audible outside the site boundary, are only to be carried out between the hours of 08:00 and 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.

Once approved the Plans shall be adhered to throughout the construction period. All ecological enhancements shall be implemented prior to first occupation in accordance the approved scheme of ecological enhancements and thereafter retained in perpetuity. If a bat is found during the construction process, all works are to stop immediately, and a suitably licenced ecologist is to be contacted. A further bat report detailing any necessary mitigations shall then be submitted to and approved in writing by the Local Planning Authority prior to the re-commencement of any construction or demolition works.

Reason: The CEMP, AQDMP 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 and Policy T7 of the London Plan. Ecological details are required in the interest of protecting and enhancing biodiversity and ecology.

5. No development shall commence, including any works of demolition, until a Construction Logistics Plan, that is in line with TfL guidelines, has been submitted to and approved in writing by the Local Planning Authority. 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 demolition and 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 licensing officers of the council. The Plan shall be designed to minimise deliveries of materials and export of any waste materials within the times of peak traffic congestion on the local road network. Approved details shall be implemented throughout the project period, unless otherwise approved in writing by the Local Planning Authority.

Reason: The Construction Logistics Plan is required prior to commencement of development in order to minimise the impact of construction on the free flow of traffic on the local highway network and in the interests of highway safety, and in accordance with policy BR10 of the Borough Wide Development Policies Development Plan Document and policy T7 of the London Plan.

6. Prior to the commencement of development, an Air Quality Neutral assessment taking into account emissions from temporary and permanent boilers, transport and construction sources, and all other sources of emissions shall be submitted to and approved in writing by the Local Planning Authority. The assessment methodology used shall be in line with the GLA Air Quality Neutral Guidance 2023.

Where the air quality neutral assessment does not meet the benchmarks for building or transport a scheme for air pollution mitigation shall be submitted to the Local Planning Authority for written approval. The approved details shall be implemented before the first occupation of the development hereby permitted.

Reason: Details demonstrating that the development will meet air quality neutral benchmarks for transport emissions and sustainable design and construction is required prior to the commencement of development in order to minimise the impact of the development on air quality, and in accordance with policy BR14 of the Borough Wide Development Policies Development Plan Document and policy SI 1 of the London Plan.

7. No above ground new development shall begin until a scheme of acoustic protection of habitable rooms has been submitted to and approved in writing by the Local Planning Authority. The scheme of acoustic protection shall be sufficient to secure internal noise levels no greater than:

- a. a. 35 dB LAeq in living rooms and bedrooms (07:00 hours to 23:00 hours) with windows closed; and
- b. b. 30 dB LAeq in bedrooms (23:00 hours to 07:00 hours) with windows closed.

Additionally, where the internal noise levels will exceed 40 dB LAeq in living rooms and bedrooms (07:00 hours to 23:00 hours) or 35dB LAeq in bedrooms (23:00 hours to 07:00 hours) with windows open the scheme of acoustic protection shall incorporate a ventilator system which is commensurate with the Acoustic Ventilation and Overheating Residential Design Guide January 2020. The approved scheme shall be fully implemented before the first occupation of the residential unit to which it relates and shall be maintained at all times thereafter.

External space noise levels shall be assessed in accordance with BS8233.

Additionally, no above ground new development shall commence until a scheme of noise insulation of party construction between the residential units and the non-residential uses (including plant rooms, commercial units and community uses) has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the first occupation of the non-residential / residential unit(s) to which it relates.

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 D14 of the London Plan.

8. Prior to the installation of any external mechanical services plant including heating, ventilation, and air conditioning (HVAC), refrigeration and kitchen extraction plant to which the application refers, a scheme shall be submitted to and approved in writing by the LPA which demonstrates that the following noise design requirements can be complied with and shall thereafter be retained as approved:
  - a. 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. Measurements shall be made at a height of 1.2 – 1.5 metres above the adjacent ground level and at least 3.5 metres from any sound reflecting surfaces other than the ground or 1 metre from the facade of the nearest first floor (or higher) noise sensitive premises, and in accordance with the latest British Standard BS4142:2014.
  - b. 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.

A commissioning acoustic test and report shall be undertaken within 7 days of mechanical services commissioning in order to demonstrate that conditions a and b above have 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 units and neighbouring occupiers are adequately protected from noise and in accordance with policies BP8 and BR13 of the Borough Wide Development Policies Development Plan Document and policy D14 of the London Plan.

9. Other than with the prior written approval of the Local Planning Authority, the proposed non-residential uses hereby permitted are to be permitted to trade between the hours of 07:00 hours and 23:00 hours on any day and at no other time. Noise from any Class E of F2 use hereby permitted, including, but not limited to, live and amplified music shall be controlled to be inaudible inside adjoining and other noise-sensitive premises in the vicinity of the development hereby approved. The initial test for compliance with the 'inaudibility' criterion will be that noise should be no more than barely audible outside those noise-sensitive premises. In the event there is

disagreement as to whether entertainment noise is or is not audible the following numerical limits shall be used to determine compliance with this condition:

the LAeq (D1AN) shall not exceed LA90 (WD1AN) and; the L10 (D1AN) shall not exceed L90 (WD1AN) in any 1/3 octave band between 40Hz and 160Hz.

D1AN = D1 use Activity Noise level, WD1AN = Representative background noise level without D1 use activity noise, both measured 1 metre from the façade of the noise-sensitive premise.

No loudspeaker, tannoy, television, radio or similar audio broadcast device is to be installed or operated outside the Class E or F2 use unit(s) hereby permitted.

Reason: To ensure that the proposed residential units and neighbouring occupiers are adequately protected from noise and in accordance with policies BP8 and BR13 of the Borough Wide Development Policies Development Plan Document and policy D14 of the London Plan.

10. Notwithstanding the details submitted with the application, prior to first occupation of the development, the following shall be submitted to and approved in writing by the Local Planning Authority:

- a. Certificate of Compliance in respect of the Secured by Design scheme, or alternatively achieve security standards (based on Secured by Design principles) to the satisfaction of the local authority & Metropolitan Police, and
- b. A scheme showing the provisions to be made for external lighting, CCTV coverage, access control and any other measures to reduce the risk of crime.

The external lighting of the development is to be designed, installed and maintained so as to fully comply with The Association of Chief Police Officers Secured by Design publication "Lighting Against Crime - A Guide for Crime Reduction Professionals", ACPO SPD, January 2011. The design shall satisfy criteria to limit obtrusive light presented in Table 1, p25 of the guide, relating to Environmental Zone E3 - medium district brightness areas.

The development shall not be occupied until the approved scheme has been installed. Thereafter the approved measures shall be permanently retained.

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

11. 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.

If piling or ground improvement work is undertaken pursuant to this permission then the 5% level of vibration attributable these activities shall not exceed a peak particle velocity of 1.5mm/sec when measured at the point of entry to any adjoining residential development. In the event of reasonable complaint of vibration nuisance, and at the request of the Local Planning Authority, monitoring to evaluate compliance with this condition is to be carried out and the results submitted to and approved in writing by, the Local Planning Authority. There is to be no use of driven piling in the construction of the development hereby permitted.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure and in order to reduce the impact of construction and development on the

amenities of neighbouring residents, and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

12. The development shall be carried out in accordance with the submitted Flood Risk Assessment and Drainage Strategy prepared by Cole Easdon (October 2023, 9325, Issue 2) Minor amendments to the Flood Risk Assessment and SUDS Report may be agreed in writing from time to time by the Local Planning Authority.

Reason: In order to reduce the risk of flooding and to protect controlled waters and in accordance with policy BR4 of the Borough Wide Development Policies Development Plan Document and policy SI 12 of the London Plan.

13. No above ground new development shall commence until full details, including samples (brick with mortar), specifications, annotated plans and fire safety ratings, of all external facing materials have been submitted to the Local Planning Authority for approval in writing.

External metal shutters shall not be used to cover over ground floor glazed frontages at any time.

The development shall only be implemented in accordance with the approved details and to the satisfaction of the Local Planning Authority.

Reason: To protect or enhance the character and amenity of the area and to ensure an exemplar finish to the building in accordance with policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document and policies D1, D4, D6, D12 of the London Plan.

14. Notwithstanding the details submitted with the application, no above ground works shall take place until the following soft and hard landscaping details have been submitted to and approved in writing by the local planning authority:

- i. A scheme of Planting plans and full planting specification for the whole scheme including details of the number of all trees, hedges and shrubs to be planted, together with a planting schedule providing sizes and total quantities of individual species. The number, type and location of trees should reflect that agreed under condition 2 (approved plans). These plans should also show appropriate plant species given likely levels of shade or direct sunlight.
- ii. Details of tree planting within hard landscaped areas to include root cell crates;
- iii. the detailed design of the children's playspace areas, including specifications of all play equipment and details of accessible/inclusive design;
- iv. Street/external furniture, including general waste and recycling bins, cycle stands, seating and any other relevant items;
- v. Details of boundary treatments including materials;
- vi. Details of lighting (in relation to appearance/design);
- vii. Details of wayfinding and other signage/public art;
- viii. Details of surfacing materials to be used in the external finished of all roads, footpaths, and parking areas, together with specification of edging and kerbs; and
- ix. Landscape and Open Space Management Plan, to include details of landscape maintenance and measures to ensure the satisfactory operation of all outdoor amenity space for use by residents.

The hard landscaping and playspace as approved shall be implemented in full prior to first occupation and maintained in accordance with the details provided.

The soft landscaping scheme as approved shall be carried out in the first planting and seeding seasons following the occupation of any of the buildings or completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be



replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

The roof terrace areas shall be made available for use by all residents during daylight hours in perpetuity from point of first occupation. These spaces shall be suitably maintained so as to ensure the safety and enjoyment of all residents.

Reason: To safeguard and improve the appearance of the area in the interest of design quality, to improve biodiversity and in accordance with policies CP3 of the Core Strategy, BP11 and BR3 of the Borough Wide Development Policies Development Plan Document and Section 197 of the Town and Country Planning Act 1990.

15. The development shall be carried out in accordance with the submitted Travel Plan prepared by Caneparo Associates (Dated October 2023).

Reason: In order to encourage the use of sustainable transport and in accordance with policy BR10 of the Borough Wide Development Policies Development Plan Document and policy T1 and T4 of the London Plan.

16. The development shall not be occupied until a management scheme for the removal of bulky waste has been submitted to and approved in writing by the Local Planning Authority. Thereafter development shall be implemented in accordance with the details approved.

Notwithstanding the above, the development shall be carried out in accordance with the submitted Operational Waste Management Plan prepared by Caneparo Associates (Dated October 2023). Minor amendments to the Waste Management Plan may be agreed in writing from time to time by the Local Planning Authority. The approved refuse stores shall be provided before the first occupation of the development and thereafter permanently retained. The collection of waste is only permitted to take place between 07:00 hours and 21:00 hours on any day.

Reason: To provide satisfactory refuse storage provision and the removal of bulky waste in the interests of the appearance of the site and locality and to protect residential amenities in accordance with policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

17. The development hereby permitted shall not be occupied until a Car Parking Design and Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan must include details of how car parking will be allocated, including blue badge car parking spaces.

All 14 parking spaces shall be constructed and marked out prior to the occupation of the development. All car parking spaces shall be installed with active electric vehicle charging points (EVCPs).

3 residential blue badge car parking spaces shall be marked out prior to the occupation of the development as accessible parking bays (to be clearly marked with a British Standard disabled symbol).

Reason: To ensure sufficient off-street parking, to encourage the use of electric cars in order to reduce carbon emissions and to promote easier access for disabled persons and in accordance with policies BC2, BR9 and BR10 of the Borough Wide Development Policies Development Plan Document and policy T6 of the London Plan.

18. The development hereby permitted shall not be occupied until the cycle parking spaces within and outside of the building as indicated on drawing number 1118-100 Rev PO have been fully

implemented. All cycle parking must comply with the London Cycle Parking Design Standards (LCDS). Thereafter, the cycle parking facilities shall be permanently retained.

Reason: In the interests of promoting cycling as a safe, efficient and non-polluting mode of transport and in accordance with policy BR11 of the Borough Wide Development Policies Development Plan Document and policy T5 of the London Plan.

19. The development shall be carried out in accordance with the submitted Delivery and Servicing Plan prepared by Caneparo Associates (Dated October 2023).

Reason: In order to minimise the impact of the development on the local highway network and traffic congestion and in accordance with policy BR10 of the Borough Wide Development Policies Development Plan Document and policy T7 of the London Plan.

20. The development hereby permitted shall be carried out in accordance with the submitted Energy Strategy September 2023 Rev.0, prepared by DSA Engineering. The development shall not be occupied until the approved details have been implemented. A post completion report demonstrating compliance with the submitted Energy Strategy shall be submitted to, and approved in writing, by the Local Planning Authority within six months of first occupation of any part of the development. This report must also provide detail of 'Be Seen' measures to be implemented and maintained, in accordance with the London Plan Energy Hierarchy.

Reason: In the interests of safeguarding the environment and providing sustainable development in accordance with policy CR1 of the Core Strategy, policies BR1 and BR2 of the Borough Wide Development Policies Development Plan Document and policies SI2, SI3 and SI4 of the London Plan.

21. 10% of the residential units hereby permitted shall meet Building Regulations Approved Document M Volume 1 (2015 Edition) M4 (3) 'wheelchair adaptable dwellings' and 90% of the residential units hereby permitted shall meet Building Regulations Approved Document M Volume 1 (2015 Edition) M4 (2) 'accessible and adaptable dwellings'. Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.

Reason: To ensure that sufficient accessible housing is provided in accordance policy BC2 of the Borough Wide Development Policies Development Plan Document and policy D7 of the London Plan.

22. The development hereby permitted shall not be occupied until details of a communal television and satellite system have been submitted to and approved in writing by the Local Planning Authority. The approved system shall be provided prior to occupation of the development and be made available to each residential unit within the development. No antennae or satellite dishes may be installed on the exterior of the building, with the exception of 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 buildings in accordance with policy CP3 of the Core Strategy and policies BP2 and BP11 of the Borough Wide Development Policies Development Plan Document.

23. The development hereby permitted shall comply with the water efficiency optional requirement in paragraphs 2.8 to 2.12 of the Building Regulations Approved Document G. Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.

Reason: To minimise the use of mains water in accordance with policy BR4 of the Borough Wide Development Policies Development Plan Document and policy SI5 of the London Plan.

24. Notwithstanding the provisions of the Town and County Planning (Use Classes) Order 1987 (as amended), the 2no. commercial (Class E) units and the 1no. community (Class F2) unit hereby approved shall be only used for their respective Class E and F2 uses only. The approved floorspace shall not be used for any other purposes or any provision equivalent to these Classes, or for any other use, in any statutory instrument revoking and re-enacting that Order without modification.

Reason: To safeguard the commercial and community uses hereby permitted and to ensure that no additional impacts which have not been assessed as part of the planning application proposal arise.

25. The development shall be carried out in accordance with the approved London Plan Fire Statement, prepared by FDS consult UK (3<sup>rd</sup> October 2023) and the Gateway 1 Fire Statement Issue 2, prepared by fds consulting uk, October 2023, 8328, and all measures thereafter maintained.

Reason: In order to provide a safe and secure development in accordance with policy CP3 of the Core Strategy and policy D11 and D12 of the London Plan.

26. No development above ground floor slab shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the position, design, materials and type of boundary treatment to be erected and balconies, including details of balustrades and screening for rooftop terraces. The balcony designs shall include detail of both types a and b, including detailed architectural drawings to show the density of perforation for privacy purposes. No part of the development shall be occupied until the approved boundary treatment or balcony design for the relevant part has been provided. The approved boundary treatment and balcony shall be retained unless the Local Planning Authority gives prior written approval for its removal.

Reason: To ensure the boundary treatment and balconies protects or enhances the character and amenity of the area and ensures a suitable level of privacy for neighbouring occupiers in accordance with Policy BP11 of the Borough Wide Development Policies Development Plan Document.

**Appendix 7:**

**Site Location Plan**

**(Do not scale off this plan)**

