MINUTES OF
PLANNING COMMITTEE

Tuesday, 10 July 2018
(7:00 - 8:10 pm)

Present: Cllr Peter Chand (Chair), Cllr Muhammad Saleem (Deputy Chair),
Cllr Andrew Achilleos, Cllr Edna Fergus, Cllr Irma Freeborn, Cllr Kashif
Haroon, Cllr Olawale Martins and Cllr Simon Perry

Also Present: Cllr Giasuddin Miah

Apologies: Cllr Dominic Twomey

10. DECLARATION OF MEMBERS' INTERESTS

There were no declarations of interest.

11. MINUTES - TO CONFIRM AS CORRECT THE MINUTES OF THE MEETING
HELD ON 11 JUNE 2018

The minutes of the meeting held on 11 June 2018 were confirmed as correct.

12. FORMER SANOFI AVENTIS, RAINHAM ROAD SOUTH, DAGENHAM-
18/00161/FUL

The Principal Development Management Officer (PDMO) introduced a report
concerning the proposed development of the Former Sanofi Aventis site,
Rainham Road South, Dagenham, involving the proposal for the erection of two
data centre buildings (Use Class B8), with ancillary plant, offices, gatehouse,
electrical sub-stations, fuel storage, car parking, site fencing, landscaping and
other associated works.

The application site comprised approximately 7.54 hectares of land that formed
the far southern and eastern parts of the former Sanofi Aventis manufacturing
plant (formerly known as May & Baker) located on the eastern side of Rainham
Road South, Dagenham. The application site also included land within the May
& Baker Sports Club car park which was sited to the north of Fox Lane, a
footpath that runs between the wider Sanofi Aventis site and the May & Baker
Sports Club car park.

The datacentre buildings were identified as buildings 1 and 2 and measure
19,714m² and 33,552m² in gross external floor area respectively. The
gatehouse building would measure 255m².

The development would provide 149 car parking spaces of which 90 spaces
would be located off-site in the May & Baker Car Park. The remaining 59
spaces would be provided on-site within the compound of the datacentre
buildings. 16 accessible car parking spaces would be provided equating to
10% of the total provision. 76 spaces would be provided with electric vehicle
charging points equating to 51% of the total provision. 120 long-stay cycle
parking spaces would be provided in accordance with the London Plan. All vehicular access to the site would be from Rainham Road South via Yewtree Avenue, the spine road that ran through the wider Sanofi Site.

The development would be phased with the construction of building 1, the delivery of the 90 spaces in the northern car park, the construction of the electricity substation and other associated works undertaken as part of phase 1. Phase 2 of the development would comprise the construction of building 2 and associated works.

The principle of the development was considered to be acceptable and in accordance with Policy 2.7 of the London Plan and Paragraph 18 of the National Planning Policy Framework which sought to support economic growth through the planning system. The employment opportunities offered by this development would be approximately 110 permanent jobs. The applicant would also be seeking to collaborate with local educational establishments such as Barking and Dagenham College and Coventry University London to develop and promote new courses which would enable local people to be provided with the necessary skills to be able to obtain future employment in the proposed development.

The provision of digital technology provided by the datacentre buildings fitted in well with the existing and planned uses for the wider former Sanofi site. This included the existing East London University Technical College, the Londoneast UK Business and Technical Park and the proposals for film studios. Combined these have the potential to transform the local economy providing new jobs in growth sectors in line with the Borough Manifesto. It was also in line with the focus on economic growth in the NPPF, London Plan and Local Plan.

The buildings were adjacent to the green belt which includes the Eastbrook End Country Park, the Chase and Beam Valley Country Park which are also Sites of Importance for Nature Conservation. The applicant has submitted a Visual Impact Assessment which showed how the buildings would appear in views from 18 locations inside and outside the green belt during the summer and winter including views from Havering. The buildings would be visible in some views but the cladding of the buildings helped mitigate this impact so that they were not overly intrusive and therefore officers considered that the visual impact was acceptable. The impact on neighbouring residential occupiers was also acceptable. The closest residential properties to the development were located in Winstead Gardens which were separated from the closest datacentre building (building 1) by some 396 metres. In addition to this there are intervening buildings within the Londoneast UK Business and Technical Park that would provide a visual barrier.

The design, scale, form and massing of the development were considered to be acceptable. Whilst the datacentre buildings are substantial in scale, the development would incorporate design features intended to add visual interest to the buildings.

The buildings would achieve a BREEAM (Building Research Establishment Environmental Assessment Method) rating of 'Very Good' and this would be in accordance with local plan policy.
The office elements of the development were anticipated to achieve a 40.3% reduction in carbon dioxide emissions and this would be in accordance with Policy 5.2 of the London Plan. The development would also include measures to provide potential heat reclaim opportunities for other future developments across the wider site.

The development was in keeping with relevant development plan and national policies and therefore was considered to be acceptable.

Members asked what data would be stored at the new development. The PDMO and Robert Purton (representing the applicant) confirmed that this was difficult to determine but it would be whatever data was stored for whichever organisation used it. The PDMO added this was a flexible building and there may be a number of occupiers using the site.

Members were concerned that the size of the development might impinge unfavourably with the local landscape at adjacent to Eastbrookend Country Park. The PDMO accepted that the proposed development was large and it was an industrial site and there was already planning permission approval for 15m high buildings in the locality.

The Committee granted planning permission subject to any direction from the Mayor of London and the following conditions (with any amendments that might be necessary up to the issue of the decision, including any other conditions that may be required.).

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 Section 51 of the Planning and Compulsory Purchase Act 2004).

2) The development hereby permitted shall be carried out in accordance with the following approved plans;

   PHW-ARC-SP-DR-A-0100 Rev A
   PHW-ARC-SP-DR-A-0101 Rev A
   PHW-ARC-SP-ZZ-DR-A-0001 Rev D
   PHW-ARC-SP-ZZ-DR-A-0002 Rev D
   PHW-ARC-SP-ZZ-DR-A-0003 Rev A
   PHW-ARC-SP-ZZ-DR-A-0004 Rev D
   PHW-ARC-SP-ZZ-DR-A-0005 Rev D
   PHW-ARC-SP-ZZ-DR-A-0006 Rev D
   PHW-ARC-SP-ZZ-DR-A-0007 Rev A
   PHW-CA-SP-ZZ-DR-S-004 Rev P02
   PHW-CA-SP-ZZ-DR-S-005 Rev P02
   PHW-CA-SP-ZZ-DR-S-006 Rev P03
   PHW-CA-SP-ZZ-DR-S-007 Rev P02

Reason: To protect or enhance the character and amenity of the area in accordance with policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

4) The landscaping scheme indicated on drawing numbers 1798-17-01 Rev E and 1798-17-02 Rev D shall be carried out in the first planting and seeding seasons following the occupation of the first datacentre facility 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.

Reason: To secure the provision and retention of the landscaping in the interests of the visual amenity of the area and in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document and Section 197 of the Town and Country Planning Act 1990.

5) The hard-landscaping scheme relevant to each building as shown on drawing No.PHW-CA-SP-ZZ-DR-S-004 Rev P02 shall be completed prior to the occupation of that building and thereafter permanently retained.

Reason: To safeguard and improve the appearance of the area in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document.
6) No part of the development shall be occupied until the approved boundary treatment relevant to each building has been provided as indicated on drawing number PHW-ARC-SP-ZZ-DR-A-0006 Rev D. The approved boundary treatment shall be retained unless the Local Planning Authority gives prior written approval for its removal.

Reason: To ensure the boundary treatment protects or enhances the character and amenity of the area in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document.

7) The rating level of noise from fixed plant installed pursuant to this permission shall not exceed 37 dB LAeq, Tr outside the window to any habitable room in residential accommodation in the vicinity. Any assessment of compliance with this condition shall be made according to the methodology and procedures presented in BS4142:2014.

Reason: In the interest of protecting neighbouring amenities in accordance with policies BR13, BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

8) Noise from fixed plant installed pursuant to this permission shall not exceed a free field level of 55 LAeq (15 minute) outside the window to any commercial/educational/film space in the vicinity.

Reason: In the interest of protecting neighbouring amenities in accordance with policies BR13, BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

9) Noise from fixed plant installed pursuant to this permission shall not exceed a free field level of 70 LAsmax (15 minute) outside the window to any film space in the vicinity.

Reason: In the interest of protecting neighbouring amenities in accordance with policies BR13, BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

10) The external lighting of the development hereby permitted, is to fully comply with Institute of Lighting Professionals, “Guidance Notes for the Reduction of Obtrusive Light GN01:2011. The design shall satisfy criteria to limit obtrusive light presented in Table 1 of the guide, relating to Environmental Zone E3 – Medium district brightness areas - small town centre or urban locations. The scheme should seek to minimise upwards light and obtrusive light and avoid light spill onto trees, hedges and bird and bat boxes. Lighting should be designed in accordance with the Bat Conservation Trust’s guidance 'Bats and Lighting in the UK' or their latest advice. Any lighting, either temporary or permanent, along the site boundaries should be kept to a minimum and directed away from the boundary features to ensure there is no increase in light levels. The development shall be implemented in accordance with the requirements of this condition prior to the occupation of the development and maintained thereafter.
11) 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 08:00-13:00 Saturday with no work on Sundays or public holidays. 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.

Reason: In the interest of protecting neighbouring amenities in accordance with policies BR13, BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

12) 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.

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

13) Measures to control the emission of dust, dirt and emissions to air 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 are to be implemented at all times during demolition and construction works.

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

14) The development hereby approved shall be implemented in partnership with the Council’s Employment and Skills Team and in accordance with the submitted Employment and Skills Strategy: NTT Communications Corporation Version 2 Dated March 2018.

Reason: In order to contribute to the local economy and local residents in need of employment and in accordance with the principles within policy CC3 of the Core Strategy.

15) The development hereby permitted shall be constructed in accordance with the submitted NTT Communications Corporation; Waste Minimisation Strategy – Full Planning Application Supporting Statement dated March 2018. The strategy shall be adhered to throughout the construction period of the development.

Reason: To reduce the environmental impact of the construction and
16) The development hereby permitted shall be constructed in accordance with the following documents:

- GIA Building Consultancy; Construction Method Statement report reference 13087 dated 11th January 2018

The above plans shall be adhered to thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To reduce the environmental impact of the construction and the impact on the amenities of neighbouring occupiers, and in accordance with policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

17) The development hereby permitted shall be implemented in accordance with the submitted NTT Communication Corporation Delivery and Servicing Plan dated April 2018. The Delivery and Servicing Plan shall be adhered to thereafter unless otherwise agreed in writing by the Local Planning Authority.

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.

18) The development shall make provision for a minimum 120 cycle parking spaces in accordance with the details indicated on drawing numbers PHW-ARC-SP-ZZ-DR-A-0004 Rev D, PHW-ARC-SP-ZZ-DR-A-0005 Rev B and PHW-ARC-SP-ZZ-DR-A-0200 Rev D. 5% of the total provision shall be for non-standard sized bikes. The cycle spaces indicated for each building shall be installed prior to the first occupation of the relevant building and thereafter retained permanently for the accommodation of bicycles of occupiers to the premises and not used for any other purpose.

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

19) There shall be no direct vehicular access (including emergency and construction vehicles) to and from the application site to the May & Baker car park or any areas north of the footpath known as Fox Lane.

Reason: To ensure that no unauthorised vehicles pass over Fox Lane and to ensure that adequate access arrangements are provided within
20) The development hereby permitted shall be constructed to achieve as a minimum a 35% reduction in carbon dioxide emissions over Part L of the Building Regulations (2013) for the office element of the buildings in accordance with the submitted energy strategy titled NTT Communications Data Centre Energy Statement dated 25 April 2018; report ref: BW-E-P20010-3-REP-000008-2 Rev 2.

Reason: To ensure compliance with the proposed energy strategy in accordance with Policy 5.2 of the London Plan and Policy BR2 of the Borough Wide Development Policies Development Plan Document.

21) The development hereby permitted shall provide opportunities for existing and/or future neighbouring developments to reclaim heat from the development in accordance with measures identified in the submitted NTT Communications Data Centre Site Heat Reclaim Statement dated 14th February 2018 and drawing numbers PHW-ARC-SP-ZZ-DR-A-0002 Rev D and PHW-BW-SP-00-DR-M-90-0201 Rev 3. The measures shall be retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of safeguarding the environment, to ensure that the development provides renewable energy in accordance with policy BR2 of the Borough Wide Development Policies Development Plan Document and policy 5.2 of the London Plan.

22) The development hereby permitted shall not be occupied until there has been submitted to and approved in writing by the Local Planning Authority a Travel Plan for the site which shall include proposals for minimising car-borne travel and encouraging walking, cycling and the use of public transport. The Travel Plan should demonstrate how the development shall achieve a target of 80% of all journeys being made by public transport and active travel. The Travel Plan shall include details of funding, implementation, monitoring and review. The approved Travel Plan shall be implemented and monitored in accordance with the approved scheme.

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.

23) Prior to the commencement of Building 2, detailed design and method statements (in consultation with London Underground) for each stage of the development in relation to phase 2 only, including all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent) shall be submitted to and approved in writing by the Local Planning Authority which

- Provide details of all structures
- Provide details on the use of tall plant/scaffolding
- Accommodate the location of the existing London Underground structures
- Demonstrate access to elevations of the building adjacent to the property boundary with London Underground can be undertaken without recourse to London Underground land
- Demonstrate that there will at no time be any potential security risk to London Underground railway, property or structures
- Accommodate ground movement arising from the construction thereof

The development shall thereafter be carried out in all respects in accordance with the approved details.

Reason: Detailed design and method statements are required prior to the commencement of building 2 in order to ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan Table 6.1, draft London Plan Policy T3 and ‘Land for Industry and Transport Supplementary Planning Guidance 2012’.

24) Prior to the occupation of the development, the turnstiles indicated on drawing number PHW-ARC-SP-ZZ-DR-A-0007 Rev A shall be installed and thereafter retained as such.

Reason: In the interest of ensuring priority for pedestrians and ramblers over Fox Lane in accordance with Policy BP11 of the Borough Wide Development Policies Development Plan Document.

25) The refuse enclosures indicated on drawing number PHW-ARC-BS-ZZ-DR-A-0201 Rev B shall be constructed in accordance with the approved plans prior to the occupation of the relevant building hereby approved and thereafter permanently retained for the use of the occupiers of the premises.

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

26) The on plot car parking areas relevant to each building as indicated on drawing numbers PHW-ARC-SP-ZZ-DR-A-0004 Rev D, PHW-ARC-SP-ZZ-DR-A-0005 Rev D and PHW-ARC-SP-ZZ-DR-A-0002 Rev D shall be constructed and marked out prior to the occupation of that building and thereafter retained permanently for car parking purposes for vehicles of occupiers and visitors to the premises and not used for any other purpose.

The car parking area to the north of Fox Lane as indicated on drawing numbers PHW-BW-SP-00-DR-E-0209 Issue 4 and PHW-ARC-SP-ZZ-DR-A-0002 Rev D shall be constructed and marked out prior to the occupation of building 2 and thereafter retained permanently for car
parking purposes for vehicles of occupiers and visitors to the premises and not used for any other purpose.

Reason: To ensure that sufficient off-street parking areas are provided and not to prejudice the free flow of traffic or conditions of general safety along the adjoining highway in accordance with policy BR9 of the Borough Wide Development Policies Development Plan Document.


28) Active electric vehicle charging points shall be provided for 20% of the total parking provision and 80% passive electric vehicle charging provision shall be provided for the remaining car parking spaces in accordance with drawing numbers PHW-BW-SP-00-DR-E-90-0207 Issue 4, PHW-BW-SP-00-DR-E-90-0208 Issue 4 and PHW-BW-SP-00-DR-E-90-0209 Rev 4. The spaces shall be constructed and marked out and the charging points installed prior to the occupation of the relevant building, and thereafter retained permanently for the accommodation of vehicles of occupiers and visitors to the premises and not used for any other purpose.

Reason: To encourage the use of electric cars in order to reduce carbon emissions, and in accordance with policy BR10 of the Borough Wide Development Policies Development Plan Document and policy 6.13 of the London Plan.

29) No building hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted NTT Communications Corporation Data Centre Dagenham Drainage Strategy Rev C Dated 29th March 2018 and drawing number PHW-CA-SP-ZZ-DR-S-001 Rev P04. The sustainable drainage scheme shall be managed and maintained thereafter.

Reason: To prevent an increased risk of flooding and to prevent pollution of the water environment and in accordance with policy BR4 of the Borough Wide Development Policies Development Plan Document.

30) No development above ground level shall take place for each relevant building until details of the proposed living walls including their type and specific purpose together with a maintenance schedule shall be submitted to and approved in writing by the Local Planning Authority. The living walls shall be constructed in accordance with the approved details and thereafter maintained in accordance with the approved
maintenance schedule.

Reason: In the interests of reducing the impact of the development on the mains drainage system, enhancing the insulation of the building and contributing to biodiversity and in accordance with policy CR1 of the Core Strategy and policies BR3, BR4 and BP11 of the Borough Wide Development Policies Development Plan Document.

31) Prior to any part of the permitted development being brought into use a verification report demonstrating the completion of works set out in the Development Specific Remediation and Verification Strategy, Land at Londoneast-uk Business and Technical Park (Delta Simons Environmental Consultants Ref: 17-1150.01 Dated 18/01/2018) shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: The site has a history of soil and groundwater contamination and has been the subject of extensive soil and groundwater remediation, however it is considered likely that residual “hot spots” of contamination may still remain. The Development Specific Remediation and Verification Strategy (Delta Simmons Ref: 17-1150.01 Dated 18/01/2018) documents construction phase activities that will be undertaken to mitigate against potential risks associated with residual contamination that must be observed during the development works. This condition will ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete in accordance with paragraph 109 of the National Planning Policy Framework and Policy BR5 of the Borough Wide Development Policies Development Plan Document.

32) The development hereby permitted may not commence until a monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the Local Planning Authority, has been submitted to, and approved in writing by, the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason: The site has a history of contaminative land use and has been subject to extensive soil and groundwater remediation. The likelihood of isolated residual hotspots of contamination is recognised in the PRA document (Delta Simons Ref: 17-1150.01) and it is possible that the ground disturbance associated with the proposed development could result in the mobilisation of contamination that could pollute controlled waters. As such, the status of the groundwater beneath the site will need to be monitored throughout the proposed development to demonstrate that this development has not cause further deterioration. This condition will ensure that the site does not pose any further risk to human health or the water environment by managing any ongoing contamination


issues and completing all necessary long-term remediation measures in accordance with paragraph 109 of the National Planning Policy Framework and Policy BR5 of the Borough Wide Development Policies Development Plan Document.

33) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: The site has a history of extensive soil and groundwater contamination and been the subject of extensive soil and groundwater remediation, however it is considered likely that residual “hot spots” of contamination may still remain that could potentially present an unacceptable risk to controlled waters. This condition will ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution from previously unidentified contamination sources at the development site in accordance with paragraph 109 of the National Planning Policy Framework and Policy BR5 of the Borough Wide Development Policies Development Plan Document.

34) A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to each phase of development being brought into use.

Reason: The site has a history of extensive soil and groundwater contamination and been the subject of extensive soil and groundwater remediation. This will ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in accordance with paragraph 109 of the National Planning Policy Framework and Policy BR5 of the Borough Wide Development Policies Development Plan Document.

35) Piling using penetrative methods shall not be carried out other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: The site has a documented history of contaminative land use and has been the subject of extensive soil and groundwater remediation. The formation of piled foundations through contaminated soils could create preferential migration pathways for contaminants potentially resulting in the pollution of controlled waters. This will ensure that the proposed development does not harm groundwater resources in accordance with paragraph 109 of the National Planning Policy

36) No infiltration of surface water drainage into the ground at the site is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: Soil and groundwater beneath the site is known to be impacted with contaminants relating to historical activities at the site. The Drainage Strategy report (Capita Ref: CS/094261) provides confidence that the legacy of contamination has been considered and that infiltration drainage will not be utilised where there is a risk of mobilising contamination at the site however a detailed design will be required. This will ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution caused by mobilised contaminants in line with paragraph 109 of the National Planning Policy Framework and Policies BR4 and BR5 of the Borough Wide Development Policies Development Plan Document.

37) Details of any facilities for the storage of fuel associated with this development shall be submitted to and approved by the Local Planning Authority. The details shall include:

- secondary containment that is impermeable to fuel and water, with no opening used to drain the system
- a minimum volume of secondary containment of at least equivalent to the capacity of the tank plus 10% and if there is more than one tank in the secondary containment the capacity of the containment should be at least the capacity of the largest tank plus 10% or 25% of the total tank capacity, whichever is greatest.
- all fill points, vents, gauges and sight gauge located within the secondary containment
- associated above ground pipework protected from accidental damage.
- below ground pipework having no mechanical joints, except at inspection hatches and have either leak detection equipment installed or regular leak checks.
- all fill points and tank vent pipe outlets designed to discharge downwards into the bund. The scheme shall be implemented as approved prior to any storage of fuels.

Reason: To ensure that the proposed fuel storage, does not harm groundwater resources in accordance with paragraph 109 of the National Planning Policy Framework and BR4 of the Borough Wide Development Policies Development Plan Document.

13. LAND TO REAR OF BARKING ENTERPRISE CENTRE, LINTON ROAD, BARKING- 18/00555/FUL

The Chief Planner introduced a report concerning the proposed development of the land to rear of Barking Enterprise Centre, Linton Road, Barking, involving
the proposal for the erection of a 5-storey building to provide ground floor community space and artists' workspace and 12 dwellings above dedicated for artists.

The application sought planning permission for the erection of a 5-storey building to provide ground floor community space and artists' workspace and 12 dwellings above dedicated for artists' live/work spaces. It is anticipated that the community space would host a range of public events including arts workshops, film screenings and community meetings.

The project was backed by the Mayor of London and would provide long-term affordable housing provision for artists, while facilitating sustainable public access to artistic activity in the local community. The design had been prepared following an invited competition, on behalf of London Borough of Barking and Dagenham, supported by the Greater London Authority and arts charity Create London.

The application site was a currently cleared and fenced off site to the rear of the Barking Enterprise Centre (BEC) and Anne Mews, where the William Street Quarter begins. The proposed development would fill approximately half of the site with a building of a regular, nearly rectangular footprint. The remainder of the site comprising a courtyard to the rear of the BEC and side of the Hapag Lloyd building will be re-landscaped and shared with the BEC. The proposed five storey building would sit between the heights of the William Street development and the BEC.

The design of the building, its workspace, community space and accommodation had been informed through an intensive public engagement programme, as reported in the Design and Access Statement. The engagement included local residents, artists and leaders in the cultural and creative industries whose collective advice had culminated in the submitted scheme.

The building was currently proposed to be constructed of an in situ concrete façade with a relief pattern and the concrete will be sealed with a ‘fluorinated acrylic’ in order to manage any weathering. However, alternative finishes were being explored to find the most effective finish for the building whilst remaining within budget. As such this aspect was conditioned.

The building was described by CABE as having a ‘monumentality’ to its design. A potentially austere frontage to Linton Road had its tone lifted at ground floor level by the use of a glazed frontage set behind a wall perforated with concrete geometric shapes beneath a substantial overhanging canopy. At the sides facing onto Anne Mews and into the courtyard the canopies were smaller. The canopies have dual functions of shielding ground floor activities from unwanted solar gain and signifying the presence of the building in the streetscene.

Landscaping to the courtyard between the proposed building and the BEC had been provided in a sketch form. However, as these details have yet to be finalised between the two parties, the detailed design and provision of car and cycle parking, refuse, boundary treatments and open space will be sought via the imposition of a condition.
In terms of the residential element of the scheme, all accommodation would be accessible and affordable, which was secured by condition and legal agreement. Ten of the flats will be two-bedroomed. Two flats will have one-bedroom, one of which will comprise the wheelchair accessible flat. All the flats would have balcony space. Internal and external spaces met national and London Plan standards. A key aspect of the strategy was to provide ‘raw’ finishes in the interior spaces. This was considered advantageous not only in budget terms but also in terms of the quality of spaces provided to tenants. Exposed structure can also add a positive sculptural character to a building without impeding flexibility. Tenants would be free to complete the apartments as they wish or to leave the finishes raw.

The scheme was a well-connected town centre site, with a high Public transport Accessibility Rate (PTAL) of 6 and therefore would be car-free, secured via legal agreement. 25 cycle spaces are to be provided on site and the area is very accessible to people arriving on foot.

Pedestrian access for the community space is via Linton Road and Anne Mews whilst access to the residential floors is via the courtyard between the proposed House for Artists and the Barking Enterprise Centre.

The quality of the proposed scheme, process of design development and the prior experience of the designers of the building, gave sufficient confidence in the quality of the scheme for detailed aspects to be provided by condition.

Development of this site for the mixed artists’ studio spaces, community space and residential accommodation would satisfy a number of the Borough’s and London Plan strategic objectives and policies: Strategic Objectives SO.1, SO.2, SO.3, SO.7, SO.8 and SO.11, Policies CC2, CE1, CP1 and CP3 of the Core Strategy; policies BC1, BC2, of the Borough Wide Development Plan; and policies 3.1, 3.5, 3.8, 4.6 and 7.4 of the London Plan.

The Chief Planner advised that officers had recommended an amendment to condition 9 relating to Courtyard treatment, which addressed some of the concerns raised by Hapag Lloyd which required details of the management of the public areas to be submitted for approval to Planning Officers.

Members were concerned to ensure that the proposed design of the building would be in keeping with the locality and felt it was not consistent with other local properties. The Chief Planner stated that in the Town Centre there were a wide range of different building design styles and this allowed some individuality for the design.

The Committee granted planning permission subject to:

1. The completion of a Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 to secure:

   i. **Affordable housing**

      All 12 residential units that will be constructed will be rented out on an intermediate rent basis at 65% of market rent
ii. **No Permits for Controlled Parking Zones (CPZ)**

To ensure that all head leases contain a provision to secure the obligation that the leaseholder shall not apply for a parking permit for any Controlled Parking Zone unless the occupant is the holder of a disabled persons badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970.

iii. **Carbon Offset**

The development shall achieve a minimum 35% reduction in carbon emissions over Part L of the Building Regulations 2013 through on-site provisions and the remaining carbon emissions to zero carbon should be offset through a monetary contribution to the Local Authority’s carbon offset fund calculated on the basis of £60 per tonne over 30 years.

iv. **S106 Legal Fees**

Pay the Council’s professional fees associated with the preparation and completion of the S106 Agreement.

2. The following conditions

**Conditions:**

1. **Time Limit**

   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 Section 51 of the Planning and Compulsory Purchase Act 2004).

2. **Approved Drawings**

   The development hereby permitted shall be carried out in accordance with the following approved plans:
   - Site Location Plan drwg no. HAB-PLN-P-LO dated 27 March 2018
   - Existing Site Plan drwg no. HAB-PLN-P-SI-EX dated 25 April 2018
   - Proposed Ground floor GIA and GEA drwg no. HAB-PLN-P-00-AREA, dated 6 April 2018
   - Proposed site Plan drwg no. HAB-PLN-P-SI-PR rev. 1 dated 25 April 2018
   - Proposed Ground Floor Plan drwg no. HAB-PLN-P-00 rev. 1 dated 25 April 2018
   - Proposed First Floor Plan drwg no. HAB-PLN-P-01 rev. 1 dated 25 April 2018
   - Proposed Second Floor Plan drwg no. HAB-PLN-P-02 rev. 1 dated 25 April 2018
   - Proposed Third Floor Plan drwg no HAB-PLN-P-03 rev. 1 dated 25 April 2018
   - Proposed fourth floor Plan drwg no. HAB-PLN-P-04 rev. 1 dated 25 April 2018
   - Proposed Roof Plan drwg no. HAB-PLN-P-RF rev. 1 dated 25 April 2018
   - Proposed North Elevation drwg no. HAB-PLN-E-N1 rev. 1 dated 25 April 2018
Proposed North Elevation (walkway) drwg no. HAB-PLN-E-N2 rev. 1 dated 25 April 2018
Proposed East Elevation drwg no. HAB-PLN-E-E rev. 1 dated 25 April 2018
Proposed South Elevation drwg no. HAB-3-A-E-S1 rev. 1 dated 25 April 2018
Proposed South Elevation (walkway) drwg no. HAB-PLN-E-S2 rev. 1 dated 25 April 2018
Proposed West Elevation drwg no. HAB-PLN-E-W rev. 1 dated 25 April 2018
Proposed Long Section A-A drwg no. HAB-PLN-S-A rev. 1 dated 25 April 2018
Proposed Long Section B drwg no. HAB-PLN-S-B rev. 1 dated 25 April 2018
Proposed Short Section C drwg no. HAB-PLN-S-C rev. 1 dated 25 April 2018
Proposed Short Section D drwg no. HAB-PLN-S-D rev. 1 dated 25 April 2018
Revised Design and Access Statement dated March 2018 (51 pages), received 25th April 2018
Proposed Drainage Statement produced by Expedition, dated 28 March 2018
Proposed Foul and Surface Water Drainage Strategy – Planning Issue Map, Sketch No. C101 produced by Expedition, dated 29 March 2018
Archaeological Statement produced by AOC Archaeology Group, dated August 11th 2010
Phase II Ground Investigation Report, by Soils Ltd. Dated July 2017
Soil-Gas risk assessment, produced by Soils Ltd. Dated February 2018

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

3. Creative and cultural industries tenure

All of the artists’ dwellings hereby approved shall accommodate at least one person employed in the creative and cultural industry unless otherwise agreed in writing by the Local Planning Authority.

Reason: The dwellings have been designed to provide specific accommodation for a specifically identified group of workers within the cultural and creative industry, particularly geared towards artists who are being displaced from elsewhere in London. The loss of the units to general use would be harmful to this objective and to the wider regeneration aims of the Borough and to London. This occupancy condition will ensure compliance of the development with Strategic Objectives SO.1, SO.2, SO.3, SO.7, SO.8 and SO.11, Policies CC2, CE1, CP1 and CP3 of the Core Strategy; policies BC1, BC2, of the Borough Wide Development Plan; policy BTCSSA4 of the Barking Town Centre Action Plan and policies 3.1, 3.5, 3.8, 4.6 and 7.4 of the London Plan.

4. Details of External Materials

Prior to commencement of development details/samples of all materials to be used in the construction of the external surfaces, their finish and any resulting treatment of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved materials.

Reason: Details of external materials, their finish and treatment are required prior to commencement of development because these have not been supplied
already. These details are required in order to protect or enhance the character and amenity of the area in accordance with policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

5. Details of bird management and rainwater runoff

Prior to the commencement of development details of the bird management and rainwater run-off strategy for the building and any resulting treatment of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved materials.

Reason: Providing a bird strategy will ensure that the building does not encourage nesting or roosting birds and that rainwater issuing from the building, especially its canopies, is managed so as not to cause a problem at the entrances to the site and adjacent road and footways. These details are required prior to commencement of development because they may impact on the design and construction of the building where retrofitting could be unsightly and these details have not been supplied already. These details are required in order to protect or enhance the character and amenity of the area in accordance with policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

6. Accessible Housing - M4 (2)

Before occupation 11 of the dwellings shall comply with Building Regulations Optional Requirement Approved Document M4(2) Category 2: Accessible and adaptable dwellings (2015 edition). 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 accessible housing is provided in accordance with policy 3.8 of the London Plan.

7. Accessible Housing - M4 (3)

The one wheelchair unit identified on the approved drawings shall be constructed to Building Regulations Optional Requirement Approved Document M4(3) Category 3: (Wheelchair user dwellings) (2015 edition). 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 with policy 3.8 of the London Plan.

8. Water Efficiency

Before occupation the proposed dwellings shall comply with the water efficiency optional requirement in paragraphs 2.8 to 2.12 of the Building Regulations Approved Document G. 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 5.15 of the London Plan (March 2016).

9. Courtyard treatment

No development above ground level shall take place until:

(i) a scheme of hard and soft landscaping for the courtyard, including details of any boundary treatment, materials, bin storage, any seating etc. areas and security measures and a planting schedule shall be submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping, boundary treatments, bin store and any seating etc areas shall be carried out prior to the occupation of the development and thereafter permanently retained. The approved soft landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or completion of the development, whichever is the sooner. Any planting 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.

(ii) A Management Plan detailing the use of the public areas of the site, internal ground floor and external courtyard space, including details of numbers of people attending events, strategy for managing any overspill or crowds, noise management, security measures, operating hours, methods for managing the amenity of existing neighbouring residential and business occupiers shall be submitted to and approved in writing by the Local Planning Authority. The approved Management Plan shall subsequently be implemented in accordance with the approved details.

Reason: In order to safeguard and improve the appearance of the area through providing a comprehensive scheme for the redevelopment of the courtyard between the Artists Accommodation and the Barking Enterprise Centre and to manage any impact to residential and commercial neighbours arising from the uses of the ground floor of the building and external courtyard in accordance with policy CM1 of the Core Strategy, policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

10. Parking (Details)

No development above ground level shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for the provision of safe and secure parking for a minimum of 25 cycles and accessible car parking facilities in line with the minimum standards of the London Plan. The approved scheme shall be implemented prior to the occupation of the development and thereafter retained permanently for the accommodation of
bicycles of occupiers and visitors to the premises and not used for any other purpose.


11. Access for Services

No development above ground level shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for provision of a Service Delivery Plan to ensure satisfactory operational parking for maintenance, servicing and deliveries of the proposed uses of the building and for the maintenance access to the energy centre located at the rear of the site.

Reason: In order to ensure waiting and loading restrictions already adjacent to the site would not affect the operational parking for maintenance, servicing and deliveries of the proposed uses of the building and that the maintenance access to the energy centre located at the rear of the site for the electricity substation and district heating component would not be blocked to prevent any maintenance operations from taking place, in accordance with Policy 6.13 of the London Plan.

12. Construction and Logistics Plan

Prior to the commencement of the development a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall be designed to minimise deliveries of materials and export of any waste materials within the times of peak traffic congestion on the local road network. The Plan shall be implemented in accordance with the approved details and thereafter maintained.

Reason: The Construction Logistics Plan is required prior to commencement of development in order to minimise the impact of construction on the free flow of traffic on the local highway network and in the interests of highway safety, and in accordance with policy BR10 of the Borough Wide Development Policies Development Plan Document and policy 6.3 of the London Plan.

13. Surface Water Drainage (Aquifer)

Prior to commencement of development a Surface Water Drainage Scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: The Drainage Scheme is required prior to commencement of development in order to reduce the risk of damaging the Aquifer and in order to ensure that the development is not put at unacceptable risk from, or adversely
affected by, unacceptable levels of water pollution and to prevent further
deterioration and promote recovery of groundwater with a groundwater body in
accordance with policy CR1 of the Core Strategy, policies BR1, BR4 and BR5
of the Borough Wide Development Policies Development Plan Document,
policies 5.21, 5.13 and 5.15 of the London Plan and in line with paragraph 109
of the National Planning Policy Framework.

14. Site Investigation (Potential contaminants)

An investigation and risk assessment, in addition to any assessment provided
with the planning application, must be completed in accordance with a scheme
to assess the nature and extent of any contamination on the site, whether or
not it originates on the site. The contents of the scheme are subject to the
approval in writing of the Local Planning Authority. The investigation and risk
assessment must be undertaken by competent persons and a written report of
the findings must be produced. The written report is subject to the approval in
writing of the Local Planning Authority. The report of the findings must include:
(i) a survey of the extent, scale and nature of contamination;
(ii) an assessment of the potential risks to:
  human health,
  property (existing or proposed) including buildings, crops, livestock, pets,
  woodland and
  service lines and pipes,
  adjoining land,
  groundwaters and surface waters,
  ecological systems,
  archaeological sites and ancient monuments;
(iii) an appraisal of remedial options, and proposal of the preferred option(s).
This must be conducted in accordance with DEFRA and the Environment
Agency’s

15. Detailed Remediation Scheme

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 must be prepared
and is subject to the approval in writing of the Local Planning Authority. 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.

16. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its
terms prior to the commencement of 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.

17. Risk Assessment

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 condition 13, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 14, 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 in accordance with condition 15.

18. Monitoring and Maintenance Scheme

Where indicated by the remediation strategy a monitoring and maintenance scheme to include monitoring the long term effectiveness of the proposed remediation and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Reason (for conditions 14-18): 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 5.21 of the London Plan.

19. Construction Hours

No deliveries, external running of plant and equipment or construction works, other than internal works not audible outside the site boundary, shall take place on the site other than between the hours of 0800 to 1800 on Monday to Friday and 0800 to 1300 on Saturday and not at all on Sundays, Public or Bank Holidays without the prior written permission of the Local Planning Authority.

Reason: To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

20. Control of Noise and Vibration

Demolition and construction work and associated activities are to be carried out in accordance with the recommendations contained within British Standard
21. Control of Dust.

Measures to control the emission of dust, dirt and emissions to air during construction to accord with the guidance provided in the document “The Control of Dust and Emissions during construction and demolition”, Mayor of London, July 2014 are to be implemented throughout the construction of the building.


22. Construction Method Statement

Prior to commencement of development, including any works of breaking up the hardstanding, a Construction Method Statement shall be submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

i. a strict pollution prevention protocol to be adhered to during the clearance and construction phase of the proposed development to protect the aquifer;
ii. the parking of vehicles of site operatives and visitors;
iii. details of access to the site;
iv. loading and unloading and the storage of plant and materials used in constructing the development;
v. the erection and maintenance of security hoardings including decorative displays;
vi. wheel washing facilities;
vii. measures to control the emission of noise, dust and dirt during construction;
viii. a scheme for recycling/disposing of waste resulting from demolition and construction works;
ix. details of 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;

Reason: The construction method statement is required prior to commencement of development in order to reduce the environmental impact of the construction as the site is above an Aquifer and close to neighbouring dwellings, in accordance with policy CR2 of the Core Strategy, policy BP8 of the Borough Wide Development Policies Development Plan Document and policy 5.13 of the London Plan.
23. **SUDS Infiltration of surface water into ground (Environment Agency)**

No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority.

Reason: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution caused by mobilised contaminants and to prevent further deterioration and promote recovery of groundwater with a groundwater body because infiltration of surface water has the potential to mobilise contamination present within the soil. Where the proposal involves the discharge of anything other than clean roof water via sealed drainage, within sensitive groundwater locations, a risk assessment and suitable level of treatment may be required. To ensure the development is in accordance with policy CR1 of the Core Strategy, policies BR4 and BR5 of the Borough Wide Development Policies Development Plan Document, policies 5.21, 5.13 and 5.15 of the London Plan and in line with paragraph 109 of the National Planning Policy Framework.

24. **Piling / boreholes /tunnel shafts / ground source heating and cooling systems (Environment Agency).**

Piling, deep foundations and other groundworks (investigation boreholes, tunnel shafts, ground source heating and cooling systems) using penetrative methods shall not be carried out other than with the written consent of the Local Planning Authority. If piling is required a piling risk assessment and appropriate mitigation measures should be submitted in accordance with Environment Agency guidance.

Reason: To ensure that any proposed piling, deep foundations and other groundworks (investigation boreholes, tunnel shafts, ground source heating and cooling systems) using penetrative methods does not harm groundwater resources and to prevent further deterioration and promote recovery of groundwater with a groundwater body because some piling techniques can cause preferential pathways for contaminants to migrate to groundwater and cause pollution. During piling works (especially if the piles extend to the chalk within Source Protection Zone (SPZ)1 - saturated zone), due to the proximity of nearby potable abstractions, the weekly groundwater monitoring for in situ parameters and turbidity should be considered. To ensure the development in accordance with policy CR1 of the Core Strategy, policies BR4 and BR5 of the Borough Wide Development Policies Development Plan Document, policies 5.21, 5.13 and 5.15 of the London Plan and in line with paragraph 109 of the National Planning Policy Framework.

25. **Decommission of investigative boreholes. (Environment Agency)**

A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be
implemented prior to the occupation of any part of the permitted development.

Reason: To prevent further deterioration and promote recovery of groundwater with a groundwater body and to ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in accordance with policy CR1 of the Core Strategy, policies BR4 and BR5 of the Borough Wide Development Policies Development Plan Document, policies 5.21, 5.13 and 5.15 of the London Plan and in line with paragraph 109 of the National Planning Policy Framework.

14. FORMER SITE OF GARAGES, WIVENHOE ROAD, BARKING IG11 0RB-18/00239/FUL

The Chief Planner introduced a report concerning the proposed development of former site of garages, Wivenhoe Road, Barking. This application sought planning permission for the erection of 7 two storey houses (5 x 2 bedroom and 2 x 3 bedroom units) with associated landscaping, parking, refuse and cycle storage.

The application site was formerly a garage block which has been demolished and the site lain vacant for some years. The hard-surfaced area was hoarded off. The site also included a small part of the greensward areas to either side. The layout and external design of the development would be consistent with the character of the local area. The dwellings would be arranged in a short terrace of three, two-bed dwellings in the middle section addressing the houses opposite and a pair of semi-detached dwellings at either end, each comprising a two bed and three bed dwelling. The three bed dwellings would face down Wivenhoe Road, creating a 'bookend' to the development. The proportions of dwellings and detailed sizes of windows and doors responded to the character of the surrounding houses. The dwellings would be of traditional brick wall and pitched, tiled roof construction with solar roof panels and window surrounds defined in varying colours.

Internal design would be consistent with Policy 3.5 (quality and design) of the London Plan (March 2016) and each dwelling would meet and exceed the applicable minimum gross internal area standards for their type in the Mayor of London’s Housing Supplementary Planning Guidance (March 2016).

The proposed outdoor amenity space for each dwelling would meet the minimum standard under Policy BP5 of the Borough Wide Development Policies DPD.

The Arboricultural Officer was satisfied with the proposed landscaping subject to conditions including a tree protection scheme during construction and a replacement planting regime. Two trees in the west of the site were proposed to be removed and this was acceptable as they are in poor health. Conditions would be imposed to protect the adjoining Mayesbrook designated Site of Importance for Nature Conservation, the important habitat and wildlife corridor, during construction so that its ecological contribution to the Borough’s overall network is maintained.

The site had a low public transport accessibility level (PTAL) rating of 1b which meant that new residents would be more dependent on private motor vehicles
and bicycles for transport. As a result the development provided for one car parking space and two cycle spaces for each dwelling. The Highway Officer was satisfied with the proposal and this aspect is considered to be acceptable. The concerns of the one objector were responded to in the report.

The development would incorporate sustainable design in accordance with the Policy 5.2 (minimising carbon dioxide emissions) and Policy 5.15 (water use) of the London Plan.

Members were concerned about the tenure agreements and were pleased that there would be an increase in the availability of two – three bedrooomed properties however they noted there were 1800 people on the Council’s waiting lists for temporary accommodation and they felt that people could not afford these new properties and asked why they could they not be let out for social rent and using the Government funding for local housing was available.

The Head of Regeneration at Be First stated that the scheme would deliver affordable housing at 80% of market rent and Be First were using right to buy receipts to maintain scheme viability. He added that the North Street development currently under construction are all social rent units and that they would be seeking to build out a broad range of housing tenures across the whole Be First development programme.

Members asked if there was sufficient garden space within the development and the Chief Planner advised that there were some patios at the back of the proposed properties and all had rear gardens and hedges. The amount of garden space was quite generous and more than met planning standards.

Due to the presence of the Mayesbrook behind the site, it could potentially be subject to localised flooding. The Environment Agency had submitted a holding objection pending the receipt of a revised Flood Risk Assessment Plan. This has now been sent to the Agency. It was advised that a response is awaited and it was recommended that the Committee agreed to delegate to the Director of Inclusive Growth in consultation with the Chair and Deputy Chair of the Committee and the Chief Planner to make the decision to grant planning permission subject to the holding objection from the Environment Agency being lifted and with the imposition of any additional conditions recommended by the Agency.

The Committee agreed to delegate the decision to grant planning permission with the conditions stated in the report, subject to the removal of the objection from the Environment Agency and any other conditions that the Agency may recommend, to the Director of Inclusive Growth in consultation with the Chair and Deputy Chair of the Planning Committee and Chief Planner.

15. 1 SAVILLE ROAD, CHADWELL HEATH- 17000707/FUL

The Principal Development Management Officer introduced a report concerning the proposed development of 1 Saville Road, Chadwell Heath and proposed demolition of bungalow and erection of part two/part three storey building to provide 4 one bedroom and 2 two-bedroom flats.

The existing site comprised a detached, two-bedroom chalet bungalow. The
A new vehicular access was proposed at the centre of the street frontage leading to an undercroft ‘coach-house’ type driveway providing access to 5 car parking spaces within the rear garden area.

The contemporary design, and height of the building at three storeys, whilst different to that of the surrounding dwellings, was considered appropriate at this juncture of the street being adjacent to a vehicle sales garage to the north and close to High Road.

The proposed internal layout and external space would provide a good standard of residential amenity for future residents in accordance with the policy standards of the London Plan. The site layout was considered to provide an acceptable relationship with existing neighbouring dwellings that would not cause harm to residential amenity.

The proposed level of parking provision was considered acceptable and in accordance with adopted parking standard of the London Plan.

The proposed vehicular access would result in the loss of an existing street tree positioned on the pavement in front of the bungalow that would need to be removed to facilitate the development. In order to mitigate for this loss the applicant has agreed to a Section 106 contribution that would fund the planting and initial maintenance of three replacement trees to be planted within the vicinity of the site.

Mr Kupa, an objector to the application, was invited by the Chair to address the Committee. He was concerned about parking issues, construction traffic causing nuisance and congestion and loss of privacy and light to neighbouring properties if this application were granted.

Mr Singh, the applicant, was invited by the Chair, to address the Committee. He drew Members attention to the report, which recommended that planning permission be granted for the application, which he said was compliant with Planning policies at local and national level. This application would provide good quality accommodation of five units and he recognised that there had been some objections to the application, however there was no loss of amenity and off-street parking was available. In addition, agreement had been reached with the Arboricultural Officer to remove one tree and replace it with three trees at a cost of £6500.

Members were concerned about the impact of the proposed development in a very busy road which had commercial premises and parking problems. The Principal Development Management Officer responded that the eaves height of the proposed building was similar to that of the neighbouring dwelling, and that the design of the proposed development was considered appropriate given its context and the variety of building typologies already existing in Savile Road. In relation to vehicular access the set back of the building allowed space for motorists to leave the site whilst having a clear sightline to the pavement. Mr Singh added that in terms of traffic issues, these would reduce as West Ham Football Club training ground had now moved to Rush Green. He would also
be intending to remove one dropped kerb which would slightly increase the space available for on street parking. The development added to the street scene.

The Planning Committee granted planning permission subject to the completion of a legal agreement securing a contribution of £6,532.55 towards the provision of replacement street trees and the following conditions:

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 permitted shall be carried out in accordance with the following approved plans: SK/100316/3 Rev. A; SK/031016/2 Rev. A; and SK/031016/1 Rev. A

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

3. No development above ground level shall take place until details/samples of all materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved materials.

   Reason: To protect or enhance the character and amenity of the area in accordance with policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

4. No development above ground level shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of 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.

   Reason: To safeguard and improve the appearance of the area in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document and Section 197 of the Town and Country Planning Act 1990.

5. The landscaping scheme as approved in accordance with condition No. 4 shall be carried out in the first planting and seeding seasons following the occupation of the building 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.

   Reason: To secure the provision and retention of the landscaping in the interests of the visual amenity of the area and in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document and Section 197 of the Town and Country Planning Act 1990.
6. No development above ground level shall take place until a scheme showing those areas to be hard landscaped and the details of that hard landscaping have been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be carried out prior to the occupation of the development and thereafter permanently retained.

Reason: To safeguard and improve the appearance of the area in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document.

7. No development above ground level 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. The plan shall include details of a vehicular gate, and pedestrian gates to the sides of the building to prevent unauthorised access to the site. The development shall not be occupied until the approved boundary treatment has been provided. The approved boundary treatment shall be retained unless the Local Planning Authority gives prior written approval for its removal.

Reason: To ensure the boundary treatment protects or enhances the character and amenity of the area in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document.

8. No development above ground level shall take place until details of refuse enclosures showing the design, location and external appearance have been submitted to and approved in writing by the Local Planning Authority. The approved enclosures shall be provided before the commencement of the use and thereafter permanently retained.

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

9. Secure, covered cycle parking spaces to accommodate a minimum of 12 bicycles shall be installed within the rear garden of the development prior to the occupation of the development and shall thereafter be maintained for the use of occupiers and visitors to the site.

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

10. The car parking areas indicated on drawing No. SK/100316/3 Rev. A shall be constructed and marked out prior to the occupation of the development, and thereafter retained permanently for the accommodation of vehicles of occupiers and visitors to the premises and not used for any other purpose.

Reason: To ensure that sufficient off-street parking areas are provided and not to prejudice the free flow of traffic or conditions of general safety along the adjoining highway in accordance with policy BR9 of the Borough Wide Development Policies Development Plan Document.
11. No above ground development shall commence until a scheme showing the provisions to be made for external lighting has been submitted to and approved in writing by the Local Planning Authority. The lighting 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, page 25 of the guide, relating to Environmental Zone E2 Low district brightness areas—Rural, small village or relatively dark urban locations. The development shall not be occupied until the approved scheme has been implemented. Thereafter the approved measures shall be permanently retained unless otherwise agreed in writing by the Local Planning Authority.

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

12. The side screen of the rear facing balconies shown on drawing no. SK/031016/1 Rev. A shall be installed prior to the occupation of the development and thereafter maintained.

Reason: In order to minimise overlooking towards the rear gardens of the adjacent dwellings and in accordance with policy BP8 of the Borough Wide Policies Development Plan Document.

13. Before occupation all of the dwellings shall comply with Building Regulations Optional Requirement Approved Document M4(2) Category 2: Accessible and adaptable dwellings (2015 edition). 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 accessible housing is provided in accordance with policy 3.8 of the London Plan.

14. No development shall be carried out until a method statement identifying the root protection areas of all trees adjacent to the site and giving details of any works to be carried out within the root protection areas of the trees and the method to avoid damage to the trees has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that retained trees are adequately protected in accordance with Policy CR2 of the Core Strategy and policies BR3 and BP11 of the Borough Wide Development Policies Development Plan Document and Section 197 of the Town and Country Planning Act 1990.

15. The permitted development shall not be occupied until the two existing dropped kerbs serving the site are re-instated as raised kerbs, and a new dropped kerb is installed to serve the proposed driveway in accordance with the details shown on drawing No. SK/100316/3 Rev. A unless any variation is agreed in writing by the Local Planning Authority.
Reason: In the interests of highway and pedestrian safety and to make provision for on street parking where a dropped kerb is no longer required and in accordance with policies BR9 of the Borough Wide Development Policies Development Plan Document.

16. Before occupation the proposed dwellings shall comply with the water efficiency optional requirement in paragraphs 2.8 to 2.12 of the Building Regulations Approved Document G. 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 5.15 of the London Plan (March 2016).

17. 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.

Reason: In the interests of protecting residential amenity and in accordance with Policies BR13 and BP8 of the Borough Wide Development Policies Development Plan Document.

18. Measures to control the emission of dust, dirt and emissions to air are 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) the requirements are to be implemented at all times during demolition and construction works.

Reason: To minimise air pollution and protect residential amenity and in accordance with Policies BR13, BR14, and BP8 of the Borough Wide Development Policies Development Plan Document.

19. No development shall commence until a Surface Water Drainage Scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The Scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: The Drainage Scheme is required prior to commencement of development in order to reduce the risk of flooding and in accordance with policy BR4 of the Borough Wide Development Policies Development Plan Document and policy 5.13 of the London Plan.

20. No deliveries, external running of plant and equipment or construction works, other than internal works not audible outside the site boundary, shall take place on the site other than between the hours of 0800 to 1800 on Monday to Friday and 0800 to 1300 on Saturday and not at all on Sundays, Public or Bank Holidays and 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, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

16. 4 FARR AVENUE, BARKING, IG11 0NZ- 17/01878/FUL

The Development Management Officer introduced a report concerning the proposed development of 4 Farr Avenue, Barking. The application property was a ground floor commercial property located within the pedestrianised Farr Avenue neighbourhood shopping centre. The application proposed the use of the shop as an interpretation and translation service and for training purposes and is currently already operating.

The proposal would increase the amount of non-retail uses within the Farr Avenue Neighbourhood Centre (NC9) to 38% which is slightly above the 35% maximum set in the Local Plan. The Translating and Interpreting Service (TIS) has been established in the borough since 1994 and was recently relocated from the Gascoigne Estate to Farr Avenue.

The TIS has a charitable status and is the only one of its kind offering this service as a not-for-profit organisation within the UK. It employs approximately 100 interpreters with 60-70 used per month to provide translation services to the community. The interpreters visit places such as schools and hospitals both in the borough and in surrounding boroughs to provide help to those with language needs. They are also currently providing English as a Second Language (ESL) courses which will be run at the application site and further aid the language needs of residents and the community.

There was evidence showing that the unit has been in use for a period of at least 11 years prior to the current occupiers as offices for a charity (The Handicapped Children’s Action Group) although no permission was sought for the use. The unit has not therefore been in retail use for a very long period of time. It is understood that the current use by TIS, in particular its training activities, would be likely to encourage more footfall to the area than the previous use.

It was considered that the use provides a valuable community service and that the breach of policy was relatively minor. It is not considered that the proposal would have any significant adverse effect on the vitality and viability of the shopping area. Moreover, it is was also likely that the previous office use of the premises would have now been lawful due to the time that it was in operation.

The Committee granted planning permission subject to the following condition:

1. The premises shall be used as a translation and interpretation service and for associated training and education purposes and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or
in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order. The premises shall revert to Class A1 (retail) use upon the cessation of use by the Translation and Interpretation Service.

Reason: To protect the locality by avoiding the introduction of a use detrimental to its amenities and in accordance with policy BP8 of the Borough Wide Development Policies DPD.

17. **102 NORTH STREET, BARKING- 18/00780/ADV**

The Development Management Officer introduced a report concerning the proposed development of 102 North Street, Barking. The application site was a 2-storey detached building located on the eastern side of North Street, Barking. The application sought permission for the installation of 1 internally illuminated fascia sign and 2 non-illuminated signs.

The proposed advertisements would be used in conjunction with the approved use of the building as a tuition centre (Ref. 17/00176/FUL) and it was considered that they would not adversely impact upon the appearance of the local area or upon local residents due to the positioning and size of the advertisements and will not pose a safety hazard to pedestrians or traffic.

The Committee **granted** advertisement consent subject to the following conditions:

1) The development hereby permitted shall be carried out in accordance with the following approved plans: Front elevation photograph; Side elevation photograph

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

2) The maximum luminance of the fascia sign shall not exceed the levels recommended in The Institute of Lighting Professionals technical guidance note PLG05 "The brightness of illuminated advertisements" 2015 or in any document amending or superseding that report.

   **Reason:** In the interests of the visual amenity of the area, and to ensure that the advertisement does not prejudice the free flow of traffic or conditions of general safety along the adjoining highway and in accordance with policies BP7 and BP11 of the Borough Wide Development Policies Development Plan Document.

18. **TOWN PLANNING APPEALS**

The Committee noted details of the following appeals:

**Appeals Lodged**

The following appeals have been lodged:

a) **Application for a certificate of lawfulness for a proposed**
development: Erection of part single/part two storey rear extension and loft conversion involving construction of rear dormer window – 34 Bull Lane, Dagenham (Reference: 17/02011/CLU_P – Heath Ward)

Application refused under delegated powers 22 February 2018

b) Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of gable end roof, rear dormer window and front rooflights – 45 Bevan Avenue, Barking (Reference: 17/01984/CLU_P – Eastbury Ward)

Application refused under delegated powers 5 March 2018

c) Erection of 2 bed end terrace house – 105 Church Elm Lane, Dagenham (Reference: 18/00317/FUL – Village Ward)

Application refused under delegated powers 20 April 2018

Appeals Determined

The following appeals have been determined by the Planning Inspectorate:

a) Erection of two bedroom house (chalet) in garden – 44 Rugby Gardens, Dagenham (Reference: 17/01275/FUL - Mayesbrook Ward)

Application refused under delegated powers 15 November 2017 for the following reasons:

1. The proposed chalet house would be out of scale and character with the surrounding development, with a cramped and awkward siting, that would be harmful to the character and appearance of the rear garden environment and street scene, and would create a narrow and oppressive approach to the front doors of the adjacent maisonettes and could create a precedent for future similar developments, contrary to policy CP3 of the Core Strategy, and policies BP8 and BP11 of the Borough Wide Development Policies DPD.

2. The area of the proposed rear garden to serve the proposed dwelling is inadequate to provide a good standard of accommodation in accordance with the requirements of policy BP6 of the Borough Wide Development Policies Development Plan Document.

Planning Inspectorate’s Decision: Appeal dismissed 11 June 2018

b) Erection of two storey side extension and single storey rear extension in connection with the conversion of dwelling into 2 x two bedroom flats – 264 Rugby Road, Dagenham (Reference: 17/01698/FUL – Mayesbrook Ward)

Application refused under delegated powers 22 December 2017 for the following reasons:
1. The proposed development does not comply with policy 3.5 of the London Plan (March 2016) and the Technical Housing Standards - nationally described space standards in that the gross floorspace for the proposed new dwellings is inadequate and provides insufficient space for daily living detrimental to the living standards and amenities enjoyed by future occupiers.

2. The proposed development fails to provide adequate functional and useable external amenity space for the proposed first floor flat to the detriment of the amenity of future occupiers contrary to Policy BP5 of the Borough Wide Development Policies DPD (March 2011).

Planning Inspectorate’s Decision: Appeal dismissed 20 June 2018

c) Erection of part single/part two storey side and rear extension – 36 Stratton Drive, Barking (Reference: 17/01414/FUL – Longbridge Ward)

Application refused under delegated powers 17 January 2018 for the following reason:

1. The proposed side extension would partially close off an important gap within the street scene which provides relief from the built up nature of the street and would fail to maintain the character of the area and be harmful to the street scene. The proposed development is therefore contrary to policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document (March 2011) and the Residential Extensions and Alterations Supplementary Planning Document (February 2012).

Planning Inspectorate’s Decision: Appeal dismissed 25 June 2018

d) Erection of two storey side and rear extension – 67 Oulton Crescent, Barking (Reference: 17/02072/FUL - Longbridge Ward)

Application refused under delegated powers 6 February 2018 for the following reasons:

1. The proposed side extension would completely close off an important gap within the street scene which provides relief from the built up nature of the street and would fail to maintain the character of the area and be harmful to the street scene. The proposed development is therefore contrary to policies BP8 and BP11 of the Borough Wide Development Policies DPD (March 2011), and the Residential Extensions and Alterations Supplementary Planning Document (February 2012).

2. The proposed two storey rear extension, in view of its size and siting, would appear overbearing and result in a loss of outlook to occupiers of the neighbouring property at No. 65 Oulton Crescent. The impact on the amenity of this property would be contrary to Policies BP8 and
BP11 of the Borough Wide Development Policies DPD (March 2011).

Planning Inspectorate’s Decision: Appeal dismissed 25 June 2018

e) Erection of two storey side/rear extension and single storey rear extension – 98 Westrow Drive, Barking (Reference: 17/02093/FUL - Longbridge Ward)

Application refused under delegated powers 13 February 2018 for the following reason:

1. The proposed two storey side extension would partially close off an important gap within the street scene which provides relief from the built up nature of the street and would be harmful to the street scene. The proposed gable roof would be incongruous with neighbouring houses and out of keeping in the street scene contrary to policies BP8 and BP11 of the Borough Wide Development Policies DPD (March 2011), and the Residential Extensions and Alterations Supplementary Planning Document (February 2012).

Planning Inspectorate’s Decision: Appeal dismissed 25 June 2018

19. DELEGATED DECISIONS

The Committee noted details of delegated decisions for the period 5 February-2 March 2018.