AGENDA

Use Classes and Planning Application Procedure

1. Apologies for Absence

2. Declaration of Members' Interests

   In accordance with the Council’s Constitution, Members are asked to declare any interest they may have in any matter which is to be considered at this meeting.

3. Minutes - To confirm as correct the minutes of the meeting held on 10 October 2016 (Pages 7 - 24)

New Planning Applications Ward
4. Barking and Dagenham College, Barking and Dagenham College of Technology, Dagenham Road, Rush Green- 15/00887/FUL (Pages 25 - 63)  

5. Civic Centre, Rainham Road North, Dagenham- 16/01390/FUL and 16/01391/LBC (Pages 65 - 91)  

6. Land south of Cemetery, Whalebone Lane North, Romford-16/01025/FUL (Pages 93 - 127)  

7. 16-48 Cambridge Road, Barking- 16/01183/FUL (Pages 129 - 163)  

Advertisement Applications  

8. Town Planning Appeals (Pages 165 - 188)  

9. Delegated Decisions (Pages 189 - 226)  

10. Any other public items which the Chair decides are urgent  

11. To consider whether it would be appropriate to pass a resolution to exclude the public and press from the remainder of the meeting due to the nature of the business to be transacted.  

Private Business  

The public and press have a legal right to attend Council meetings such as the Development Control Board, except where business is confidential or certain other sensitive information is to be discussed. The list below shows why items are in the private part of the agenda, with reference to the relevant legislation (the relevant paragraph of Part 1 of Schedule 12A of the Local Government Act 1972 as amended). **There are no such items at the time of preparing this agenda.**  

12. Any confidential or exempt items which the Chair decides are urgent
Our Vision for Barking and Dagenham

**One borough; one community; London’s growth opportunity**

Our Priorities

**Encouraging civic pride**

- Build pride, respect and cohesion across our borough
- Promote a welcoming, safe, and resilient community
- Build civic responsibility and help residents shape their quality of life
- Promote and protect our green and public open spaces
- Narrow the gap in attainment and realise high aspirations for every child

**Enabling social responsibility**

- Support residents to take responsibility for themselves, their homes and their community
- Protect the most vulnerable, keeping adults and children healthy and safe
- Ensure everyone can access good quality healthcare when they need it
- Ensure children and young people are well-educated and realise their potential
- Fully integrate services for vulnerable children, young people and families

**Growing the borough**

- Build high quality homes and a sustainable community
- Develop a local, skilled workforce and improve employment opportunities
- Support investment in housing, leisure, the creative industries and public spaces to enhance our environment
- Work with London partners to deliver homes and jobs across our growth hubs
- Enhance the borough’s image to attract investment and business growth

**Well run organisation**

- A digital Council, with appropriate services delivered online
- Promote equalities in the workforce and community
- Implement a smarter working programme, making best use of accommodation and IT
- Allow Members and staff to work flexibly to support the community
- Continue to manage finances efficiently, looking for ways to make savings and generate income
- Be innovative in service delivery
<table>
<thead>
<tr>
<th>Use Class</th>
<th>Use/Description of Development</th>
<th>Permitted Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>A1</td>
<td>Shops</td>
<td>State funded school for single academic year – see footnote 2. Some temporary uses – see footnote 4. A1 plus two flats above C3 residential use - see footnote 5 Bank, building society, credit union or friendly society (A2) but not for other purposes falling within A2 – see footnote 6 A2 A3 (up to 150 m²) see footnote 9 D2 (up to 200 m²) see footnote 10</td>
</tr>
<tr>
<td>A2</td>
<td>Financial and professional services (other than health and medical services) including estate and employment agencies.</td>
<td>A1 (where this is a ground floor display window) plus two flats above A2 plus two flats above State funded school for single academic year – see footnote 2. Some temporary uses – see footnote 4. C3 residential use - see footnote 5 A3 (up to 150 m²) – see footnote 9 D2 (up to 200 m²) see footnote 10</td>
</tr>
<tr>
<td>A3</td>
<td>Restaurants and cafés</td>
<td>A1 or A2 State funded school for single academic year – see footnote 2. Some temporary uses – see footnote 4.</td>
</tr>
<tr>
<td>A4</td>
<td>Drinking establishments</td>
<td>A1, A2 or A3 unless listed as an Asset of Community Value State funded school for single academic year – see footnote 2. Some temporary uses – see footnote 4.</td>
</tr>
<tr>
<td>A5</td>
<td>Hot food takeaways</td>
<td>A1, A2 or A3 State funded school for single academic year – see footnote 2. Some temporary uses – see footnote 4.</td>
</tr>
<tr>
<td>B1</td>
<td>Business</td>
<td>B8 (where no more than 500 sqm) B1a - C3 subject to prior approval -see footnote 1. State funded school for single academic year – see footnote 2. State funded school or registered nursery subject to prior approval - see footnote 3 Some temporary uses – see footnote 4.</td>
</tr>
<tr>
<td>B2</td>
<td>General industrial</td>
<td>B1 or B8 (B8 limited to 500 sqm) State funded school for single academic year – see footnote 2.</td>
</tr>
<tr>
<td>B8</td>
<td>Storage and distribution</td>
<td>B1 (where no more than 500 sqm) State funded school for single academic year – see footnote 2. C3 (where no more than 500 sqm) see footnote 7.</td>
</tr>
<tr>
<td>C1</td>
<td>Hotels</td>
<td>State funded school for single academic year – see footnote 2. State funded school or registered nursery subject to prior approval - see footnote 3</td>
</tr>
<tr>
<td>C2</td>
<td>Residential institutions</td>
<td>State funded school for single academic year – see footnote 2. State funded school or registered nursery subject to prior approval - see footnote 3</td>
</tr>
<tr>
<td>C2A</td>
<td>Secure residential institution</td>
<td>State funded school for single academic year – see footnote 2. State funded school or registered nursery subject to prior approval - see footnote 3</td>
</tr>
<tr>
<td>C3</td>
<td>Dwelling houses</td>
<td>Article 4 direction removes permitted development right to convert to C4 House in Multiple Occupation. State funded school for single academic year – see footnote 2</td>
</tr>
</tbody>
</table>
C4 Houses in multiple occupation | Small shared houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom. | C3 (dwelling houses) State funded school for single academic year – see footnote 2
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D2 Assembly & Leisure | Cinema, concert hall, bingo hall, dance hall, swimming bath, skating rink, gymnasium, or area for indoor or outdoor sports or recreations, not involving motor vehicles or firearms. | State funded school for single academic year – see footnote 2. State funded school or registered nursery subject to prior approval - see footnote 3. Some temporary uses – see footnote 4.
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Sui – Generis | A use on its own, for which any change of use will require planning permission. Includes, theatres, nightclubs, retail warehouse clubs, amusement arcades, launderettes, petrol filling stations, casinos, taxi businesses, waste management facilities, motor car showrooms, betting offices and pay day loan. | Casino to Class D2 Amusement arcades/centres and casinos to C3 (up to 150 m2) See footnote 8 Betting offices and pay day loan to A1 and A2 plus two flats above See footnote 9. Betting offices, pay day loan and casinos to A3 (up to 150 m2) See footnote 10. Betting offices and pay day loan to D2 (up to 200m2) – see footnote 10. Betting offices and payday loan to C3 residential use - see footnote 5
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Footnotes | | |
1 | B1a (Offices) can change use to C3 (Dwelling houses) provided development commenced before 30/06/16. Need to apply to Council for prior approval to confirm no significant transport and highway impacts, contamination risks and flood risks. | |
2 | State funded schools can open without planning permission for a single academic year without planning permission for any existing use within the Use Classes Order. School must be approved by Secretary of State and school must notify Council before they open. Does not apply to listed buildings. | | 2
3 | B1 (business), C1 (hotel), C2 (residential institution), C2A (secured residential institution) and D2 (assembly and leisure) can convert to a state funded school or registered nursery providing early years childcare without planning permission. Need to apply to Council for prior approval to confirm no significant transport and highways impact, noise impacts and contamination risks. D2 uses that have changed use from A1 or A2 using permitted development right (see footnote 10) cannot then change use to state funded school or registered nursery under this permitted development right. | | 3
4 | A1 (shops), A2 (financial and professional services), A3 (restaurants and cafes), A4 (pubs), A5 (takeaways), B1a (offices), B1b (light industry), B1c (R&D), D1 (non-residential institutions) and D2 (assembly and leisure) can change to A1, A2, A3, B1a,b & c without planning permission. Change of use must be less than or equal to 150 square metres. Applies for single continuous period of two years. Can change to other permitted use within two year period. Must revert to original use at end of two year period and notify Council before use begins. | | 4
5 | A1 (shops) and A2 (financial and professional services) can change to C3 (residential). Building operations and partial demolition works that are “reasonable necessary” are also permitted. Prior approval required for transport and highways impact, contamination, flooding, the design and external appearance of the building and undesirable impacts on shopping facilities. This right only applies to buildings of 150 square metres or less and does not apply in Conservation Area or to listed buildings. | | 5
6 | Does apply in Conservation Areas but not to listed buildings. | | |
7 | B8 (storage of distribution) to C3 (residential). Prior approval required for transport and highways impact, air quality impacts on intended occupiers, noise impacts of the developments, risks of contamination, flooding and the impact the changer of use would have on existing industrial uses and or storage or distribution uses. Right only applies to buildings in B8 use on or before 19 March 2015 and development must be begun before 15 April 2018. Building must have been in B8 use for four years. | | 7
8 | Prior approval required for transport and highways impact, flooding, contamination and where building works are to be carried out under the permitted development right, design. | | |
9 | A1 (shops), A2 (financial and professional services) and betting offices and pay day loans to A3 (restaurants and cafes). Prior approval required for noise, smell/odours, transport and highways, hours of opening as well as siting and design in relation to extraction, ventilation, waste management, storage and undesirable impacts on shopping facilities. | | 9
10 | A1 (shops) and A2 (financial and professional services) can change to D2. Applies to premises in A1 or A2 use on 5 December 2013. Prior approval required for transport and highways impact, hours of opening, noise impacts of the development and undesirable impacts on shopping facilities. Does not apply to listed buildings. | | 10
Planning Application Procedure

1. The Chair introduces the Planning Officer who will present the item.

2. The Planning Officer presents the report to the Board and advises on any relevant additional information received after the completion of the report. The Planning Officer will also refer to the recommendation (it is assumed that Members will have read the report).

3. If clarification is required, DCB Members may, through the Chair, ask relevant (i.e. planning related) questions regarding an issue within the Planning Officer’s report.

4. Registered objectors may speak for up to three minutes.

5. DCB Members may, through the Chair, seek clarification of any relevant planning issue raised by the objectors.

6. Councillors who are not members of the Development Control Board may address the Board with the Chair’s permission. They are not permitted to take part in the discussions or question objectors, supporters, applicants or applicants’ representatives.

7. DCB Members may, through the Chair, seek clarification of any relevant planning issue raised by the councillors.

8. Registered supporters, applicants or applicants’ representatives for the application may speak for up to three minutes.

9. DCB Members may, through the Chair, seek clarification of any relevant planning issue raised by the supporters, applicants or applicants’ representatives.

10. DCB Members may, through the Chair, seek further clarification from Council officers on any relevant planning issue that may have arisen.

11. The Board shall debate the item. Where the application is considered to be straightforward and there are no speakers present, the Board may make a decision based on the report and without any debate.

12. The Board’s will vote on the matter (including any proposed supplementary conditions or recommendations). In the event that the Board’s decision is to refuse or allow an application contrary to the report’s recommendation, DCB Board Members must give valid reasons for the decision based on relevant planning policies.

13. The Chair shall announce the Board’s final decision.
Notes

- The opportunity to ask questions may not be used to make general or specific comments or observations. General comments can be raised at the discussion point of the proceedings.
- DCB Members must be present during the entire debate on an application in order to be allowed to participate in the deliberations and vote on the matter. Any DCB Member who is not present at the beginning of the consideration of an application, or who leaves the room at any stage during the consideration the application, shall be excluded from participating and voting on the application.
- If a DCB Member needs to leave during consideration of an application and wishes to take part in the deliberations and vote, they should seek the permission of the Chair for a short adjournment.
- Members should avoid expressing a view about an application until after the applicant has spoken to avoid the impression of bias.
- If there is a substantial point which needs to be clarified before a vote can take place, the Board may agree to defer the application.
- The Chair may ask members of the public and press to leave the room to enable the Board to consider information which is confidential or exempt (in accordance with Schedule 12A of the Local Government Act 1972).
MINUTES OF DEVELOPMENT CONTROL BOARD

Monday, 10 October 2016
(7:00 - 7:50 pm)

Present: Cllr Faraaz Shaukat (Deputy Chair in the Chair), Cllr Peter Chand, Cllr Faruk Choudhury, Cllr Irma Freeborn, Cllr Cameron Geddes, Cllr Syed Ghani, Cllr Rocky Gill, Cllr Kashif Haroon, Cllr Giasuddin Miah, Cllr Chris Rice, Cllr Bill Turner and Cllr Dominic Twomey

Apologies: Cllr Sanchia Alasia, Cllr Abdul Aziz, Cllr Edna Fergus, Cllr Margaret Mullane and Cllr Jeff Wade

31. Declaration of Members’ Interests

There were no declarations of interest.

32. Minutes (13 September 2016)

The minutes of the meeting held on 13 September 2016 were confirmed as correct.

33. Former Abbey Sports Centre, Axe Street, Barking-16/00634/REG3

The Development Management Manager introduced a report on the application relating to the proposed demolition of the former Abbey Sports Centre and the erection of new buildings ranging in height from 2 to 13-storeys to provide a three screen cinema, three ground floor commercial units with a flexible use (Classes A1, A2, A3, A4, D1 and D2), first floor office accommodation (Class B1) and 150 private rented sector (PRS) residential units at second floor level and above, including associated landscaping and public realm improvements.

The application proposed 100% Private Rented Sector (PRS) units on site comprising of a mix of 78 one-bedroom, 69 two bedroom and 3 three-bedroom units. The mix and tenure of the development was in keeping with the Council’s strategy for the town centre, the aim to support a widening of the town centre’s retail and leisure offer and in particular help support the evening economy, which is little developed.

All residential units would benefit from a private balcony or terrace in keeping with London Plan policy. The development also included two landscaped communal roof gardens, as well as dedicated children’s play space which exceeds London Plan requirements. The proposed level of amenity space was supported by officers given the town centre location and the limited provision of family-sized accommodation on the site. The application would be subject to a review mechanism and future viability assessment.

Members considered that the site in particular the proposed cinema offered a regeneration opportunity for the locality but asked for greater detail on the application which was provided at the meeting. It was advised that the
development agreement was conditional on the developer entering into a lease with a cinema operator for not less than a ten year period. If this operator didn’t work out, then the developer needs to market that space for six months for alternative cinema providers and endeavour to assist the viability of this for example by offering rent free periods. The Council has to be involved in and informed of any such discussion. The preferred cinema operator has been involved in the design of the cinema space and this space could not be converted into flats without a separate grant of planning permission at which point the usual viability considerations would apply.

Members were concerned where future cinema patrons would be able to park. It was noted that the proposed development would be car free and it was anticipated that they would utilise the local car parks and it was hoped that public transport would be used where possible.

Members asked whether the community space could be considered for events such as school plays etc. The applicant confirmed that such events would be welcomed and encouraged as a link to the community.

The Board granted planning permission subject to any direction from the Mayor of London; a S106 Agreement to secure matters pertaining to the provision of Private Rented Sector (PRS) units as set out in Section 5.9 of this report; the Council’s land capital receipt of £2,510,000 to be used for off-site sub-market housing in the Borough; a review mechanism requiring an updated viability assessment to be submitted on occupation of the development; the provision of the office space to the Council for community initiatives at a peppercorn rent; that architects of the same calibre as BPTW Partnership are retained to produce all construction drawings, or that a budget is allocated to allow them to review these when they are produced; enhancements to the public realm/highway works in the vicinity of the site (scheme to be agreed); a commitment to local labour/local supply so that residents and businesses in the Borough will benefit from the proposed development; restrictions preventing future residents from obtaining parking permits for any controlled parking zone (CPZ); a contribution of £5,000 towards a new car club space in the town centre; a commitment to provide two years membership to the local car club scheme per residential unit (on their request); a contribution of £10,000 towards the installation of two electric vehicle charging points in the town centre; a Travel Plan; payment of the Council’s legal costs for the preparation and completion of the S106 Agreement; and in the event that Transport for London determines that alterations are required to local bus stops following the review of the developer’s bus accessibility audit, then this should also be secured in the S106 Agreement; and the conditions listed in this report (with any amendments that might be necessary up to the issue of the decision, including any other conditions that may be required as a result of referral to the Mayor of London).

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 Section 51 of the Planning and Compulsory Purchase
2. The development hereby permitted shall be carried out in accordance with the following approved plans:


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

3. No development shall commence, excluding demolition of above ground structures, until an investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;
(ii) an assessment of the potential risks to human health; property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments; and
(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency’s ‘Model Procedures for the Management of Land Contamination, CLR 11’.

4. No development shall commence, excluding demolition of above ground structures, until a detailed remediation scheme, to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment, has been prepared and submitted to the Local Planning Authority for approval in writing. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

5. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, excluding demolition of above ground structures and 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.

6. 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 3, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 4, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason for Conditions 3 to 6: Contamination must be identified prior to commencement of development, excluding demolition of above ground structures, 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.

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

   a) construction traffic management;
   b) the parking of vehicles of site operatives and visitors;
   c) loading and unloading of plant and materials;
   d) storage of plant and materials used in constructing the development;
   e) the erection and maintenance of security hoarding(s) including decorative displays and facilities for public viewing, where appropriate;
   f) wheel washing facilities;
   g) measures to control the emission of dust, dirt and emissions to air during construction; such measures to accord with the guidance provided in the document “The Control of Dust and Emissions during Construction and Demolition”, Mayor of London, July 2014; including but not confined to, non road mobile machinery (NRMM) requirements;
   h) noise and vibration control;
   i) a scheme for recycling/disposing of waste resulting from demolition and construction works;
   j) the use of efficient construction materials;
   k) methods to minimise waste, to encourage re-use, recovery and recycling, and sourcing of materials; and
   l) a nominated Developer/Resident Liaison Representative with an address and contact telephone number to be circulated to those residents consulted on the application by the developer’s representatives. This person will act as first point of contact for residents who have any problems or questions.
related to the ongoing development.

Once approved the Plans shall be adhered to throughout the construction period.

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

8. No development shall commence, including any works of demolition, until a Construction Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall be designed to minimise deliveries of materials and export of any waste materials within the times of peak traffic congestion on the local road network. The Plan shall be implemented in accordance with the approved 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.

9. A) No development other than site clearance and demolition to existing ground level shall take place until the developer has secured the implementation of a programme of archaeological evaluation in accordance with a written scheme which has been submitted to and approved in writing by the Local Planning Authority and a report on that evaluation has been submitted to the Local Planning Authority.

B) If heritage assets of archaeological interest are identified by the evaluation under A), then before development commences, other than site clearance and demolition to existing ground level, the developer shall secure the implementation of a programme of archaeological investigation in accordance with a Written Scheme of Investigation which has been submitted to an approved in writing by the Local Planning Authority.

C) No development, other than site clearance and demolition to existing ground level, shall subsequently take place other than in accordance with the Written Scheme of Investigation approved under Part B).

D) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part B), and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: Heritage assets of archaeological interest may survive on the site. The Local Planning Authority wishes to secure appropriate archaeological investigation prior to development, followed by the publication of results, in accordance with policies BP2 and BP3 of the Borough Wide Development
10. No development shall commence, except any works of site clearance and demolition, until a Surface Water Drainage Scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological 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.

11. Demolition and construction work and associated activities, other than internal works not audible outside the site boundary, are only to be carried out between the hours of 08.00 and 18.00 Monday to Friday and 08.00 and 13.00 Saturday, with no work on Sundays or public holidays without the prior written permission of the Local Planning Authority. Driven piling or ground improvement work which will generate perceptible off-site ground borne vibration is only to be carried out between the hours of 08.00 and 18.00 Monday to Friday only.

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

12. No above ground new development shall commence until the developer enters into detailed discussions with the Local Planning Authority around the external facing materials for the development, including providing on-site sample boards. Full details, including samples, specifications and annotated plans, of all external facing materials shall then be submitted to the Local Planning Authority for approval in writing. The development shall only be implemented in accordance with the approved details and to the satisfaction of the Local Planning Authority.

Reason: To protect or enhance the character and amenity of the area and to ensure an exemplar finish to the building in accordance with policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document and policies 7.1, 7.4 and 7.6 of the London Plan.

13. The development hereby permitted shall not be occupied until full details of the hard landscaping have been submitted to and approved in writing by the Local Planning Authority. The hard landscaping scheme shall include, but not be limited to, details of the following:

   a) surface materials;
   b) communal roof terraces, including details of balustrading and screening to ensure a secure and sheltered environment;
   c) play spaces and any related equipment;
   d) street furniture, including on-street cycle stands;
e) boundary treatment; and
f) management and maintenance.

The hard landscaping scheme shall be implemented prior to occupation of the
development in accordance with the approved details and thereafter
permanently maintained, to the satisfaction of the Local Planning Authority.

Reason: In the interests of design quality, residential amenity, walking,
accessibility and public safety, in accordance with policy CP3 of the Core
Strategy and policy BP11 of the Borough Wide Development Policies
Development Plan Document.

14. The development hereby permitted shall not be occupied until a detailed
scheme of soft landscaping for the site has been submitted to and approved in
writing by the Local Planning Authority. All trees, shrubs, plants and seeds
introduced to the site should generally be native (except for fruit trees) and of
local provenance, unless otherwise agreed. The approved landscaping
scheme shall be carried out in the first planting and seeding seasons following
the occupation 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 of the landscaping in the interests of the
visual amenity of the area and in accordance with policy CP3 of the Core
Strategy and policies BR3 and BP11 of the Borough Wide Development

15. No above ground new development shall commence until a scheme
showing the provisions to be made for external lighting, CCTV coverage,
access control and any other measures to reduce the risk of crime, has been
submitted to and approved in writing by the Local Planning Authority. The
external lighting of the development is to be designed, installed and maintained
so as to fully comply with The Association of Chief Police Officers Secured by
Professionals”, ACPO SPD, January 2011. The design shall satisfy criteria to
limit obtrusive light presented in Table 1, p25 of the guide, relating to
Environmental Zone E3 – medium district brightness areas. The development
shall not be occupied until the approved scheme has been installed.
Thereafter the approved measures shall be permanently retained.

Reason: In the interests of security and safety, to avoid light pollution and
safeguard neighbouring amenity and in accordance with policy BP11 of the

16. No above ground new development shall commence until a detailed
residential and commercial refuse strategy, including the design and location of
the refuse stores, has been submitted to and approved in writing by the Local
Planning Authority. The approved refuse stores shall be provided before the
occupation of the development and thereafter permanently retained.
17. No above ground new development shall commence until details of the cycle parking facilities shown on drawing Nos. D-04 Rev A and D-05 Rev A have been submitted to and approved in writing by the Local Planning Authority. The submission should include details of the security, monitoring and access arrangements for the cycle parking facilities. The development shall not be occupied until the approved details have been implemented. Thereafter, the cycle parking facilities shall be permanently retained.

Reason: In the interests of promoting cycling as a safe, efficient and non-polluting mode of transport and in accordance with policy BR11 of the Borough Wide Development Policies Development Plan Document and policy 6.9 of the London Plan.

18. No above ground new development shall commence until full details of a scheme of acoustic protection of habitable rooms against road traffic noise has been submitted to and approved in writing by the Local Planning Authority. The scheme of acoustic protection shall be sufficient to secure internal noise levels no greater than 35 dB LAeq in living rooms and bedrooms (07.00 hrs to 23.00 hrs) with windows closed; and 30 dB LAeq in bedrooms (23.00 hrs to 07.00 hrs) with windows closed. Additionally, where the internal noise levels will exceed 40 dB LAeq in living rooms and bedrooms (07.00 hrs to 23.00 hrs) or 35dB LAeq in bedrooms (23:00 hrs to 07.00 hrs) with windows open the scheme of acoustic protection shall incorporate a ventilator system which is commensurate with the performance specification set out in Schedule 1 (paragraphs 6 and 7) of The Noise Insulation Regulations 1975 (as amended). The approved scheme shall be fully implemented before the first occupation of the residential unit to which it relates and shall be maintained at all times thereafter.

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

19. The 6 proposed car parking spaces on Axe Street, as indicated on drawing No. D-04 Rev A, shall be constructed and marked out prior to the occupation of the development as accessible parking bays (to be clearly marked with a British Standard disabled symbol).

Reason: To ensure and promote easier access for disabled persons in accordance with policies BC2, BR9 and BR10 of the Borough Wide Development Policies Development Plan Document and policy 6.13 of the London Plan.

20. Within 3 months of the commencement of the development a revised Energy Statement shall be submitted to the Local Planning Authority for approval in writing in consultation with GLA officers. The revised Energy Statement shall take into consideration any distribution losses associated with the extension of the District Heating pipework to the development’s heat
substation/plate heat exchanger and provide revised calculations for the carbon savings in order to demonstrate that there will be a 35% reduction in carbon emissions over Part L of the Building Regulations 2013. Details of the location and quantum of any photovoltaic panels and a scheme showing the provisions to be made for interconnecting pipework to link into the District Heating Network shall also be submitted to and approved in writing by the Local Planning Authority. In the event that the development is unable to source heating from the District Heating Network any alternative arrangement to heat the scheme shall remain Air Quality Neutral and details shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved details have been implemented.

Reason: In the interests of safeguarding the environment and providing sustainable development in accordance with policies BR1 and BR2 of the Borough Wide Development Policies Development Plan Document and policies 5.2, 5.3, 5.5, 5.6 and 5.7 of the London Plan.

21. The development hereby permitted shall not be occupied until bird nesting and bat roosting bricks/boxes have been installed in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. The details shall accord with the advice set out in 'Biodiversity for Low and Zero Carbon Buildings: A Technical Guide for New Build' (Published by RIBA, March 2010) or similar advice from the RSPB and the Bat Conservation Trust.


22. The combined rating level of the noise from any plant installed pursuant to this permission (other than plant which is only to be operated in emergency circumstances) shall not exceed the existing background noise level outside the window to any noise-sensitive room. Any assessment of compliance with this condition shall be made according to the methodology and procedures presented in BS4142:2014.

Reason: To ensure that noise-sensitive rooms within the proposed development and neighbouring developments are adequately protected from noise and in accordance with policy BR13 of the Borough Wide Development Policies Development Plan Document and policy 7.15 of the London Plan.

23. Prior to the erection of any crane on the site details of the construction methodology and the use of the crane(s) shall be submitted to the Local Planning Authority for approval in writing in consultation with London City Airport. The details shall include the proposed location(s) and maximum operating height(s) of the crane(s) and the start/finish dates for use of the crane(s).

Reason: To ensure that construction activities will not adversely affect the operation of London City Airport.
24. Following the first occupation of each of the three ground floor flexible use commercial units any further change of use to another use specifically permitted by this permission must be carried out within a period of 10 years from the date of this permission.

Reason: To accord with the provisions of Class E, Part 3 of Schedule 2 of The Town and Country Planning (General Permitted Development) Order 2015.

25. The delivery/collection of goods associated with the new commercial unit(s) and cinema is only permitted to take place between the hours of 07.00 hrs and 21.00 hrs on any day.

Reason: To prevent any undue disturbance to residential occupiers and occupants of neighbouring properties at unreasonable hours and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

26. The handling of bottles and/or the movement of bins and rubbish associated with the proposed new commercial unit(s), cinema and offices are not permitted to take place outside the premises between the hours of 23.00 hrs on one day and 07.00 hrs the following day.

Reason: To prevent any undue disturbance to residential occupiers and occupants of neighbouring properties at unreasonable hours and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

27. Prior to occupation of any of the commercial units or the cinema cafe hereby permitted details of the appearance of any kitchen extract ventilation system and associated equipment (which shall include measures to alleviate fumes and odour and incorporating activated carbon filters where necessary), and any other plant or equipment on the roof, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented before the first use of the relevant commercial unit/cinema cafe and shall thereafter be permanently retained in an efficient manner.

Reason: To safeguard the appearance of the premises and minimise the impact of cooking smells and odours in accordance with policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

28. Any commercial kitchen extract ventilation system shall be designed to ensure that structure borne (re-radiated) noise emissions from the kitchen ventilation system do not exceed 35 LAeq dB (5 min) when measured in any habitable room in adjoining residential premises.

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

29. Noise from entertainment including live and amplified music associated with the commercial uses and cinema hereby permitted shall be controlled so
as to be inaudible inside adjoining and other noise-sensitive premises in the vicinity of the use. The initial test for compliance with the ‘inaudibility’ criterion will be that noise should be no more than barely audible outside those noise-sensitive premises. In the event there is disagreement as to whether entertainment noise is or is not audible the following numerical limits shall be used to determine compliance with this condition:

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

EN = entertainment noise level, WEN = representative background noise level without the entertainment noise, both measured 1 metre from the façade of the noise-sensitive premises.

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

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

Reason: To ensure that accessible housing is provided in accordance policy BC2 of the Borough Wide Development Policies Development Plan Document and policy 3.8 of the London Plan.

31. The 15 proposed wheelchair accessible units (12 one-bedroom and 3 two-bedroom) shall meet Building Regulations Approved Document M Volume 1 (2015 Edition) M4 (3) ‘wheelchair adaptable dwellings’. Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.

Reason: To ensure that sufficient accessible housing is provided in accordance with policy BC2 of the Borough Wide Development Policies DPD and policy 3.8 of the London Plan.

32. The development hereby permitted shall not be occupied until details of a communal television and satellite system have been submitted to and approved in writing by the Local Planning Authority. The approved system shall be provided prior to occupation of the development and be made available to each residential unit. No antennae or satellite dishes may be installed on the exterior of the building, with the exception of a single antennae or satellite dish per block to support the communal television and satellite system. The proposed antennae or satellite dishes shall be designed to minimise their visual impact and shall not be mounted on any publicly visible façade.
33. Prior to the occupation of the development a Delivery and Servicing Plan shall be submitted to and approved in writing by the Local Planning Authority in conjunction with Transport for London. The Plan shall identify efficiencies and sustainability measures to be undertaken once the development is operational, and should incorporate details of deliveries to the site and servicing arrangements, including the size of vehicles, routing and tracking of vehicles and times of deliveries and servicing. The approved Plan shall be implemented and adhered to thereafter.

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.

34. No above ground new development shall commence until the developer has submitted to the Local Planning Authority for approval in writing, in consultation with the Local Highway Authority, a scheme of highway works associated with the development. The approved works shall be carried out prior to the occupation of the development, or as otherwise agreed in writing with the Local Planning Authority, in consultation with the Local Highway Authority.

Reason: In the interests of highway safety and in accordance with policies BR9 and BR10 of the Borough Wide Development Policies Development Plan Document.

35. Prior to demolition of the existing building at least three nocturnal emergence and/or dawn re-entry surveys during the bat activity season which extends from May to September shall be undertaken to establish whether bats are using the building in accordance with the recommendations contained in the submitted Daytime Bat Survey dated November 2015.

Reason: To protect the ecology of the area in accordance with policy CR2 of the Core Strategy.

36. No piling shall take place until a piling method statement, detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works, has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to, and have the potential to impact on, local underground sewerage utility infrastructure.

37. If piling or other ground improvement work is undertaken pursuant to this permission then the 95% level of vibration attributable to these activities shall
not exceed a peak particle velocity of 1.5mm/sec when measured at the point of entry to any adjoining residential development. In the event of reasonable complaint of vibration nuisance and at the request of the Local Planning Authority monitoring to evaluate compliance with this condition is to be carried out and the results submitted to the Local Planning Authority.

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

38. No above ground new development shall commence until a detailed scheme for the green roofs to the two podium terraces at sixth floor level has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented to the satisfaction of the Local Planning Authority prior to occupation of the development. The green roofs shall comprise at least 50% native species, not including Sedum species, seeded with an annual wildflower mix or local seed source.

Reason: To protect and enhance the biodiversity of the site and contribute towards sustainable drainage in accordance policy BR3 of the Borough Wide Development Policies Development Plan Document.

39. The three ground floor commercial units hereby permitted shall only be used for purposes falling within Classes A1, A2, A3, A4, D1 (excluding places of worship and schools and colleges) and D2, and for no other purpose.

Reason: To protect the locality by avoiding the introduction of a use unsuited to the premises in accordance with policies BP8 of the Borough Wide Development Policies Development Plan Document.

40. No above ground new development shall commence until a detailed scheme responding to London Plan strategic policies regarding climate change adaptation, including use of low energy lighting and energy efficient appliances, metering, high levels of insulation and low water use sanitary-ware and fittings, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Greater London Authority (GLA). The approved scheme shall be implemented to the satisfaction of the Local Planning Authority prior to occupation of the development.

Reason: In the interests of safeguarding the environment and providing sustainable development in accordance with policies 5.9, 5.10, 5.11 and 5.15 of the London Plan.

34. Former Sanofi Aventis, Rainham Road South, Dagenham - 16/00809/REM

The Development Management Manager introduced a report on the application relating to the former Sanofi Aventis manufacturing site (previously known as May & Baker) which measures some 43.7 hectares in area.

The wider site was granted outline planning permission in March 2012 under decision notice 11/01044/OUT and amended in May 2016 under decision notice 15/00951/OUT for a mixed use redevelopment of the site comprising the erection of up to 30,000m2 of buildings (Use Classes B1 (c), B2, B8, D1),
retention and re-use of 41,637m² of buildings (Use Classes B1, B2, B8 D1) including up to 3,500m² healthcare building (Use Class D1), erection of 9,816m² training centre (Use Class D1), 9,276m² supermarket including petrol station, 80 bed hotel and restaurant (use Class C1) and 2 floodlit synthetic turf football pitches with associated landscaping and parking.

Members requested further information as to the potential future use of these buildings and it was confirmed by the applicant that they would be utilised by manufacturing companies relocating to the site. The Acting Head of Planning and Regeneration (Planning) added that officers were meeting with the applicant to discuss the potential utilisation of this space.

The Board granted planning permission subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:


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

2. No development above ground level shall take place until full details, including samples and specifications of all external facing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details and to the satisfaction of the Local Planning Authority.
Reason: To ensure a satisfactory standard of external appearance, in accordance with Policy CP3 of the Core Strategy (July 2010) and Policy BP11 of the Borough Wide Development Policies DPD (March 2011).

3. The car parking areas, including accessible parking bays and electric vehicle charging points as indicated on drawing numbers, 3858-201 Rev 06, 3858-301 Rev 04, 3858-401 Rev 05, 3858-501 Rev 04, 3858-601 Rev 04 and 3858-701 Rev 04 shall be constructed and marked out prior to the occupation of the relevant building to which the car parking area relates to, 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 and to encourage the use of sustainable transport in accordance with Policies BR9 and BR10 of the Borough Wide Development Policies DPD (March 2011).

4. The cycle parking areas indicated on drawing numbers 3858-201 Rev 06, 3858-301 Rev 04, 3858-401 Rev 05, 3858-501 Rev 04, 3858-601 Rev 04 and 3858-701 Rev 04 shall be implemented prior to the occupation of the relevant building to which the cycle parking relates to and thereafter retained permanently for the accommodation of bicycles of occupiers and visitors 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.

5. Notwithstanding the details of condition 49 of planning permission 15/00951/OUT, there shall be no 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 the site in accordance with Policy BR10 of the Borough Wide Development Policies Development Plan Document.

6. No construction works, other than internal works not audible outside the site boundary, shall take place on the site other than between the hours of 08:00 to 18:00 on Monday to Friday and 08:00 to 13:00 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.
7. 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 prior to the commencement of any development above ground level. 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.

8. With the exception of commercial vehicles relating to the use of the buildings, there shall be no parking of cars of occupiers of and visitors to the development in the yard areas of each unit unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development accords with the submitted application and not to prejudice the free flow of traffic or conditions of general safety within the locality in accordance with Policies BR9 and BR10 of the Borough Wide Development Policies DPD (March 2011).

35. Town Planning Appeals

The Board noted details of the following appeals:

Appeals Lodged

The following appeal has been lodged

a) **Subdivision of house into 1 two bedroom and 1 three bedroom houses - 2 St Erkenwald Road, Barking (Ref: 16/00431/FUL)**

Application refused under delegated powers 17 May 2016 (Abbey Ward).

Appeals Determined

The following appeals have been determined by the Planning Inspectorate:

   a) **Erection of first floor side extension over car port – 24 Jasmine Road, Rush Green (Ref: 16/00176/FUL - Eastbrook Ward)**

Application refused under delegated powers 4 April 2016 for the following reason:

   1. The development by virtue of its prominent siting and design would be detrimental to the character and appearance of the application dwelling and appearance of the streetscene contrary to policies BP8 and BP11 of the Borough Wide Development
Policies Development Plan Document (March 2011), and the adopted Supplementary Planning Document for Residential Extensions and Alterations guidance (February 2012).


b) Erection of first floor side extension, conversion of garage to habitable accommodation and loft conversion involving installation of front and rear rooflights - 95 Beccles Drive, Barking (Ref: 16/00282/FUL – Longbridge Ward)

Application refused under delegated powers 16 May 2016 for the following reason:

1. The proposed first floor 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 Development Plan Document (March 2011) and the Residential Extensions and Alterations Supplementary Planning Document (February 2012).


c) Change of use of industrial unit to place of worship – 12 Thames Road, Barking (Enforcement appeal – Thames Ward).

Planning Inspectorate’s Decision: Appeal allowed 2 August 2016.

d) Erection of part single/part first floor and part two storey extension, alterations to external appearance of building and change of use of first floor office accommodation to provide 3 one bedroom flats and extension to ground floor office – 1 High Road, Chadwell Heath (Ref: 15/01035/FUL – Chadwell Heath Ward)

Application refused under delegated powers 13 January 2016 for the following reason:

1. The proposed flats do not meet the required minimum space standards comprising significantly less than 50 square metres in gross internal floor area, do not provide sufficient in-built storage provision for each flat and the bedrooms of flats 1 and 2 will not measure at least 2.75 metres wide for the entire width of the rooms and therefore the development would result in a poor standard of accommodation for future occupiers contrary to Policy 3.5 of the draft Minor Alterations to the London Plan and Department for Communities and Local Government: Technical housing standards - national described space standard.

The Board in particular noted their concerns relating to the Appeal decision Reference APP/Z5060/C/15/3141314 12 (Thames Road, Barking) and asked for these concerns to be passed to the Enforcement Team. They felt that there had been errors undertaken in the handling of this application and felt that lessons needed to be learnt for the future.

36. Delegated Decisions

The Board noted details of delegated decisions for the period 20 June-22 July 2016.
Location of Site

Barking and Dagenham College, Dagenham Road
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The proposed development, submitted as an outline application, is for the development of up to 125 houses and flats on land within the curtilage of the Barking and Dagenham College campus at Rush Green. The site lies to the south of the College buildings and includes the main College car park, together with a substantial area of landscaped open space to the south and west of the car park. The site borders Eastbrookend Country park to the south and Central Park to the west.

The purpose of the proposed development is to provide funding from the sales value of the site with planning permission, to fund the refurbishment of the existing D Block teaching building within College site. D Block provides a poor quality teaching environment, is time expired and suffers from significant maintenance problems. The proposed refurbishment would result in a significant enhancement to the building and to the ability of the College to improve its facilities and continue to be attractive to new students. The new building would provide a ‘Centre for Advanced Technologies’.

The building refurbishment is to be part funded by a Local Economic Partnership grant of approximately £3 million, but this is only sufficient to cover approximately one third of the cost. The proposed development also necessitates the relocation of the existing College car park to the west of the site.

The College has made the case that in practice it does not have any recourse to other sources of funding or loans. This case has been assessed and it is accepted.
The whole of the proposed development site lies within the Green Belt, and the National Planning Policy Framework (NPPF) states that such development is ‘inappropriate’ within the Green Belt by definition. The guidance states that such inappropriate development should be refused unless there are very special circumstances that clearly outweigh the harm by reason of inappropriate, and any other harm caused by the proposed development.

For the reasons expanded upon below, it is concluded that there are not very special circumstances that would clearly outweigh the harm to the Green Belt that would be caused by the proposed residential development. It is therefore recommended that planning permission be refused.

Recommendation(s):

That the Development Control Board refuse planning permission for the following reasons:

1. The proposed residential enabling development would be inappropriate in the Green Belt, would conflict with the purposes of the Green Belt, and would harm its openness and visual appearance, and the harm that would be caused to the Green Belt is not clearly outweighed by other considerations. Planning permission should therefore be refused in accordance with policy CM3 of the Core Strategy, policy 7.16 of the London Plan, and paragraphs 87 and 88 of the NPPF.

2. The proposed access arrangement, utilising the existing College access to serve both the residential development and the College car park, would result in increased usage, and an increase in conflicting right turn vehicle movements at the junction with Dagenham Road that would be detrimental to highway safety and the free flow of traffic, contrary to policy BR10 of the Borough Wide Development Policies Development Plan Document.

1. **Introduction and Description of Development**

1.1 The proposed development relates to Barking and Dagenham College’s site at Dagenham Road, Rush Green and involves residential development on the existing car park, and the landscaped open space within the curtilage of the College that lies between the car park and Eastbrookend Country Park, and the construction of a replacement surface level car park on open land within the College site that is to the west of the existing car park and to the south of the existing playing field.

1.2 The application site has an overall area of 4 hectares. The proposed residential development forming 2.8 hectares of this area would be sited directly to the south of the existing College buildings on an area of land approximately 306m wide by 93m deep. This land currently provides the main car park for the College, and an area of landscaped bunds and tree planting to the south of the car park that borders the country park.

1.3 The proposed replacement car park would be sited on an area of open grassland within the curtilage of the College site, at its south-west corner, adjacent to the College playing field, and to the west of the proposed residential development. The proposed car park has an area of 0.96 hectares on a site approximately 118m wide and 81m deep. This would be a surface level car park.
1.4 The application is in outline for up to 125 residential units, with all matters reserved. Indicative drawings have been submitted that provide an indication of the potential appearance of the development and which set maximum parameters for the scale of the proposed development, further details below. Vehicular access to the site would be provided by the existing access with no changes proposed to the junction with Dagenham Road.

1.5 The entirety of the proposed development site including both the existing car park and the open spaces are designated as Green Belt within the development plan. The purpose of the proposed development is to provide funding from the sale of the land to a developer, that the College would use to refurbish existing D Block within the College site to provide a modern, energy efficient ‘Centre for Advanced Technologies’. The College has concluded that this would be the most cost effective way to provide such facilities, and states that this building in its current form is energy inefficient, poorly designed, and difficult to maintain.

1.6 The budget for the D Block refurbishment is £9.59 million, and the cost of relocating the existing car park to facilitate the proposed residential development is £2.03 million, resulting in a total of £11.62 million. The Local Economic Partnership has approved a grant in principle towards the cost of the work of £3 million. The College is anticipating that the sale of the land would raise the shortfall of £8.62 million.

1.7 Residential development within the Green Belt is classified as ‘inappropriate’ and by definition harmful to the Green Belt, by the National Planning Policy Framework, regardless of its purpose.

1.8 This guidance states that inappropriate development should not be permitted except in ‘very special circumstances’, and that such ‘very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

1.9 The College’s case is that the proposed Centre for Advanced Technology (that has limited but insufficient potential grant funding) cannot be fully funded in any other way. The College see the development as a critical aspect of its stated vision to be a truly great college, and it says that failure to generate the funds will threaten the future capabilities of the college to respond to teaching requirements and demand. It sees the proposed centre as benefitting the local economy, local businesses, the training needs of students, and local residents in the environs of the College who would be able to access the improved facilities.

1.10 Less than half the proposed development site is covered by the tarmac surface of the existing car park, with the remainder comprising areas of open lawn interspersed with some trees, shrub planting, and landscaped bunds that have been designed to screen the car park from the adjacent country park.

1.11 The existing College car park provides 469 car parking spaces, and would be replaced with an equivalent capacity car park as described above (the original submission proposed a two storey car park but this was subsequently amended with cost grounds being cited, resulting in greater land take for surface level parking but reduced scale in terms of height).
1.12 The proposed residential development would comprise a mixture of 1 to 4 bedroom houses and flats between two and three storeys in height. Three storey flats would be limited to the site frontage facing onto Dagenham Road, two storey houses are proposed adjacent to the park boundary to the south, stepping up to three storey houses on the north side of the development land adjacent to the existing College buildings. Whilst the scheme is in outline form, maximum heights and the siting of buildings can be within agreed parameters to be determined at this stage.

1.13 Indicatively it is proposed that the housing mix would comprise 30 one and two bedroom flats, and 95 three and four bedroom houses. All the units would be for private sale with no affordable housing provided. This is on the basis that as an ‘enabling’ development the scale of housing should be the minimum required to fund the proposed refurbishment. If affordable tenures were provided the land value would be reduced, and a greater scale of development in the Green Belt would be required in order to provide the required funding.

1.14 A design code has been submitted that seeks to ensure that a high standard of design is secured in any future reserved matters application.

1.15 The application was validated on 24 August 2015 after which consultation was carried out. The applicant wished to submit some amendments to the scheme which included changing the originally proposed two storey car park to a surface level car park, and some minor changes to the layout of the indicative master plan.

1.16 In addition the College wished to submit an updated development viability appraisal to seek to provide evidence that the proposed scale of residential development is required in order to provide adequate funding for the proposed D Block refurbishment works. This has now been provided and the Council has carried out an independent assessment of this submission. Further details will be provided below.

2. Background

2.1 The College site has an extensive history of planning applications for new buildings and ancillary development on the site. Some of the more recent and significant planning applications are listed below. These planning permission help to demonstrate the significant expansion of the College that has taken place over the years, and the significant investment in the building stock in recent years.

2.2 08/00370/FUL - Erection of a motor vehicle workshop; PERMITTED.

2.3 09/00078/OUT - Demolition of existing college building (excluding Bramley building) and redevelopment to provide further education college with ancillary buildings, parking, sports facilities, landscaping and access; WITHDRAWN.

2.4 This above application proposed a comprehensive redevelopment of the site and also involved development within the College grounds on part of the land that is designated Green Belt. Members of DCB resolved to grant planning permission subject to a Section 106 agreement, and that decision was upheld upon referral to the Mayor of London. (However, before the agreement was finalised and the
decision issued the funding environment changed, preventing the development from proceeding, hence the eventual withdrawal of the application.)

2.5 Whilst the above scheme like the current proposal resulted in Green Belt encroachment it is not considered comparable in its Green Belt impact. The Green Belt encroachment was confined to a smaller area, mainly the area of the existing car park, and significant landscaped bunds were proposed and green walls to the building in order to reduce the landscape visual impact. Additionally a ‘land swap’ was proposed whereby previously developed land at the west of the site would have been returned to an open space, and this was proposed as an extension to the Green Belt boundary.

2.6 09/00394/FUL - Erection of a motor vehicle workshop; PERMITTED.

2.7 09/00507/FUL - Erection of extension to front entrance foyer; PERMITTED.

2.8 11/00396/FUL - Erection of 2 canopies, construction of paved surface and associated steps and ramps to provide sheltered 'breakout' space; PERMITTED.

2.9 11/00888/FUL - Erection of two storey infill building between the Bramley and Sports Centre buildings; PERMITTED.

2.10 12/00164/FUL - Erection of two storey infill building between the Bramley and Sports Centre buildings (amendments to planning permission 11/00888/FUL); PERMITTED.

2.11 12/00561/FUL - Demolition of bakery, front lodge, Block B, storage units and greenhouses and erection of two storey teaching and learning resource centre and external alterations to create new entrance and associated landscaping; PERMITTED.

2.12 12/00896/FUL - Demolition of block J and erection of single storey workshop building; PERMITTED.

2.13 In relation specifically to the existing car park; planning permission 99/00133/OUT was for the replacement of existing temporary buildings with new purpose built facilities and ancillary accommodation, rationalisation of existing site car parking and reorganisation and improvement of pedestrian access to and within the campus including associated new landscaping.

2.14 This decision granted permission for the construction of the current car park within the Green Belt taking account of the Inspectors report on the Unitary Development Plan which had stated:

"car parking use of the site for the College could be an acceptable use of the land, given appropriate landscaping. To my mind such a use could be accommodated within this part of the Green Belt without detracting from the open nature of the area and without requiring the alteration of the Green Belt boundary....."
3. Consultations

Adjoining occupiers

3.1 The applicant has submitted a Statement of Community Involvement setting out the steps it has taken to consult neighbouring residents upon the proposed development prior to the submission of the application.

3.2 This included a public exhibition on Thursday 19 March 2015 between 12 noon and 8pm, and two informal drop in sessions held on Thursday 4 June 2015 between 12 noon and 8pm, and on Thursday 16 July 2015 at the same time; all held at the College’s Rush Green campus.

3.3 In order to publicise the events leaflets were hand delivered to over 1,000 residential and commercial properties in the neighbouring area.

3.4 Approximately 25 residents attended the public exhibition, including a representative of Eastbrookend Country Park, with 4 completing feedback forms. Approximately 22 people attended the first drop in session, including representatives of the Rush Green Residents Group and Eastbrookend Country Park. Approximately 28 local residents attended the second drop in session but no local political or community stakeholder representatives. This last event was publicised via a community newsletter that is delivered to 2,500 local residential and commercial properties’ in the area. The College also presented their proposals to the Rush Green Residents Group on Monday 1 June 2015.

3.5 In summary comments made at the consultation events included the following main points:

- All spaces within the existing car park should be replaced
- Concern that the development would contribute to traffic congestion
- Suggestion that traffic lights should be provided for the site junction with Dagenham Road
- Additional bus services are needed
- Students currently park in Dagenham Road causing congestion
- There is support for a Controlled Parking Zone in the area
- Concern that there is insufficient social infrastructure in the area to support the development and that it would negatively impact on existing schools, doctors’ surgeries, chemists, and hospitals
- General support for expanding the College’s facilities, including the redevelopment of D-Block

3.6 Following receipt of the application the Council sent consultation letters to 719 neighbouring occupiers, site notices were displayed, and a press notice was published.

3.7 In response 111 individual letters and emails objecting to the development were received. More than half of these submissions utilise the same template letter but a significant proportion of the letters are individually drafted.

3.8 In addition 3 petitions objecting to the proposed development have been received.
3.9 The first is a 986 signature petition stating: “We the undersigned are opposed to any development on green belt land at Barking and Dagenham College. We believe the Council should rigidly defend the green belt and not permit a housing development on the site of the college car park.”

3.10 The second is a 445 signature online petition titled: “Save the Green Belt in Rush Green! - We the undersigned, are petitioning Barking and Dagenham Council to Refuse development of new flats and houses on Green Belt land in Rush Green.” 166 of those signing have provided comments setting out the reasons for their objection.

3.11 The third is a 23 signature petition stating: “I am herewith petitioning the council of Barking and Dagenham not to give permission to build on Green belt land.”

3.12 No letters of support have been received.

3.13 The vast majority of the petitioners are local residents and most of the addresses supplied are within the Rush Green area near to the College.

3.14 In summary the objections are on the following main grounds:

- Loss of Green Belt land that is intended for all to enjoy, contrary to planning policy
- Development within the Green Belt would create a precedent
- Protecting the Green Belt is of greater importance than enabling the College’s development plans
- There are no very special circumstances that justify the development
- The College should have planned its finances better in order to manage its budgets without the need for the proposed development
- Dagenham Road already suffers from significant traffic congestion at peak times, the proposed houses would add to this problem
- The development would worsen existing congestion at the Dagenham Road/Rush Green Road junction
- Local buses are already full at peak times due to school and College pupils
- Additional traffic would add to pollution
- College users park on the pavement of Dagenham Road leaving only the cycle lane for pedestrians and cyclists
- College users park on the neighbouring streets such as Camomile Road within the former Rush Green hospital estate causing nuisance to neighbours and a highway hazard at junctions
- A Controlled Parking Zone in the area (that may be required due to the College parking demand) is not wanted
- The proposed multi-storey car park would be an eyesore in the landscape - Officer note: This has since been deleted in favour of a surface level car park
- Local doctors’ surgeries, hospitals and schools are already overloaded, adding additional population to the area will worsen the situation
- Recent developments in the area such as that at the former Oldchurch Hospital, Romford and Roneo Corner, Hornchurch have exacerbated the existing shortage of community facilities
- The proposed development would have a negative impact on wildlife
3.15 Having regard to the objections letters, the most commonly raised, and most important issues for objectors appear to be the loss of Green Belt; concern that there is a lack of social infrastructure to support the proposed additional population; and additional traffic generation and College related on street parking in the area.

Greater London Authority (response from previous Mayor of London)

3.16 The need for the refurbishment of D Block is accepted, and past practice has demonstrated that a clearly evidenced educational need may be reasonably considered to be a very special circumstance.

3.17 The proposed ‘inappropriate’ development is wholly separate to the D Block proposals, therefore assurances would be required that the development is truly ‘enabling’ in status. This would take the form of an independently reviewed financial viability assessment, and a tangible link between the proposed residential development and the proposed refurbishment, providing assurance that the refurbishment would be delivered.

3.18 Nil affordable housing is proposed, and this is consistent with the ‘enabling’ nature of the development, and is acceptable in principle – subject to independent verification of the submitted viability appraisal.

3.19 If the independent review were to indicate a significant financial surplus, a corresponding reduction in the proposed quantum of residential development would be expected.

3.20 It is considered that the houses adjacent to the park boundary should provide an active frontage to the park. A Design Code should be submitted to secure key design principles within the proposed development.

Officer note: This has subsequently been prepared and submitted.

3.21 The perceived impact of the scheme on Green Belt openness from more sensitive locations within the country park and Central Park would be mitigated to a large extent by virtue of existing and proposed vegetative screening. Officers are of the view that the scheme generally responds well to the sensitivities of its Green Belt setting.

3.22 The scheme is not expected to have a significant impact on the strategic highway network or the public transport network.

Transport Development Management

3.23 Access to the proposed residential development would be via the existing priority junction from Dagenham Road leading into a private road and entering via a new junction on the southern side of the private access road. The proposed residential entrance would be located some 90m back from the Dagenham Road junction. It is stated in the Transport Assessment (TA) that the proposed residential road layout has been designed in accordance with the Department for Transport document Manual for Streets. Access to a new college car park will be located at the western end of the private access road. It is proposed that those driving and parking within
the College site will be separated to the west of the residential housing area and will
gain access to this car park by a barrier control activated by staff and students.

3.24 The location of the proposed development provides a Public Transport Accessibility
Level (PTAL) rating of 2 (poor accessibility), determined using the standard
methodology issued by Transport for London (TfL). In terms of sustainable modes
of travel which will be available to any prospective occupiers, it is considered that
the site is not conveniently located to provide opportunities for sustainable transport
modes with the available accessibility to public transport services and therefore,
unlikely to encourage a modal change and promote the use of sustainable
transport. Therefore, it is not unreasonable to conclude that prospective occupiers
and College students will make a high proportion of their journeys by car or other
private vehicles.

3.25 We would expect this type of proposal to contain measures to provide facilities for
cyclists and electric vehicle charging points also with some provision being made
for future use of this type of system in accordance with the London Plan.

3.26 The level of parking provision for these types of schemes should be assessed on its
individual merits, taking into account the location, size, public transport accessibility
and local on-street parking demand. The residential parking level is 1 parking space
per house and 1 parking space per flat in a communal car park. The existing
surface car parking area for the college has a total of 469 spaces and the proposal
is to provide the same total of spaces comprising of 458 in the new car park area
and 11 spaces adjacent to the building to the north of the car park. Although we
consider the ratio for the residential development to be acceptable, and the scheme
is in accordance with current policy, by retaining the same amount of existing
parking this will potentially cause additional pressures on the local network. There
are currently existing car parking control measures in place within Dagenham Road
because of the high demand for parking in the area and to prevent inconsiderate
parking during the week at peak times.

3.27 Following pre-application discussions, a transport scope and estimations for trip
generation of the new development were agreed. In order to assess the impact of
the proposed development an industry generation database TRAVL (Trip Rate
Assessment Valid for London) database has been interrogated with similar sites
chosen in terms of being privately owned dwellings in suburban areas in London
and was used to determine the modal splits to test the impact of the development
on the wider highway network. In the Transport Assessment it states that the AM
peak flows are higher than the PM peak and based on the surveyed flows the
following distribution of residential trips has been assumed:

AM Peak – Northbound 62%/Southbound 38%
PM Peak – Northbound 57%/Southbound 43%

3.28 To assess the capacity and the operation of the existing site access between the
existing and the proposed conditions, at its junction with Dagenham Road a Picady
(Priority Intersection Capacity and Delay) model was used for the AM and PM
peaks. Although, the trip generation assessment and junction modelling provided
within the Transport Assessment suggest that the junction will continue to operate
within capacity we are of the opinion that during the morning peak, to accommodate
the trips likely to arise from the proposed development, there will be some impact on the local highway network.

3.29 This significant proportion of car based journeys expected would worsen the congestion in Dagenham Road that already occurs which is further exacerbated by inconsiderate parking occurring in the vicinity of the neighbouring school during drop-off and pick-up times. During weekday peak times, in particular the morning peak there would be a potential for conflict between with those arriving by car and the residential motorists leaving the site who could be restricted from leaving the site efficiently and safely especially if they needed to travel in a south bound direction along Dagenham Road. This manoeuvre could also cause queuing to occur from the site and have a detrimental effect on traffic flows in Dagenham Road.

3.30 Having considered the merits of the scheme, it is considered that the development will be potentially detrimental to the local highway network and therefore we object to the application in its current form.

Environmental Health

3.31 No objection subject to the imposition of conditions to secure the following:

- Land contamination/ remediation
- Hours of construction work
- Control of noise and vibration during construction
- Construction management plan

Arboricultural Officer

3.32 The tree plan showing the proposed retentions is acceptable because it retains the best trees on the site. I have no objections to this plan proceeding.

3.33 Conditions should be imposed to ensure the protection of retained trees during construction works; and to require a method statement detailing tree protection measures for the construction of hard surfaces in close proximity to trees.

3.34 A landscape plan should be forthcoming for replacement planting.

Officer note: Full details of replacement planting would be required and secured under a reserved matters application.

Refuse Services

3.35 No comments received.

London Fire and Emergency Planning Authority

3.36 No objections.

Access Officer

3.37 No comments received.
Officer note: The detailed layouts of the proposed dwellings, the main matter of interest to the Access Officer, would be considered under a subsequent reserved matters planning application.

Countryside Rangers

3.38 No comments received.

Historic England – Archaeology

3.39 Proposed development unlikely to affect heritage assets of archaeological interest, therefore no further assessment or conditions are necessary.

Children’s Services

3.40 The predicted pupil yield for this development is 89 school aged children based on 125 private residential units ranging between 1 to 4 bedrooms.

Designing Out Crime Officer

3.41 No objections regarding the location of the proposed buildings or the site layout. Thought will need to be given to the boundary treatment between the site and the Green Belt land to the south.

3.42 It is recommended to the developer that the site be considered for SBD (Secured by Design) accreditation for which the site appears ideal. This would reduce the opportunity for crime and anti-social behaviour, to the benefit of future residents and local services.

Parks

3.43 No comments received.

Heritage

3.44 No comments received.

Housing Strategy

3.45 No comments received.

Street Lighting

3.46 No comments received.

London Borough of Havering

3.47 Responded; stating no comments.

Thames Water
3.48 Requests the imposition of a condition requiring that development is not commenced until the submission and approval of a drainage strategy.

Essex and Suffolk Water

3.49 No objections.

Parking Services

3.50 No comments received.

Ramblers Association

3.51 No comments received.

Natural England

3.52 Responded; stating no comments.

Campaign to Protect Rural England

3.53 Objects to the application on the grounds that:

- No ‘very special circumstances exist
- The housing does not meet an identified housing need
- The Green Belt harm significantly outweighs the benefits
- The site continues to fulfil the criteria for Green Belt designation as set out in the National Planning Policy Framework

Transport for London (TfL)

3.54 Content for the Council to deal with local highway issues as the application does not affect the TfL trunk road network.

3.55 The proposed residential parking ratio of 1:1 parking is in accordance with London Plan policy.

3.56 Electric Vehicle Charging Points and Blue Badge parking spaces should be secured.

London Wildlife Trust

3.57 No comments received.

Friends of the Chase

3.58 No comments received.

4. Local Finance Considerations

4.1 The proposed development would be liable for the Mayoral and Borough Community Infrastructure Levies. The amount would be calculated and secured
through the reserved matters application when full details of the proposed floor space would be known.

5. **Analysis**

5.1 The fundamental question in assessing the application is whether or not the benefits arising from the proposed ‘inappropriate development’ in the Green Belt, amount to very special circumstances that clearly outweigh the harm caused.

5.2 This question will be considered in more detail further below, following an analysis of the other main planning issues relating to the proposal.

**Transport**

5.3 The transport officer acknowledges that the proposed development would have some limited impact on existing traffic congestion within the local highway network, but raises no objection on this ground subject to further consideration of the proposed junction arrangements.

5.4 To quantify the potential impact the submitted Transport Assessment (TA) makes a prediction, based upon data taken from sites with similar characteristics, that the residential development would result in 71 two way trips during the morning peak (08:00 to 09:00) and 63 during the afternoon peak (17:00 – 18:00).

5.5 The specific impact of this traffic on the existing junction of the College site access with Dagenham Road has also been assessed. This concludes that the junction has sufficient spare capacity to serve the proposed development. However, the transport officer considers that the resulting conflicting vehicle movements at the junction could contribute to congestion at certain times and be harmful to highway safety.

5.6 The proposed residential parking ratio of one space per unit for the residential development is in accordance with London Plan policy. The proposed parking provision is considered to provide a suitable balance between meeting the likely parking demand arising from the development and preventing the creation of a car dominated public realm. As set out by the transport officer, the detailed layout of the internal access roads would need to be designed to prevent unregulated on street parking which could affect access for emergency and refuse vehicles.

5.7 The existing car park that serves the College would be re-located as set out in the details of the scheme above. The replacement College car park would have an equivalent capacity to the existing. The proposed development would not therefore have an impact on parking demand or car parking provision at the College site, and the proposed D Block refurbishment works within the College that the current residential scheme would fund, will not result in an increase in the capacity of the site. The impact of the proposed development on existing parking demand arising from the College should therefore be neutral.

5.8 In relation to vehicular access the applicant has indicatively proposed that the existing College access road and entrance be utilised as a shared access to serve both the College and the residential development, with the access splitting within the site to provide a separate residential access road within the site confines.
5.9 The transport officer has raised some potential concerns with this arrangement, including that there is a potential conflict between morning traffic entering the site with a right turn in, and residential traffic leaving the site with a right turn out, onto Dagenham Road. However, he confirms that it may be possible to design an improvement to the layout of this junction or alternatively create a separate access for the residential traffic only.

5.10 Nevertheless, the vehicular access is not a reserved matter, and it must therefore be assessed as submitted at this stage. Whilst the proposal is for no change to the existing College access, the residential development would result in a significant increase in usage. As set out by the highway officer there would be an increase in conflicting traffic movements, particularly in the mornings when College traffic will be arriving and residential traffic will tend to be leaving the site.

5.11 It is considered that this would result in harm to highway safety and an increased likelihood of queuing at the junction at peak times that would create additional traffic congestion. The proposed access arrangement is therefore unacceptable and contrary to policy BR10 of Borough Wide Development Policies Development Plan Document.

Design

5.12 The applicant has submitted an indicative master plan and a supporting Design Code that includes some sketch elevations. These details are entirely indicative at this stage because the details of layout and appearance are reserved matters that would be considered under a subsequent application.

5.13 In addition parameter plans have been submitted that set out the maximum parameters for the proposed development in relation to matters including building heights, density, and the proximity of the development to the Country Park boundary. These are for determination at this stage.

5.14 In relation to building heights a maximum of two storeys (7.7m) is proposed for the southern half of the site that borders the Country Park, with up to three storeys (10.5m) in the northern half adjacent to the existing College buildings. The exception to this is a portion of the site at its east end fronting Dagenham Road which would be up to three storeys in height (10.5m) across the full width including the part that adjoins the Country Park.

5.15 These parameters would ensure space for a landscaped buffer between the development and the Country Park, and would minimise heights adjacent to the park, with the 3 storey elements situated adjacent to the existing College buildings. The proposed 3 storey element to the east is very well screened from the parkland by extensive tree cover in this area and also fronts onto the urban environment of Dagenham Road. Taking account of the above factors the proposed parameters are considered appropriate and acceptable in the event that the principle and quantity of the proposed development is agreed.

5.16 Whilst the master plan is indicative, it is considered that a design and layout of the character proposed may be acceptable and could provide a good quality and pleasant environment for future occupiers. The submitted Design Code, as
requested by the GLA, is also considered acceptable, and the imposition of a condition requiring adherence to this Code would help to secure the design quality of the details that would need to be submitted and approved under a reserved matters application.

5.17 With regard to trees, there is a row of trees alongside the northern boundary of the existing College car park, and some trees and shrubs along the eastern boundary of the site fronting Dagenham Road. A number of these trees are protected by a Tree Preservation Order.

5.18 In addition there are smaller relatively immature trees situated within the existing car park in a landscaping strip between car parking rows. Within the area to the south of the car park there are some landscaped bunds comprising a mixture of shrubs and self seeded small trees, and along parts of the southern boundary of the site there are self seeded trees and shrubs of variable density. None of these are subject to a Tree Preservation Order.

5.19 It is proposed that all except two of the northern boundary trees are retained, and all of the eastern boundary trees. It would also be possible to retain existing trees of adequate quality on the southern boundary and to enhance planting in this area.

5.20 The majority of the trees within the existing car park, and those growing on the landscaped area to the south of the car park would need to be removed to facilitate the development.

5.21 There is sufficient space within the development to plant a greater quantity of replacement trees, and the arboricultural officer has confirmed that the best of the existing trees at the site would be retained and has no objections to the proposed development. The proposed development is therefore considered acceptable in this respect.

5.22 Landscaping is a reserved matter for future consideration. However, if planning permission is granted a planning condition can be imposed requiring the retention of the two tree groups referred to above.

5.23 The appearance of the site from the surrounding Green Belt land will be considered in the section titled ‘Green Belt’ below.

Residential amenity

5.24 The indicative layout of the site shows that it would be possible to design a scheme that would provide rear gardens for each dwelling that would meet the minimum areas specified by policy BP5 of the Borough Wide Development Policies Development Plan Document.

5.25 Internally each dwelling would be required to meet the space and storage standards set out within the London Plan and the ‘nationally described space standard’.

5.26 In relation to accessibility 10% of homes across the site would be required to be constructed to wheelchair adaptable standards (M4(3) of the Building Regulations), with the remaining 90% to constructed to an accessible and adaptable standard.
(M4(2) of the Building Regulations – similar to the former Lifetime Homes Standards).

5.27 A children’s play space would also be required in accordance with the London Plan. There is space within the site for such provision. It is also proposed that a direct pedestrian link could be provided between the development and the country park which would be of benefit to the residential amenity of future occupiers.

5.28 The submitted parameter plans demonstrate that at the proposed density and quantity of development it would be possible to ensure an acceptable standard or residential amenity for future occupiers that would be in accordance with policy.

5.29 The details of the plot and internal layouts of the proposed dwellings, and the other matters referred to above, would be considered and secured under a future reserved matters application.

Environmental Sustainability

5.30 The proposed energy strategy comprises enhanced building fabric and roof mounted solar photovoltaic panels in order to provide a reduction in carbon emissions of 35% over the minimum requirements of the 2013 Building Regulations.

5.31 The submitted flood risk assessment proposes a Sustainable Drainage System (SUDS) that is designed to contain surface water drainage within the site through the use of underground storage tanks beneath the landscaped areas. This has been designed to limit surface water run-off from the site to that which would be equivalent to a green field site in accordance with London Plan policy.

5.32 A desk top archaeological appraisal has been submitted and Historic England has advised that there is no requirement for further surveys at the site due to its limited archaeological potential.

5.33 The submitted ecology appraisal recommends that habitat surveys are carried out. It states that a reptile survey of the site is required; a badger survey of the site and the land within 30 metres of its boundary; and a survey of habitat suitability for great crested newts in respect of all ponds within 500 metres of the site. If suitable great crested newt breeding ponds are identified with connecting habitat to the site then a full great crested newt survey of the site would be required. These habitat surveys would ensure the protection of species if present, and mitigation of any habitat loss.

5.34 It would also be a condition requirement that vegetation and tree clearance should only take place outside the bird nesting season.

5.35 Landscaping is a reserved matter but the site provides plenty of opportunities for tree planting within the proposed development which would both enhance the visual appearance and contribute to bio-diversity. In addition there is a strip of land to the south of the proposed residential development, and to the south and west of the proposed replacement car park where the planting of native species in order to enhance bio-diversity could be secured by condition.

5.36 A proportion of the car parking spaces within the development would be required to be fitted with electric vehicle charging points in accordance with London Plan policy.
This would help to encourage the uptake of electric cars and consequent reductions in carbon emissions.

**Green Belt/ Principle of the Development**

5.37 The key Green Belt test (as set out within the NPPF) is whether the benefits that would arise from the proposed development would clearly outweigh the harm that is by definition caused by 'inappropriate development' and any other Green Belt harm that would be caused. Only where the benefits clearly outweigh the harm should planning permission be granted.

5.38 Members will need to reach a view on this matter, and clearly the weight to be apportioned to the relative harm and benefits is subjective.

5.39 There is no specific policy guidance on what may be considered very special circumstances. However, there are examples where ‘enabling development’, that is development which is designed to provide funds for some other planning related improvement, has been accepted as very special circumstances.

5.40 By way of example, the most recent case of major residential development within the Green Belt being permitted in the Borough, is that of Collier Row Road where Members of DCB granted planning permission in 2012 for the erection of 88 five bedroom detached houses, four bedroom farm manager's house and the enlargement and enhancement of the community farm including the erection of new farm buildings. The application was subsequently referred to the Mayor of London who did not call in the application.

5.41 In that case part of the development value arising from the scheme is to be utilised to fund the community farm improvements. However, there were also other factors considered to contribute to the very special circumstances including the zero carbon nature of the development, and the opportunity to improve visual appearance and upgrade despoiled land. Crucially, the site was already partially developed, though to a less intense scale than the approved scheme.

5.42 In relation to the College application in assessing the case for very special circumstances it is considered that there are three main questions that need to be asked:

**A) Is the proposed development the only realistic way to fund the proposed refurbishment of D Block?**

5.43 The case presented by the College on this aspect will be considered in more detail below.

**B) If yes, does the independent review of the applicant’s development appraisal confirm the need for the proposed scale of development of up to 125 dwellings?**

5.44 An independent review of the applicants’ submitted development viability appraisal has been procured by the Council and the findings will be set out below.
C) If so, does the harm caused by these 125 dwellings and replacement car park outweigh the benefits of the refurbishment of D Block, or do the benefits of the refurbishment of D Block, outweigh the harm to the Green Belt?

5.45 The case for the benefits as presented by the College will be set out, followed by an assessment of the impact of the proposed development on the Green Belt.

A) Is the development the only option to enable the D Block refurbishment?

5.46 The College has made the case that the proposed development is the only option available to enable the D Block refurbishment, and its comments are summarised below.

5.47 The College states, within its submitted reports, and in a letter to the Council from the Acting Principal, that it has reviewed all potential funding streams for D Block including grants, loans, commercial sponsorship, and disposal of assets, and concluded that the only viable option is the sale of some of its commercial assets.

5.48 The College has applied for and successfully won a bid for partial grant funding of the project from the Local Enterprise Partnership (LEP). The amount of the grant funding awarded is £3,073,000 and the total value of the D Block project is £9,590,000 leaving a shortfall in funding of £6,517,000. Release of the grant funding is dependent on the College raising the remainder of the sum required.

5.49 The College notes that within the last 5 years it has carried out significant work to enhance its estate, including construction of the Jubilee building, and the Green Technology Centre. These works have cost approximately £20m that was funding by the College’s reserves, a Skills Funding Agency grant, and a loan from Barclays Bank.

5.50 Having used its own cash reserves to support this work, the College claims that it has no realisable funds beyond those required for day to day operations of the establishment. It retains £1.8 million in cash reserves but this is required to support the everyday running of the College, and furthermore this level of reserves is part of the borrowing terms of its lender Barclays Bank.

5.51 In her letter, the Acting Principal says that neither she, the College’s Chief Financial Officer, nor the Board of Governors, would consider further borrowing to be a financially prudent course of action, and that this would put the College at risk through unsustainable borrowings.

5.52 The existing borrowing, the report states, amounted to £5 million, loan lengths are on average 25 years, and currently repayment of that loan amounts to 13% of College revenue. In relation to the proposed D Block works the applicant states that taking on a further loan is considered a risky alternative, noting that since the LEP bid was submitted Further Education funding has become more limited following two rounds of financial cuts to the Skills Funding Agency.

5.53 It states that the College is one of the few which is financially secure, and that the future of the College depends on its ability to maintain this secure profile, and to maintain a suitable level of financial reserves.
5.54 The College states that it has sought to encourage commercial sponsorship and works closely with employers to create and maintain courses that lead to employment success. It states that given the lack of any significant sponsorship commitment to date it would not be financially prudent to rely on such income to fund borrowing for the major capital programme proposed, and that such income would be variable in nature and therefore unreliable.

5.55 The College concludes that given the lack of available Government funding, and in order to meet the educational needs in a meaningful time frame with the required degree of certainty, the only option is the disposal of its under used land for residential development.

5.56 In concluding her letter, the Acting Principal states “the proposed residential development can be accommodated without any detriment to the continuing operation of the College. We are passionate about improving the lives of our students, many of whom are residents of Barking and Dagenham, and we also care greatly about our community in Rush Green.”

5.57 In support of its case the College has submitted written confirmation of its successful LEP bid, and a copy of its annual report and financial statements for the years ended 31 July 2014, and 31 July 2015. These documents confirm the financial position of the College as set out above.

5.58 Having considered the College’s arguments and reviewed the supporting evidence, it is agreed that, at least for the foreseeable future, the proposed residential development, supplemented by the LEP grant, is the only way in which the D Block works can reasonably be funded.

B) Does the independent review justify the need for 125 homes?

5.59 In the event that the principle is agreed that the proposed residential development within the Green Belt is acceptable in order to fund D Block, based upon very special circumstances; is the scale of the proposed development necessary?

5.60 In other words could the D Block refurbishment be funded by a smaller scale of development within the Green Belt of less than 125 residential units, in order to ensure that the Green Belt impact is minimised.

5.61 The Council appointed Chartered Surveyors, Lambeth Smith Hampton (LSH), to conduct an independent review of the applicant’s viability appraisal.

5.62 The consultants were asked to answer the following key questions:

- Is the stated cost to refurbish Block D sound?
- Is the stated cost to provide replacement car parking sound?
- Are the quoted sales values, development costs, and consequent residual land value sound and reasonable?
- Is the proposed quantity of residential development the minimum required in order to enable the refurbishment work?
5.63 In response LSH has prepared a detailed report the conclusions of which are summarised below.

5.64 The consultant agreed that the cost quoted for the replacement car parking was reasonable, but considered that the sales values of the housing would be likely to be somewhat higher than that assessed by the applicants’ consultant, Iceni.

5.65 This increased value could result in a potential surplus in the scheme finances of £2 million. That is because it would result in a higher residual land value. The LSH assessment was that the residual land value would be in the region of £10.6 million.

5.66 However, LSH considered that the applicant’s assessment of the cost to refurbish Block D was light, and that certain elements of the build cost would be likely to be greater, including the need for a contingency.

5.67 LSH’s conclusion, with the information available, was that these increased costs could add up to £2.5 million to the costs of the refurbishment work. This would wipe out any surplus achieved on the land sale.

5.68 In response to these comments Iceni has replied. It agrees that the potential house sales would be higher than originally quoted which would have the effect of increasing the residual land value. It also agrees that the likely cost to refurbish Block D would be higher than originally quoted though not to the degree suggested by LSH. It provides relatively detailed costings for the refurbishment work prepared by the quantity surveying firm that has worked on other buildings within the site.

5.69 It concludes with a revised estimate of the residual value of the site of £10.4 million. This taken together with the LEP funding, minus the cost of the new car park would provide a potential fund of £11.5 million, a figure sufficient to fund the revised estimate for the Block D refurbishment work of £11.5 million with a small surplus.

5.70 This means that there is broad agreement by the two consultants about the cost of the land: £10.6 million versus £10.4 million; and regarding the cost of the refurbishment.

5.71 Iceni’s response has been put to the Council’s consultant LSH who have confirmed that they are broadly in agreement with its conclusions.

5.72 It is accepted by both consultants that the actual sales value of the site cannot be predicted precisely because this will depend on the level of interest from developers when the site is marketed; and the amount offered will be influenced by the developer’s own assessment of development cost and sales values.

5.73 However, given the detailed assessment by two sets of consultants that has arrived at a similar figure, it seems likely that the assessed residual land value is about right. In the event that a higher value is achieved it would be essential to ensure as part of a Section 106 agreement that this funding is invested in the College estate, and in the event that a somewhat lower figure was achieved it is advised that it would be possible for the College to make some minor cost savings to the Block D works through value engineering and minimising the costs of external landscaping for example.
5.74 Having regard to these findings, in conclusion it is considered that the independent review of the viability appraisal does justify the need for 125 homes in order to fund the Block D refurbishment.

C) Does the Green Belt harm justify the benefits?

5.75 In order to analyse this question the planning benefits of the proposed development and the planning costs will be set out below.

Benefits

5.76 The College is already good and serves the community well, it sees the Block D refurbishment as the last piece in the transformation of the site.

5.77 The College is a high performing college with around 12,500 students comprising 3,000 young people and 9,000 adults. It is a major employer within the Borough.

5.78 Over the past five years the site has been significantly enhanced through investments in the extension and refurbishment of existing buildings and the provision of enhanced learning facilities such as the Science, Technology, Engineering and Maths (STEM) Centre, and the ‘iCreate@BDC’ a digital creative hub for students and local micro businesses.

5.79 The College wishes to consolidate its position by transforming D Block into a Centre for Advanced Technologies providing enhanced facilities and bespoke accommodation for advanced level technologies.

5.80 The existing D Block has narrow corridors and low ceilings giving an oppressive feel to the building. The classrooms are small and do not meet current needs. The building has poor insulation making it expensive to heat and difficult to cool during the summer. The roof regularly needs repairs to prevent leaks. The College do not consider the long term retention of the building in its current form to be a viable option.

5.81 The proposals for the refurbishment include rejuvenation of the external façade to provide better insulation and an improved appearance; internal enhancements – including wider brighter corridors, higher ceilings, and break out areas; and the provision of state of the art equipment and facilities to ensure high quality training.

5.82 The proposal would result in improved educational facilities at the College. The College is one of London’s leading providers of apprenticeship training, including for local businesses. The provision of the new facility would therefore make a contribution to local economic development in addition to providing new training opportunities and skills for local residents.

5.83 These objectives fit well with the Council’s priorities of encouraging civic pride, enabling social responsibility, and growing the Borough; and the conclusions of the Council’s independent Growth Commission report ‘No one left behind’.

5.84 In terms of benefits to local Rush Green residents the College already provides public access to a number of its facilities such as its library, and membership of its fitness centre. It is proposed that the enhanced D Block would accommodate a
larger learning resource centre and additional IT services that would be made available to the local community.

5.85 The applicant has also stated that the proposed development would make a contribution towards meeting housing needs within the Borough. Whilst this is true no affordable housing would be provided, the contribution would be modest, and given that the Borough has extensive areas of land allocated for housing, this would not be a reason to justify the release of Green Belt land.

5.86 In terms of securing the funds that would arise from the proposed development a Section 106 agreement would be required. This would ring fence the sales value of the development land to ensure that it is utilised for the D Block refurbishment, and the re-location of the College car park.

5.87 Details of the heads of terms of such a Section 106 agreement have not been proposed by the applicant or discussed in detail. It is suggested that such a legal agreement would require a provision to monitor the costs of the D Block refurbishment, and to ensure that any surplus is utilised for educational improvements at the Rush Green campus.

5.88 It considered that the agreement should require that the sale and subsequent construction of the D Block refurbishment takes place within an agreed timescale. It would also be necessary to ensure that in the event of a significant delay a revised viability assessment could be requested in order to take account of any changes to market conditions including the construction costs of the D Block refurbishment and the value of the residential enabling development.

5.89 It would also be considered advisable that the legal agreement should ensure that the residential development cannot be completed before the D Block works are commenced; or that the D Block works should be commenced prior to an agreed stage within the residential development.

Costs/ Harm

5.90 Inappropriate development must, by definition, be considered harmful to the Green Belt as stated at paragraph 87 of the NPPF, and re-iterated by policy 7.16 of the London Plan, and policy CM3 of the Borough’s Core Strategy. The development would therefore harm the Green Belt for this reason.

5.91 Such development is defined as harmful because it would tend to conflict with the five purposes of the Green Belt, as defined by paragraph 80 of the NPPF, which are:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
5.92 The proposed development would result in a substantial encroachment of the built-up area into open land which, with the exception of the existing car park, is undeveloped.

5.93 With the exception of the fourth bullet point related to historic towns, the proposal would conflict with each of the purposes of the Green Belt.

5.94 It is also necessary to consider in more detail the nature and extent of the impact of the proposed development on the Green Belt.

5.95 The Green Belt land that would be developed is private land within the control and ownership of the College. Therefore there is no general public access to this land, though it does provide some recreational space that can be utilised by students based at the College. For the most part its purpose appears to be to serve as a green buffer to the country park.

5.96 The fact that there is not public access to the land does not diminish its contribution to the Green Belt with reference to the 5 purposes set out above.

5.97 A proportion of the land, as mentioned above, is already developed, providing the main car park for the site, though this takes up less than half the proposed development site. The development of this car park within the Green Belt was also ‘inappropriate development’. However, clearly the development of buildings on the site would have a much greater impact on the openness of the Green Belt, in comparison with the existing surface level car park which, whilst being an urban feature, does not adversely affect openness in the same manner. Openness is one of the essential characteristics of the Green Belt defined by the NPPF.

5.98 In relation to the Green Belt purpose of preventing urban areas merging into one another, the gap between the south-west corner of the complex of College buildings and the closest urban area to the south-west of the site (houses in Bell Farm Avenue) is 350 metres. If the proposed development was carried out the proposed houses would extend by approximately 100m to the south of the existing College building, thereby reducing this gap between built up areas to 250m, which equates to a 29% reduction.

5.99 The applicant has submitted a Landscape and Visual Impact Assessment that includes a series of photographs of the site of the proposed development, taken from various vantage points within the Green Belt, both from the country park to the south and from Central Park to the west of the site. These demonstrate that the site is well screened by existing trees sited alongside the site boundaries to the south and west and that the development would not be prominent from these longer range views including views from Eastbrookend Country Park to the south of the site, and from Central Park to the west of the site. From some of the selected viewpoints the development site would not be visible due to the topography.

5.100 The photographs within the submitted document were taken during the summer months with the trees in full leaf. The tree screening will be less effective during the winter months when the trees have shed their leaves, though the trees would continue to have some screening affect.
5.101 The perimeter of the site for the proposed replacement car park has a particularly mature and thick tree screen to its north, west, and south sides, and to its east would be the proposed residential development. The southern boundary of the proposed residential site is less well screened, with the trees being less mature and smaller in this area, and in places there are relatively wide gaps between the trees.

5.102 The land within the country park to the south of the site is undulating. From the boundary of the site with the country park going south, the land rises for the first 100 metres or so, to a tree and bush covered ridge, whence the land inclines back downwards to the south. This results in the existing College buildings and the site of the proposed residential development not being visible in longer range views from the south, or being only partially visible depending on the exact point of view. The tree cover contributes to this screening effect.

5.103 However, the part of the country park immediately adjacent to the boundary of the site, would have a relatively unimpeded view of the proposed development. This area is used for informal recreation and dog walking and has a number of well trodden paths.

5.104 Presently the College buildings can be viewed from this area, but this is mainly the top of the buildings, and the existing trees, open space, and landscaping on which the proposed development would take place, partially screen the built development and provide a green visual buffer between the country park and the College.

5.105 The proposal would result in two storey housing being placed along the majority of this boundary with the park, with one block of three storey flats to the eastern end of this boundary. The indicative master plan (though siting is a reserved matter so this could change) shows 13 houses adjacent to this southern boundary and the flank elevation of the three storey flat block.

5.106 The indicative master plan shows the buildings along the southern boundary of the site being set back from the boundary by between 2m and 8m. In addition between the south boundary of the planning application site boundary, and the fence line between the College site and the country park there is a further strip of land with a width of between 7m and 13m.

5.107 The applicant has stated that this land has the potential to provide a landscaped buffer of tree, shrub and hedgerow planting that would help to screen the buildings from the country park to the south. Following a review of land titles it appears that this strip of land is owned by the Council although it lies on the College side of the fence line between the College and the Country Park. In this case landscaping could be secured through a Section 106 agreement.

5.108 On the basis of the indicative layout submitted this would result in the buildings on the south side of the site being sited between 9m and 17m from the physical park boundary.

5.109 The applicant has also suggested that the Council could impose a planning condition stating that buildings on the southern boundary of the site must have a minimum set back from the boundary with the country park. This is true, but it would be necessary to demonstrate that this could be achieved without conflicting with an acceptable layout for the 125 residential units proposed.
5.110 The proposed landscaping along the southern boundary would provide a degree of screening and help to soften the transition between the urban development and the open semi-rural character of the country park. However, due to the lie of the land referred to above, the houses would be a prominent feature in the landscape, and bring the urban development closer towards the country park. The scheme would, of course, also require street lighting and the houses would themselves be lit after dark and this would also have some impact on the country park environment.

5.111 The Landscape and Visual Impact Assessment includes a photomontage showing the potential appearance of the houses viewed from the northern end of the country park from a viewpoint close to the south boundary of the site. This confirms that the houses would be prominent in the landscape as viewed from this area, and result in a built up appearance in an area that is currently has a semi-natural green and open appearance.

5.112 With regard to the flat block this would have greater prominence due to its height, though it is adjacent to an area within the park of dense trees and shrubs that would appear to provide a screening effect particularly in longer range views. Nevertheless, it is possible to walk alongside the northern edge of the park adjacent to the boundary in this location and from that area the building would clearly be visible and very prominent.

5.113 The proposed three storey flat blocks would have a frontage facing Dagenham Road, and would be set well back from the road, approximately following the building line of the existing College buildings. Additional tree planting is proposed for the landscaped area that would be provided to the front of the building.

5.114 These flats would be the most visible part of the proposed development and would be viewed from Dagenham Road. Arguably this part of the scheme would have the greatest impact on the openness of the Green Belt due to its height. However, the two proposed flat blocks would face onto the main road and would be opposite a three storey block of flats on the other side of Dagenham Road, and would also be seen in the context of the existing College frontage. This element of the development would also adversely affect the openness of the Green Belt in this location, but would not have a particularly urbanising affect due to the existing context of this part of the site.

Conclusion

5.115 With regard to the concern raised by some objectors about the potential impact of the development on social infrastructure, the development would result in a Community Infrastructure Levy (CIL) being paid to the Council. This funding is for the purpose of helping to mitigate the impact of development and can be utilised for a number of purposes including community facilities.

5.116 With regard to education provision, locally a new primary school is being constructed at Eastbrook School, together with substantial expansion of the existing secondary school.
5.117 Leaving aside the Green Belt issue it is considered that the proposed development is acceptable in other respects and would be able to provide a satisfactory design and layout.

5.118 Therefore the acceptability of this development rests on whether very special circumstances exist to allow this inappropriate development in the Green Belt. Very special circumstances will only exist if the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is outweighed by other considerations. Paragraph 88 of the NPPF states that substantial weight should be given to any harm to the Green Belt.

5.119 Officers consider that the proposed residential development, supplemented by the LEP grant, is the only way in which the D Block works can reasonably be funded and that the independent review of the viability appraisal does justify the need for 125 homes in order to generate sufficient land value to fund the Block D refurbishment.

5.120 In terms of benefits the new D Block would be transformed into a Centre of Advanced Technologies providing enhanced facilities to the benefit of College students, indirectly it would be advantageous to some local businesses and it would potentially contribute to local economic development.

5.121 The College has an east London-wide catchment with approximately 50% of students being residents of this Borough. The College therefore provides a wider sub-regional facility.

5.122 If the facility is not provided at the Rush Green campus there is a clear dis-benefit, to the College and those who would make use of such a facility. The College state their intention is to allow local residents to utilise IT facilities and the learning centre within the proposed refurbished building. This is advantageous but the College already provides the local community access to some College facilities such as the library, and it is has not been evidenced that there is any shortage of such community facilities within this area.

5.123 The improvements to the College would be significant in the context of the College site and would clearly benefit students and users of the new facility. The College also state that there are wider benefits to the local economy, for example the College provides the learning centre for apprentices working for local businesses. This may potentially contribute to local economic development but this impact is difficult to predict or measure precisely. In contrast the impact on the Green Belt is significant and tangible and its impact would be felt in the immediate environment of Rush Green and the country park.

5.124 The Green Belt development that would be required to achieve the benefits would be harmful by definition. However the need to achieve a set land value to fund the college improvements has resulted in a form of development which in terms of the extent of Green Belt land it covers, its scale, massing and layout makes little concession to its Green Belt location and surroundings. Therefore the harm is considerable. The proposed homes would be a prominent feature in the landscape, particularly to the south and would cause a significant impact on the openess and the purposes of the Green Belt. In response to consultation there has been a groundswell of local opinion against the proposed development. The proposed
development would cause significant visual harm to the Green Belt, would result in a loss of openness, and would conflict with the purposes of the Green Belt designation. It is recognised that the evaluation of the very special circumstances presented is subjective and Members will need to weigh the benefits versus the costs of the development. However it is the view of officers that the benefits of the development do not outweigh its harm to the Green Belt.

5.126 Consequently there are not very special circumstances that would clearly outweigh the harm to the Green Belt that would be caused by the proposed residential development and therefore planning permission should be refused in accordance with paragraph 87 of the NPPF.

Background Papers


- **Local Plan Policy**
  
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London Plan: Housing Supplementary Planning Guidance 2016

- **National Policy**

  National Planning Policy Framework
  National Planning Practice Guidance
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The Civic Centre designed by E. Berry Webber is Grade II listed and was built in 1936. A three-storey extension was added in 1964 to the south-east of the original building and linked by a bridge.

The planning and listed building consent applications relate to a change of use of the Civic Centre from Class B1 (local government offices) to D1 (higher education institution) in order to accommodate a new campus for Coventry University London. In order to accommodate the new use it will be necessary to undertake refurbishment of the building which includes the demolition of walls, improvements to circulation and fire access and egress, additional or replacement power points, and new flooring and ceilings.

Coventry University London provides high quality, higher education courses which allow students to integrate their study around other daily life activities such as work or child care, at a lower cost than traditional university courses.

The principle of the proposed change of use is supported and would result in a new education facility improving local access to higher education and providing job opportunities and would also ensure that the Civic Centre is given a new lease of life when the Council vacates the building.
The proposal to allow some continuing community use of the building and Council Chamber and the potential to open the learning resource centre/library, cafe and some information technology (IT) suites to the community at times is welcomed.

The applications were accompanied by a Heritage Statement which concludes that the proposed alterations to the listed building are minimal and that they are the least intrusive options for meeting the regulations and requirements for the proposed new use. With the exception of the introduction of a new fire exit stair and door at ground floor level to the north corridor, new external steps and railings to the rear entrance of the building and a new door to the rear of the annexe to accommodate kitchen deliveries, no significant alterations to the fabric of the building are proposed. Furthermore, no works are proposed which would be detrimental to the principal architectural features of the building.

The proposed works to the interior and exterior of the listed building are considered to result in less than substantial harm and any detriment is outweighed by the re-use of the building as a community facility.

The proposed car parking and cycle parking provision is considered to be acceptable and Transport for London (TfL) has concluded that the highway/public transport trip generation associated with the new use will be minimal and can be accommodated within the existing networks.

Overall, the proposed development is in keeping with the relevant national, regional and local policies and is supported.

**Recommendation:**

That the Development Control Board grants planning permission and listed building consent subject to the conditions listed in this report (with any amendments that might be necessary up to the issue of the decision notices).

**Planning Application 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 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:

   02-00-DR-A-0001 P6
   02-00-DR-A-1001 P3
   02-00-DR-A-1002 P3
   03-ZZ-DR-A-0001 P5
   03-ZZ-DR-A-1001 S3-3
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Reason: For the avoidance of doubt and in the interests of proper planning.

3. The use hereby permitted shall be carried on by Coventry University London only and no other party, person or company.

Reason: In order to ensure that any alternative use or occupier of the building is compatible with the special architectural and historic nature of the building, and in accordance with policy CP2 of the Core Strategy and policy BP2 of the Borough Wide Development Policies Development Plan Document.

4. Demolition and construction work and associated activities shall be carried out in accordance with the submitted Construction Method Statement prepared by Willmott Dixon Interiors. Minor amendments may be agreed in writing from time to time by the Local Planning Authority.

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

5. Demolition and construction work and associated activities are to be carried out in accordance with the following:

- British Standard 5228:2009, “Code of Practice for Noise and Vibration Control on Construction and Open Sites”, Parts 1 and 2; and
- Measures to control the emission of dust, dirt and emissions to air 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.

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

6. Demolition and construction work and associated activities shall be carried out in accordance with the submitted Construction Logistics Plan prepared by Willmott Dixon Interiors. Minor amendments may be agreed in writing from time to time by the Local Planning Authority.

Reason: 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.
7. Demolition and construction work and associated activities, other than internal works not audible outside the site boundary, are only to be carried out between the hours of 08:00 and 18:00 Monday to Friday and 08:00 and 13:00 Saturday, with no work on Sundays or public holidays without the prior written permission of the Local Planning Authority. Any works which are associated with the generation of ground borne vibration are only to be carried out between the hours of 08:00 and 18:00 Monday to Friday.

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

8. The car parking areas indicated on drawing No. 02-00-DR-A-0001 Rev P6 shall be constructed and marked out prior to the occupation of the development, and thereafter retained permanently for the accommodation of vehicles of students, staff 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.

9. The 12 car parking spaces indicated on drawing No. 02-00-DR-A-0001 Rev P6 shall be constructed and marked out prior to the occupation of the development as accessible parking bays (to be clearly marked with a British Standard disabled symbol). 16 of the car parking spaces shall include electric vehicle charging points with an additional 16 of the car parking spaces to be provided with the infrastructure in place to allow for future installation. The car parking spaces and charging points shall thereafter be retained permanently for students, staff and visitors to the premises and not used for any other purpose.

Reason: To ensure and promote easier access for disabled persons and to encourage the use of electric cars in order to reduce carbon emissions, in accordance with policies BC2, BR9 and BR10 of the Borough Wide Development Policies Development Plan Document and policy 6.13 of the London Plan.

10. The 330 cycle parking spaces indicated on drawing No. 02-00-DR-A-0001 Rev P6 shall be implemented prior to occupation of Phase 1 of the development as indicated on drawing No. C6-ZZ-DR-A-0001 Rev P4, with the exception of those spaces affected by construction works to the rear of the building under Phase 2 of the development, as indicated on drawing No. C6-ZZ-DR-A-0001 Rev P4, which shall be provided prior to occupation of Phase 2 of the development. Thereafter the cycle parking spaces shall be retained permanently for the accommodation of bicycles of students, staff and visitors 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.
11. All new external works and finishes and works of making good to the retained fabric, shall match the existing original adjacent work with regard to the methods used and to the material, colour, texture and profile, unless shown otherwise on the drawings or other documentation hereby approved or required by condition attached to this consent.

Reason: To preserve the character of the building and locality and in accordance with policies CP2 and CP3 of the Core Strategy and policies BP2, BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

12. Detailed scale drawings and material specifications/samples in respect of the following works shall be submitted to and approved in writing by the Local Planning Authority prior to the relevant work commencing:

a) replacement external steps and railings to the rear entrance of the building and associated stair lift;

b) additional fire escape stair and exit from the ground floor north corridor to the rear of the building; and

c) new cycle store and bin store.

The relevant work shall be carried out in accordance with the approved details.

Reason: To preserve the character of the building and locality and in accordance with policies CP2 and CP3 of the Core Strategy and policies BP2, BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

13. Prior to occupation of the development hereby permitted a full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include proposals for minimising car-borne travel and encouraging walking, cycling and the use of public transport. 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 6.3 of the London Plan.

14. Prior to occupation of the development hereby permitted a Community Use Scheme for the Civic Centre shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To secure well-managed community access to the Civic Centre in accordance with policy CC2 of the Core Strategy and policy 3.18 of the London Plan.

15. No part of the development hereby permitted shall be occupied until a Car Parking Management Plan has been submitted to the Local Planning Authority for approval in writing. The Car Parking Management Plan is to develop a parking strategy which details the rationale behind car parking allocation to staff, students and visitors. The development shall only be implemented in accordance with the details approved and the approved Plan shall be permanently retained for the
lifetime of the development.

Reason: To ensure that off-street car parking spaces are effectively managed and so as not to prejudice the free flow of traffic on the local highway network, in accordance with policies BR9 and BR10 of the Borough Wide Development Policies Development Plan Document and policy 6.13 of the London Plan.

16. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development falling within Class N in Part 7 of Schedule 2 to that Order shall be carried out without the prior written permission of the Local Planning Authority.

Reason: To protect the setting of the listed building, and in accordance with policy CP2 of the Core Strategy and policy BP2 of the Borough Wide Development Policies Development Plan Document.

Listed Building Consent Conditions

1. The works must be begun not later than the expiration of three years beginning with the date on which consent is hereby granted.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) 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:

- 02-00-DR-A-0001 P6
- 02-00-DR-A-1001 P3
- 02-00-DR-A-1002 P3
- 03-ZZ-DR-A-0001 P5
- 03-ZZ-DR-A-1001 S3-3
- 04-XX-DR-A-0001 S3-1
- 04-XX-DR-A-1001 S3-1
- 05-XX-DR-A-0001 S3-2
- 05-XX-DR-A-0002 S3-2
- 05-XX-DR-A-1001 S3-1
- 05-XX-DR-A-1002 S3-1
- C6-ZZ-DR-A-0001 P4
- 22-ZZ-DR-A-0001 P4
- 32-ZZ-DR-A-0001 P4
- 35-ZZ-DR-A-0001 P4
- 40-ZZ-DR-A-0001 P4
- 40-ZZ-DR-I-0002 P3

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

3. All new internal and external works and finishes and works of making good to the retained fabric, shall match the existing original adjacent work with regard to the
methods used and to the material, colour, texture and profile, unless shown otherwise on the drawings or other documentation hereby approved or required by condition attached to this consent.

Reason: To preserve the character of the building and locality and in accordance with policies CP2 and CP3 of the Core Strategy and policies BP2, BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

4. Detailed scale drawings and material specifications/samples in respect of the following works shall be submitted to and approved in writing by the Local Planning Authority prior to the relevant work commencing:

a) replacement external steps and railings to the rear entrance of the building and associated stair lift;
b) additional fire escape stair and exit from the ground floor north corridor to the rear of the building; and
c) details of the new reception desk.

The relevant work shall be carried out in accordance with the approved details.

Reason: To preserve the character of the building and locality and in accordance with policies CP2 and CP3 of the Core Strategy and policies BP2, BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

1.0 Introduction and Description of Development

1.1 The application site comprises the London Borough of Barking and Dagenham Civic Centre which is located on the corner of Wood Lane and Rainham Road North, Dagenham.

1.2 The Civic Centre designed by E. Berry Webber (architect) is Grade II listed and was built in 1936. A three-storey extension was added in 1964 to the south-east of the original building and linked by a bridge.

1.3 The planning and listed building consent applications relate to a change of use of the Civic Centre from Class B1 (local government offices) to D1 (higher education institution) in order to accommodate a new campus for Coventry University London. To accommodate the new use it will be necessary to undertake refurbishment of the building. The proposed works include, amongst other things, the demolition of walls, improvements to circulation and fire access and egress, additional or replacement power points, and new flooring and ceilings.

2.0 Background

There is an extensive planning history for the site dating back to 1959. The most recent applications of note are listed below.

| Application ID | Description | Date
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>00/00641/LBC</td>
<td>Application for listed building consent: Removal of 2 benches from Council Chamber.</td>
<td>Granted on 11.01.2001</td>
</tr>
<tr>
<td>Application Number</td>
<td>Description</td>
<td>Grant Date</td>
</tr>
<tr>
<td>--------------------</td>
<td>------------------------------------------------------------------------------</td>
<td>------------------</td>
</tr>
<tr>
<td>01/00671/LBC</td>
<td>Application for listed building consent: Refurbishment and repair of public areas of building including new accessible entrance to street level.</td>
<td>Granted on 20.05.2002</td>
</tr>
<tr>
<td>02/00135/FUL</td>
<td>Installation of 2 six metre high columns incorporating CCTV camera systems and 2 wall mounted CCTV cameras.</td>
<td>Granted on 07.05.2002</td>
</tr>
<tr>
<td>02/00189/LBC</td>
<td>Application for listed building consent: Replacement of existing CCTV cameras and installation of security grilles, shutters and doors.</td>
<td>Granted on 19.06.2002</td>
</tr>
<tr>
<td>02/00446/REG3</td>
<td>Erection of electricity sub-station.</td>
<td>Granted on 31.07.2002</td>
</tr>
<tr>
<td>04/00099/ADV</td>
<td>Installation of 3 externally illuminated and 1 non illuminated directional signs.</td>
<td>Granted on 02.04.2004</td>
</tr>
<tr>
<td>04/01154/LBC</td>
<td>Application for listed building consent: Replacement of glazing walling to 1st and 2nd floor link bridge between Civic Centre and annexe.</td>
<td>Granted on 24.01.2005</td>
</tr>
<tr>
<td>06/00670/LBC</td>
<td>Application for listed building consent: Replacement windows to the annexe building.</td>
<td>Granted on 20.10.2006</td>
</tr>
<tr>
<td>16/00918/LBC</td>
<td>Application for listed building consent: Demolition of print room building.</td>
<td>Granted on 27.07.2016</td>
</tr>
</tbody>
</table>

### 3.0 Consultations

#### 3.1 Neighbours / Publicity

Site notices were posted on 7 September 2016 and expired on 28 September 2016. A press notice was also published in the Barking and Dagenham Post on 14 September 2016 and expired on 5 October 2016. There has been no response to the consultation process.

#### 3.2 Consultees

a) **Historic England (Buildings)** – Our specialist staff have considered the information received and we do not wish to offer any comments on this occasion. The application should be determined in accordance with national and local policy guidance and on the basis of your specialist conservation advice. You are hereby authorised to determine the application for listed building consent as you think fit.

*Officer Note: The Secretary of State has authorised Historic England’s recommendation that the Council may proceed to determine the application for listed building consent.*

b) **Twentieth Century Society** – The Society does not wish to comment in this instance.
c) The Council for British Archaeology – The committee has no objections to these minor alterations and noted that there has been no comment from the Twentieth Century Society.


e) Ancient Monuments Society – No response.

f) Georgian Group – No response.

g) Victorian Society – No response.

h) Transport for London -

- We concur with the Transport Assessment that highway/public transport trip generation will be minimal and can be accommodated within existing networks.

- The 326 cycle spaces proposed falls short of the 330 cycle spaces required by London Plan standards with regard to 1,530 students and 136 staff members.

  Officer Note: The applicant has now increased the cycle parking provision to 330 spaces.

- The level of car parking is appropriate for this proposal and is in line with London Plan standards.

- 10% electric vehicle charging points and 10% passive points should be secured by condition.

- The inclusion of 12 blue badge parking spaces is in accordance with London Plan standards and these should be secured by condition.

- A full Construction Logistics Plan should be secured by condition.

  Officer Note: The applicant has subsequently submitted a Construction Logistics Plan which is considered to be acceptable and avoids the need for a pre-commencement condition.

- A full Travel Plan should be secured through a S106 agreement or condition.

- Subject to the above conditions being met TFL has no transport issues with the proposal.

  Officer Note: The matters raised above are to be secured by condition.

i) London Fire and Emergency Planning Authority (LFEPA) – The brigade will be satisfied with the proposals subject to access for fire brigade vehicles being provided to a minimum of 15% of the perimeter of the building. Every elevation to which vehicle access is provided
should have suitable doors not less than 750mm wide giving access to the interior of the building.

j) **London Fire and Emergency Planning Authority – Water Team** – No additional hydrants are required.

k) **Essex and Suffolk Water** – Existing apparatus does not appear to be affected by the proposed development.

l) **Designing Out Crime Officer** – No response.

m) **London Borough of Havering** – No response.

n) **Environmental Health Team** – There is potential for adverse impact from construction phase noise, dust and other emissions to air and so I recommend that any approval that might be granted be subject to conditions relating to these matters. I do not foresee any operational phase environmental protection issues.

*Officer Note: The matters raised above are to be secured by condition.*

o) **Transport Development Management Team** – The Civic Centre site is accessed via two separate left-turn only entrances from the A1112 Rainham Road North at the southern site boundary with two left-turn only exits onto the A124 Wood Lane at the northern site boundary.

There are existing Traffic Management Orders (TMO’s) along Rainham Road North and Wood Lane that apply various restrictions on both sides of the carriageway.

It is stated within the Transport Statement (TS) that there are no alterations proposed to the existing two ingresses and two egresses. Similarly, there are no alterations proposed for site access used by pedestrians, cyclists and public transport users.

The Public Transport Accessibility Level (PTAL) of the site is 2 (poor). This is mainly because there are only limited rail/underground services near the site. There are six bus services that serve the site.

Visual pedestrian surveys of the footways that serve the site have been undertaken to assess the site’s pedestrian connectivity and the quality of the pedestrian environment. These were found to be generally in a satisfactorily condition.

It is stated in the TS that the existing deliveries and waste collection arrangements will continue post-development. The site can accommodate vehicles typically expected to visit the site. Emergency vehicles will still be able to use the existing access which is being retained.

There is no specific guidance on car parking provision or prescribed vehicle parking standards for educational development within the
London Plan but rather a TS should be used to determine an appropriate level of car parking provision. This should be consistent with objectives to reduce congestion and traffic levels and to avoid undermining walking, cycling or public transport.

The existing on-site car park provides a total of 160 formal vehicle parking spaces, 12 of which are allocated for blue badge holders. The proposed on-site parking strategy is to retain the existing provision with an appropriate provision of electric charging points, accessible bays and allocation of car share spaces.

It is proposed that the on-site car parking spaces would be strictly managed and staff and blue badge holders would have the option of a free parking permit and students living over a certain distance, such as 10 miles, would have the option of purchasing a parking permit. All other students would be expected to travel to the site using sustainable modes of transport. There is no mention of parking bays for visitors and we recommend that a few be allocated for this purpose.

It is demonstrated in the TS that during a typical weekday there are forecast to be 5,174 additional two-way trips associated with the proposed development. The majority are forecast to be made either using public transport (2,220) or on foot (2,058), with an increase of 404 car two-way trips associated with the proposed development.

It is stated that a total of 1,598 additional arrival trips will be generated during the weekday AM traffic peak hour. The data advocates these trips are likely to see a decrease in the number of car trips (-28) and increase in bus use (+224), train use (+34) and underground use (+162) and the net increase is accounted for entirely by sustainable modes of transport.

We are satisfied the content and the overall trip generation presented within the TS document is sufficiently robust and therefore the traffic impact on the local roads will result in a slight impact during the AM peak, but negligible throughout the day with a potential positive impact across the traffic network with many trips occurring after 18:00. However, it should be noted that when the development is fully completed and occupied, local bus services could potentially be operating above the current capacity levels and therefore not able to operate safely and efficiently.

We recommend a parking management strategy providing details of the phased implementation of the proposed development should be submitted and this should be conditioned.

Due to the scale of the proposed development and its trip generation potential a Strategic Level Travel Plan will be required to promote sustainable travel for both students and staff.
Based on the information that has been provided within the TS and having considered the merits of this application, there are no apparent adverse highway implications arising from the proposed development.

*Officer Note:* The matters raised above are to be secured by condition.

- **p)** Access Officer – No response.
- **q)** Refuse Services – No response.
- **r)** Parking Services – No response.

### 4.0 Local Financial Considerations

#### 4.1 Development used wholly or mainly for the provision of education as a school or college under the Education Acts or as an institution of higher education attract a nil charge in respect of the Mayor of London and Borough Community Infrastructure Levy's (CIL). Accordingly, the CIL payment for the proposed development is nil.

### 5.0 Analysis

#### 5.1 Principle of the Development

- **5.1.1** Coventry University London provides education for foundation, first degree and professional entrance students. Their education model is to offer high quality, higher education courses which allow students to integrate their study around other daily life activities such as work or child care, at a lower cost than traditional university courses. Unlike most universities the model does not conform to standard academic years and instead offers year round entry, with students never more than six weeks from beginning their higher education study.

- **5.1.2** The Civic Centre location was chosen by the University after an extensive search through the eastern and southern London boroughs for a self-contained building of around 70,000 square foot that could be easily split into different functions and phases. The Civic Centre was identified as an excellent opportunity and the Council were keen to retain a community use for the building.

- **5.1.3** At this stage it is anticipated that at full operation there would be 136 staff on site throughout a typical weekday and up to 1,530 students on site per teaching session. Two different teaching sessions are proposed per day, a morning session from 9:00 until 13:00 and an afternoon session from 14:00 until 18:00, each with a different set of students. Each classroom would generally cater for 35 or 50 students.

- **5.1.4** The building would be open for 12 hours a day Monday to Friday, with open access information technology (IT) suites and a learning resource centre/library available to students until 20:00 every night, and until 22:00 two nights a week. The building would also be open on Saturdays from 08:00 to 19:00 with teaching from 09:00 to 18:00.
5.1.5 It is proposed that courses would commence at the campus in September 2017 and that the proposed works to the building would be implemented in a phased manner between 2016 and 2021 to accommodate the anticipated student growth which is as follows:

<table>
<thead>
<tr>
<th>Phase</th>
<th>Students per phase</th>
<th>Cumulative total of students</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>645</td>
<td>645</td>
</tr>
<tr>
<td>2</td>
<td>220</td>
<td>865</td>
</tr>
<tr>
<td>3</td>
<td>275</td>
<td>1,140</td>
</tr>
<tr>
<td>4</td>
<td>205</td>
<td>1,345</td>
</tr>
<tr>
<td>5</td>
<td>185</td>
<td>1,530</td>
</tr>
</tbody>
</table>

5.1.6 Policy BE5 of the Borough Wide Development Policies DPD states that:

“Any net loss of office space (whether in use or vacant) will only be considered acceptable if all of the following criteria are met:

- There is evidence that the possibilities of re-using, refurbishing or otherwise improving the site to encourage continuing B1 office use have been fully considered and explored over a period of time.
- The alternative scheme will contribute significantly to wider regeneration initiatives.
- The alternative scheme will help to achieve a higher quality of design and / or improvements to the public realm.
- If possible, employment and training opportunities are retained or created as part of the new development.

The Council’s preferred use will be community based and before other new uses are proposed, the possibility of provision of a beneficial community facility must have been fully and genuinely explored”.

5.1.7 The borough has one of the highest proportions of working age adults with no qualifications in London. As well as key local policies to increase educational attainment within the borough, London-wide policies similarly aim to support the provision of higher educational facilities within boroughs with low levels of educational attainment, to provide greater educational choice.

5.1.8 The proposed change of use responds to these policies through the provision of a facility which aims to attract locally-based students. By pricing courses more competitively and providing flexible learning options, courses are expected to appeal to a more varied audience. As a result, by increasing levels of educational attainment and thereafter access to employment, direct benefits would be felt by the local community.

5.1.9 The principle of the proposed change of use is considered to be acceptable having regarding to Policy BE5 of the Borough Wide Policies DPD as it would result in a new education facility improving local access to higher education and providing job opportunities. It is accepted that the likelihood of finding an alternative B1 office user for the building in reasonable
timescales is remote given the extensive floorspace and listed status of the building.

5.1.10 The proposed change of use would also ensure that the Civic Centre is given a new lease of life when the Council vacates the building. The lease agreement between the Council and Coventry University London would ensure the long-term protection and maintenance of this important building.

5.1.11 The University has indicated their agreement to some continuing community use of the building and Council Chamber for meetings and Councillor clinics. A learning resource centre/library, cafe and some information technology (IT) suites may also be made available to the community at certain times of the week and year. The exact extent of the community uses has not yet been finalised however. It is therefore recommended that a condition be imposed on any planning permission requiring the submission and approval of a scheme of community uses for the Civic Centre.

5.1.12 Overall, the principle of the proposed change of use of the building to a higher education institution is welcomed and supported, subject to the matters discussed below being satisfactorily addressed.

5.2 Design and Heritage

5.2.1 The original part of the Civic Centre is considered to be a fine example of art deco design. The Civic Centre was Grade II listed on 24 August 1981 and the listing entry reads as follows:

Modern style. Built of mulberry coloured stocks laid mainly in English Bond with Portland stone dressings. Symmetrical facade of 3 storeys and semi-basement. Central Portland stone portico of higher elevation with 4 slim clustered columns and 3 reliefs with Civic Shield and personifications of some main industries of the area. Glazed staircase hall behind. The central staircase hall is flanked by wings of 13 bays each and further bay of 2 storeys; the whole having glazed semi-circular staircase projections at each end. Metal framed casements, the first floor windows having cornices and cast iron flower guards. Stone parapet, band and plinth. Cast iron guards to semi-basement. Semi-circular Council Chamber to rear, behind central staircase hall. Some modern rear extensions do not detract from the original design.

5.2.2 Paragraph 131 of the National Planning Framework (NPPF) states that “In determining planning applications, Local Planning Authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness”.

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5.2.3 Paragraph 132 of the NPPF states that “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a Grade II listed building, park or garden should be exceptional”.

5.2.4 Paragraph 134 of the NPPF states that “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use”.

5.2.5 Policy CP2 of the Core Strategy, Policy BP2 of the Borough Wide Development Policies DPD and Policy 7.8 of the London Plan seek to protect and enhance the historic environment.

5.2.6 Policy BP2 of the Borough Wide Development Policies DPD states that “Proposals to alter, change the use of and/or extend any listed building, or for development in the vicinity of a listed building, must demonstrate that there will be no adverse impact (individual or cumulative) on the significance including its special architectural or historic interest of the building and its setting. Development proposals and regeneration initiatives which affect a listed building or its setting will be expected to demonstrate that any social and economic benefits of the scheme are balanced to ensure the development is in keeping with its significance including its special architectural and historic interest”.

5.2.7 It is proposed that small and large classrooms and tutorial rooms would be provided over all levels of the main building. The Council Chamber would generally be used as an informal learning hub (study zone) at first floor level and space for ‘quiet study’/library function at second floor level. It is proposed that the Chamber would also be used for a variety of other activities including occasional lectures and as a mock courtroom.

5.2.8 It is proposed that the ground floor of the annexe would be used as a café and learning resource centre while the upper floors of the annexe would be used as classrooms and tutorial rooms, a staff breakout and academic staff workroom and engineering and science labs.

5.2.9 A secure cycle store and bin store is proposed in the rear car parking area on the site of the old print room building which is to be demolished under a previous listed building consent.

5.2.10 It is understood that the green space to the front of the Civic Centre will become the responsibility of the University to maintain. The green space would provide an informal outdoor space for the students to use during their breaks. The adjacent park would provide an alternative outdoor space for the students to use.
5.2.11 The key design challenge for the applicant has been to create a market-leading higher education institution with minimal impact on the fabric of the Grade II listed building. The proposal accommodates all required teaching spaces within existing internal enclosures where possible, minimising the amount of demolition work. New internal partitions have been incorporated where necessary. The most significant changes required to the building are a result of the need to conform to Approved Document B of the Building Regulations which relates to fire protection and escape.

5.2.12 Key internal spaces in the main building such as the marble lobby and Council Chamber would remain materially unchanged, with all proposed furniture having no fixings to the existing fabric of the building.

5.2.13 The proposed development involves material changes to the interior and exterior of the building as summarised below:

- Ground floor level escape doors at either end of the main building corridors are to be re-hung so that they open outwards instead of inwards. The frame is also to be modified to allow an additional clear width of 30mm to satisfy Approved Document B of the Building Regulations (Fire Safety).

- New partitions with double doors are to be fitted at halfway points on all corridors within the main building and on the ground and first floor levels of the annexe to satisfy the fire escape distances in Approved Document B of the Building Regulations (Fire Safety).

- An additional escape stair and exit are to be created from the ground floor north corridor to the rear of the main building. The proposal would mimic an existing rear door on the south corridor which is likely to have been constructed at the time the annexe was built. This additional exit requires new stairs and an exit door from the raised ground floor level to the external street level to the rear of the building. This solution requires minimal work to the external facade, and is in a less visible location than other options explored.

- The external rear staircase of the main building is to be demolished and a new wider staircase and railings, with adjacent stair lift, are to be fitted in lieu. This alteration is required to accommodate an increased footfall as students would be encouraged to enter and exit through this door which provides easy access to the main car park.

- The addition of movable partitions between classrooms on the first floor south corridor of the main building.

- The addition of a kitchen to the ground floor of the annexe and the provision of a double door to the rear of the annexe providing delivery access for the kitchen. The proposed door would replace an existing window and the brickwork below it.

- The removal of the basement vault door in the main building.
• The removal and replacement of the ground floor reception desk in the main building. This alteration is required to accommodate the increased occupancy, arrival and departure of a large number of students. The relocation of the reception desk and removal of the back-lit screen-wall behind the current reception desk will allow a greater flow of students through both the east and west entrances of the main building.

• The removal of internal walls, where necessary, in the main building and annexe.

• The addition of new internal walls in the main building and annexe.

5.2.14 Historic England has recommended that the Council determines the listed building consent application in accordance with national and local policy guidance and on the basis of their specialist conservation advice. The Secretary of State has authorised this stance.

5.2.15 The six national amenity societies were also notified of the applications and given their statutory 28 days to respond. The Council for British Archaeology and the Twentieth Century Society both responded and advised that they had no objection/comment on the proposed development.

5.2.16 The applications were accompanied by a Heritage Statement which concludes that the proposed alterations to the listed building are minimal and that they are the least intrusive options for meeting the regulations and requirements for the proposed new use. With the exception of the introduction of the new fire exit stairs and door at ground floor level to the north corridor, the new external steps and railings to the rear entrance of the building and the new door to the rear of the annexe, no significant alterations to the fabric of the listed building are proposed. Furthermore, no works are proposed which would be detrimental to the principal architectural features of the listed building.

5.2.17 The proposed works to the interior and exterior of the listed building are considered to result in less than substantial harm and any detriment is outweighed by the re-use of the building as a community facility. In reaching this conclusion, officers have paid special attention to the desirability of preserving features of special architectural or historic interest, and in particular, listed buildings in accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

5.2.18 Officers consider that the proposed development is in keeping with the spirit of the relevant national, regional and local policies which seek to protect and enhance the historic environment.

5.3 Transport / Parking

5.3.1 The application proposes the retention of 160 on-site car parking spaces, including 12 blue badge spaces. The car parking provision is considered to be acceptable for the proposed use.
5.3.2 It is proposed to provide 330 cycle parking spaces in accordance with London Plan standards. The condition to secure these allows for the installation of spaces to be phased in line with the phasing of the construction works. The bulk of the spaces would, however, be in place on first occupation of the development.

5.3.3 Transport for London (TfL) has concluded that the highway/public transport trip generation associated with the change of use will be minimal and can be accommodated within the existing networks.

5.3.4 As set out in the ‘Consultation’ section of this report the Transport Development Management Officer has confirmed that there are no apparent adverse highway implications arising from the proposed development.

5.4 Sustainability & Energy

5.4.1 Policy 5.4 of the London Plan encourages retrofitting in order to reduce carbon dioxide emissions, improve the efficiency of resource use (such as water) and minimise the generation of pollution and waste from existing building stock.

5.4.2 Due to the age and listed status of the building there are limitations and risks upon the works that can be done to the mechanical, electrical and plumbing design. The University, however, has acknowledged that all new systems will be as efficient as possible.

5.4.3 The following sustainability proposals have been identified by the University in an effort to improve the efficiency of the building and to reduce carbon dioxide emissions:

- Repairing and maintaining the existing features of the building, including the windows.

- All ventilation systems will be in accordance with Building Bulletin 101: ‘Ventilation for Schools’ and the Chartered Institution of Building Services Engineers guidance TM52: ‘The Limits of Thermal Comfort: Avoiding Overheating in European Buildings’. Both natural ventilation and mechanical ventilation will be in operation.

- A building management system will be brought back into operation or replaced to meet the Higher Education Funding Council for England carbon requirements.

- All electrical systems installed will be designed to use the minimum amount of energy necessary.

- Metering will be provided for power and lighting and this will be connected to the University’s central energy monitoring system.

- There will be a thermal comfort survey in order to validate the standard of thermal comfort for the building users.
• The existing lighting will be maintained as far as possible. All existing luminaires to be re-used will be repaired, cleaned and re-lamped to retain the existing features.

• The proposals will not involve the loss of biodiversity or any habitats, and measures will be employed to reduce, re-use and recycle natural resources.

• Waste recycling will be in line with the University’s existing policies including its two bin recycling scheme and WARPit (Waste Action Re-use Portal) which to date has reduced carbon emissions from waste by over 4,000 tonnes. WARPit helps organisations to re-use and recycle surplus or redundant resources.

• Water-efficient taps and shower heads, dual flush toilets and low water use appliances will be used to minimise water use.

• Water metering and leak detection alarms will be installed to monitor and minimise wastage; and

• The use of sustainable materials for construction.

5.4.4 The University has acknowledged the Council’s proposal for a District Heating Network to be installed in the vicinity of the Civic Centre. The University has confirmed that should this be available to provide heating to the Civic Centre they would wish to investigate the option of connecting to the system as long as to do so would be economically advantageous. It is understood that the lease agreement for the Civic Centre between the Council and University would seek to secure a future connection to the District Heating Network.

6.0 Conclusion

6.1 The principle of the proposed change of use is supported and would result in a new education facility improving local access to higher education and providing job opportunities. The proposal would also ensure that the Civic Centre is given a new lease of life when the Council vacates the building as part of their new accommodation strategy. This means that the Grade II listed building would be regularly maintained and protected for the foreseeable future rather than being left vacant with the potential to deteriorate.

6.2 The proposal to allow some continuing community use of the building and Council Chamber and the potential to open the learning resource centre/library, cafe and some information technology (IT) suites to the community at certain times of the week and year is welcomed and will ensure that the community’s connection with this heritage asset is not lost.

6.3 The proposed works to the interior and exterior of the building are considered to result in less than substantial harm and any detriment is outweighed by the re-use of the building as a community facility.
6.4 Overall, the proposed development is in keeping with the relevant national, regional and local policies and it is recommended that the Development Control Board grants planning permission and listed building consent subject to the conditions listed in this report (with any amendments that might be necessary up to the issue of the decision notices).

Background Papers

• Planning Application Files

  16/01390/FUL: http://paplan.lbbd.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OCVWRABL G8R00

  16/01391/LBC: http://paplan.lbbd.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OCVWTSBL G8T00

• Local Plan Policy


  Policy BE5 - Offices – Design and Change of Use
  Policy BR2 – Energy and On-Site Renewables
  Policy BR9 – Parking
  Policy BR10 – Sustainable Transport
  Policy BR11 – Walking and Cycling
  Policy BR13 – Noise Mitigation
  Policy BR14 – Air Quality
  Policy BR15 – Sustainable Waste Management
  Policy BC7 – Crime Prevention
  Policy BP2 – Conservation Areas and Listed Buildings
  Policy BP3 – Archaeology
  Policy BP8 – Protecting Residential Amenity
  Policy BP11 – Urban Design

  Core Strategy (July 2010):

  Policy CM4 – Transport Links
  Policy CR1 – Climate Change and Environmental Management
  Policy CC2 - Social Infrastructure to Meet Community Needs
  Policy CP2 – Protecting and Promoting Our Historic Environment
  Policy CP3 – High Quality Built Environment

• The London Plan (March 2016):

  Policy 3.18 – Education Facilities
  Policy 5.3 – Sustainable Design and Construction
Policy 5.4 - Retrofitting
Policy 5.5 – Decentralised Energy Networks
Policy 6.3 – Assessing Effects of Development on Transport Capacity
Policy 6.9 – Cycling
Policy 6.10 – Walking
Policy 6.13 – Parking
Policy 7.1 – Lifetime Neighbourhoods
Policy 7.2 – An Inclusive Environment
Policy 7.3 – Designing Out Crime
Policy 7.4 – Local Character
Policy 7.5 – Public Realm
Policy 7.6 – Architecture
Policy 7.8 – Heritage Assets and Archaeology
Policy 7.13 – Safety, Security and Resilience to Emergency
Policy 7.14 – Improving Air Quality
Policy 7.15 – Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes

- National Planning Policy Guidance

National Planning Policy Framework (March 2012)
Planning Practice Guidance
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Bagleys Spring, Whalebone Lane North
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**Barking and Dagenham Council**  
**Development Control Board**  
**Date:** 7 November 2016

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<tr>
<th><strong>Application No:</strong></th>
<th>16/01025/FUL</th>
<th><strong>Ward:</strong> Chadwell Heath</th>
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**Reason for Referral to DCB as set out in Part 2, Chapter 9 of the Council Constitution:**
The proposed development is an application which, by reason of its scale, impact upon the environment or the level of public or likely Councillor interest should, in the opinion of the Acting Head of Regeneration and Planning (Planning), be determined by the Development Control Board.

<table>
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<tr>
<th><strong>Address:</strong></th>
<th>Land south of Cemetery, Whalebone Lane North, Romford</th>
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<tr>
<th><strong>Development:</strong></th>
<th>Erection of 55 dwellings comprising 26 two bedroom flats, 4 two bedroom houses and 25 three bedroom houses in 2 and 3 storey buildings together with new vehicular access from Whalebone Lane North and associated car parking, landscaping, cycle and refuse stores.</th>
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<th><strong>Applicant:</strong></th>
<th>Abbey Developments Limited</th>
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<th><strong>Contact Officer:</strong></th>
<th>Simon Bullock</th>
<th><strong>Title:</strong> Principal Development Management Officer</th>
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| **Contact Details:** | Tel: 020 8227 3803 | E-mail: simon.bullock@lbdd.gov.uk |

**Summary:**

The site lies to the south of Chadwell Heath cemetery and would be accessed from Whalebone Lane North. The site is also known as Bagleys Spring. It is an open field that was formerly used as pasture.

The land is currently owned by the Council which has entered into an agreement to sell to the applicant subject to planning permission.

The site is adjacent to, but not within the Green Belt, nor is it designated Public Open Space, and there is no public access to it. The proposed residential development of the site is therefore policy compliant and acceptable in principle.

The development would comprise a mixture flats and houses in buildings of two and three storeys in private sale tenure. It is proposed that a Section 106 contribution would be paid towards the cost of providing affordable housing off-site.

The proposed design and layout is considered to be of good quality and responsive to its neighbours; the cemetery, Green Belt, and adjoining residential occupiers.

A new access road into the site can be provided from Whalebone Lane North which is considered to be acceptable by the transport officer subject to further details of the layout of the junction.

There are a number of mature trees around the perimeter of the site which for the most part can be retained within the proposed development.
The proposed residential units, balconies and garden areas achieve the standards required by Borough and London Plan policy, thereby ensuring a good standard of amenity for future occupiers.

The rough grassland within the site and the trees provide some bio-diversity value which can be protected and enhanced through the imposition of conditions.

A local labour and business agreement can also be secured by condition.

The proposed development is considered to provide a good quality scheme and is recommended for approval.

**Recommendation:**

That the Development Control Board grant planning permission subject to a Section 106 agreement securing a £1 million contribution towards the provision of off-site affordable housing 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 Section 51 of the Planning and Compulsory Purchase Act 2004).

2. No development shall commence until the completion of a Section 278 highways agreement that secures the provision of a new vehicular access from Whalebone Lane North together with associated highway works, and which secures an extension to the footway within Thatches Grove in order to link to the footway within the development site. The development shall not be occupied until completion of the approved scheme.

   **Reason:** Completion of the agreement is required prior to commencement in order to ensure the provision of a satisfactory access to the development in the interests of highway safety and in accordance with policy BR10 of the Borough Wide Development Policies Development Plan Document.

3. No development shall take place, including any works of demolition, until a Construction Method Statement has been 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. the parking of vehicles of site operatives and visitors;
   ii. details of access to the site;
   iii. loading and unloading and the storage of plant and materials used in constructing the development;
   iv. the erection and maintenance of security hoardings including decorative displays;
   v. wheel washing facilities;
   vi. measures to control the emission of noise, dust and dirt during construction;
   vii. measures to control the emission of dust, dirt and emissions to air during construction; such measures to accord with the guidance provided in the document “The Control of Dust and Emissions during construction and demolition”, Mayor of London, July 2014; including but not confined to, non road mobile machinery.
viii. a scheme for recycling/disposing of waste resulting from demolition and construction works; and

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

4. 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.

5. No demolition or development shall take place until an archaeological written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

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

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

Reason: Archaeology must be identified prior to the commencement of development to ensure that archaeological investigation is initiated at an appropriate point in the development process and that any areas of archaeological preservation are identified and appropriately recorded/preserved and the results published in accordance with policies BP2 and BP3 of the Borough Wide Development Policies Development Plan Document and section 12 of the National Planning Policy Framework.

6. No development shall commence, including any works of demolition, until an Employment and Skills Strategy applicable to the development has been submitted to the Local Planning Authority for approval in writing. The Strategy shall promote employment opportunities for, and encourage job applications from, local people and businesses. In particular, work experience opportunities for young people 18-24 years should be included in the Strategy. Any skills training opportunities should also be considered and incorporated if possible. The approved Strategy shall be implemented in partnership with the Council’s Employment and Skills Team.
7. 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.

8. 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. The details shall incorporate a landscaped scrub grassland buffer to the north boundary with the cemetery, and shall seek to maximise the use of native species, and incorporate hedgerow planting.

Reason: To safeguard and improve the appearance of the area, and protect bio-diversity in accordance with policies BR3 and BP11 of the Borough Wide Development Policies Development Plan Document and Section 197 of the Town and Country Planning Act 1990.

9. The landscaping scheme as approved in accordance with condition No. 8; shall be carried out in the first planting and seeding seasons following the occupation of the buildings or completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

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.

10. No development above ground level shall take place until a scheme showing those areas to be hard landscaped, including details of the design of the proposed play space, and the details of that hard landscaping have been submitted to and approved in writing by the Local Planning Authority. The scheme, including the playspace, 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.

11. No development above ground level shall take place until a scheme showing the provisions to be made for street and external lighting, CCTV coverage, access control, and any other measures to reduce the risk of crime, have been submitted to and approved in writing by the Local Planning Authority. The lighting details must demonstrate measures...
to minimise light spillage and glare in order to limit its impact on wildlife habitat. No part of the development shall be occupied until the approved scheme has been implemented for that part. Thereafter the approved measures shall be permanently retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to provide a good standard of security to future occupants and visitors to the site, to reduce the risk of crime, and to prevent harm to wildlife habitat in accordance with policies BR3 and BP11 of the Borough Wide Development Policies Development Plan Document.

12. 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 design for garden fences shall incorporate gaps at ground level to enable the passage of small mammals between gardens. No part of the development shall be occupied until the approved boundary treatment for that part has been provided. The approved boundary treatment shall be retained unless the Local Planning Authority gives prior written approval for its removal.

Reason: To ensure the boundary treatment protects or enhances the character and amenity of the area and protects wildlife habitat and in accordance with policies BR3 and BP11 of the Borough Wide Development Policies Development Plan Document.

13. The refuse enclosures indicated on drawing Nos. 1531/P/30-01 Rev. A; 1531/P/30-07 Rev. A; and 1531/P/30-14 Rev. A shall be constructed in accordance with the approved plans prior to the occupation of the development 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.

14. Cycle stores to serve the flat blocks shall be completed in accordance with the details shown on drawings Nos. 1531/P/50-02; 1531/P/10-02 Rev. A; and 1531/P/30-14 Rev. A prior to the occupation of the block served, and shall thereafter be maintained and kept available 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.

15. No development above ground level shall take place until details of the parking layout, including the provision of accessible parking bays to serve the wheelchair accessible housing approved under condition 17, has been submitted to and approved by the Local Planning Authority. Each parking space or parking area shall be completed prior to the occupation of the part of the development it serves.

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, and to ensure and promote easier access for disabled persons to the development in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document and policy 6.13 of the London Plan.
16. Before occupation 90% 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.

17. A minimum of 10% of the residential units provided shall be constructed to, or capable of easy adaptation to, Building Regulations Optional Requirement Approved Document M4(3) Category 3: (Wheelchair user dwellings) (2015 edition). The locations of these units and the mix of unit types to be provided shall have been submitted to and approved in writing by the Local Planning Authority. 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.

18. The development hereby permitted shall be carried out in accordance with the submitted Energy Report dated 14 July 2016 and shall achieve as a minimum a 35% reduction in carbon dioxide emissions over Part L of the Building Regulations (2013).

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.

19. The development shall be carried out in accordance with the drainage strategy set out within the submitted Drainage Strategy Report ref. 216495 and drawing no. 216495/2.

Reason: In order to minimise flood risk and regulate the flow of surface water into the surface water sewer and in accordance with policy BR4 of the Borough Wide Development Policies Development Plan Document.

20. In the event that the planning permission is not implemented by 1 April 2017, prior to the commencement of the development a reptile survey of the site shall be carried out and the results submitted to the Local Planning Authority. If reptiles are present a species protection and habitat mitigation strategy shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development, and no development shall be carried out except in accordance with the approved details.

Reason: In order to ensure that an up to date reptile survey is undertaken prior to the commencement of the development and to protect habitat if present and in accordance with policy BR3 of the Borough Wide Development Policies Development Plan Document.

21. No vegetation, scrub, tree clearance, or tree works may take place between 15 February and 30 September unless approved in writing by the Local Planning Authority, whereby in accordance with a bird nesting survey strategy approved by the Local Planning Authority a survey shall be carried out by a qualified ecologist no more than 2 days prior to the clearance work, and if any nesting birds are found, the works will be delayed until the
nests are no longer being used and the fledglings have left the area.

Reason: In order to prevent harm to wildlife habitats and in accordance with Policy BR3 of the Borough Wide Development Policies Development Plan Document.

22. The development shall not be occupied until bird nesting and bat roosting boxes have been installed on, or integrated into the design of the buildings, and installed on trees within the site in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. The details shall accord with the advice set out in "Biodiversity for Low and Zero Carbon Buildings: A Technical Guide for New Build" (Published by RIBA, March 2010) or similar advice from the RSPB and the Bat Conservation Trust.

Reason: In order to preserve and enhance the Borough’s natural environment and to comply with policy CR2 of the Core Strategy, policy BR3 of the Borough Wide Development Policies Development Plan Document and policy 7.19 of the London Plan.

23. Before any works hereby permitted are commenced and until all such works are completed:

a) all trees to be retained shall be protected by secure, stout exclusion fencing erected at a minimum distance equivalent to the branch spread of the trees and in accordance with BS.5837;

b) any works connected with the approved scheme within the branch spread of the trees shall be by hand only. No materials, supplies, plant or machinery shall be stored, parked or allowed access beneath the branch spread or within the exclusion fencing. Any trees that are damaged or felled during construction work must be replaced with semi mature trees of the same or similar species.

Reason: To ensure that retained trees are identified prior to the commencement of development and adequately protected during the construction phase 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.

24. No development shall be carried out until a method statement giving details of any works to be carried out within the root protection areas (RPA) of retained trees and the method to avoid damage to the trees, plus details of root protection measures where hard surfaces are introduced within the RPA, have 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: Details are required prior to commencement to ensure that retained trees are adequately protected during and post construction 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.

25. No above ground development shall take place until a method statement for the remedial pruning of retained trees within the development site, and for the maintenance of the health of tree T6, has been submitted to and approved by the Local Planning Authority. The approved scheme of remediation and maintenance shall be completed prior to the
occupation of the development.

Reason: In order to cut back tree branches to accommodate the development, and ensure that this is carried out in a manner that protects the visual appearance and health of the trees, and in order to improve the existing ivy covered condition of T6 in accordance with policies BR3, BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

26. With the exception of any roof mounted antennae or satellite dish designed for communal use by the occupiers of each flat block, no antennae or satellite dishes shall be placed on any elevation of the flats hereby approved unless previously approved in writing by the Local Planning Authority.

Reason: To safeguard the external appearance of the buildings in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document.

27. In respect of approved house plot nos. 32 and 43 only, (as shown on drawing no. 1531/P/10-02 Rev. A) notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order), no development within Class B; in Part 1 of Schedule 2 to that Order shall be carried out without the prior written permission of the Local Planning Authority.

Reason: To prevent the construction of a hip to gable extension that may appear overbearing in relation to the cemetery or the rear gardens of nos. 56a and 56b Thatchs Grove in accordance with policy BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

28. 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:

(a) a survey of the extent, scale and nature of contamination;
(b) an assessment of the potential risks to:
   i. human health,
   ii. property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
   iii. adjoining land,
   iv. groundwaters and surface waters,
   v. ecological systems,
   vi. archaeological sites and ancient monuments;
(c) an appraisal of remedial options, and proposal of the preferred option(s).
(d) This must be conducted in accordance with DEFRA and the Environment Agency’s ‘Model Procedures for the Management of Land Contamination, CLR 11’.

29. 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.

30. 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.

31. 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.

32. 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 28, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 29, which is subject to the approval in writing of the Local Planning Authority.

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

Reason 28 – 33: 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.

1. Introduction and Description of Development

1.1 The site is a 0.94 hectare, east-west oriented rectangular shaped parcel of grassland, formerly utilised for pasture, with hedgerows and mature trees growing around its perimeter.

1.2 The east boundary of the site fronts Whalebone Lane North, which also provides the proposed vehicular access into the site, at a location roughly opposite the entrance to the Warren Farm quarry. To the north is Chadwell Heath cemetery, to the south are three storey flats (within the road named Bagleys Spring) that back
onto the site, and to the west is Thatches Grove, a residential road of two storey houses, of which the end three houses only back onto the site. To the north-west boundary of the site is located the entrance to the former Marks Gate allotments which is accessed via the northern end of Thatches Grove.

1.3 The proposal for 26 flats and 29 houses would comprise three blocks of three storey flats; two blocks at the east, on the Whalebone Lane North frontage of the site, and one block at the west end of the site, interlinked by the proposed access road through the site that would be fronted by a mixture of two and three storey terraced and semi-detached houses.

1.4 The proposed tenure mix is 100% private sale with a Section 106 contribution towards off site affordable housing provision.

1.5 The proposed dwelling mix is: 26 x 2 bedroom flats; 4 x 2 bedroom houses; and 25 x 3 bedroom houses.

1.6 The land is not designated for any specific purpose within the Local Plan Proposals Map. Its northern boundary borders the Green Belt, with Chadwell Heath cemetery being within the Green Belt, as is the land to the east (opposite) side of Whalebone Lane North, including Warren Farm.

2. Background

2.1 The site has no planning history. For some time the Council has allowed Wellgate Community Farm to utilise the land for sheep grazing.

2.2 The development agreement the Council has negotiated with the applicant in the Council’s role as land owner includes an obligation on the developer to fund the cost of relocating the grazing land to part of the land within the former Marks Gate allotments. This would involve the erection of new fencing and ancillary works.

3. Consultations

Adjoining occupiers

3.1 Consultation letters were sent to 72 neighbouring occupiers, a press notice was published and site notices displayed. No responses to the consultation were received from neighbouring occupiers.

Arboricultural Officer

3.2 The poplars to the north are in the cemetery grounds and are substantial sized, unreduced trees that form an unbroken line around the south-west of the cemetery and run along its western boundary. These trees have a significant environmental and visual presence in the cemetery and are publically owned. They are obviously being retained.

3.2 A tree protection plan and method statement for pruning retained trees and introducing hard surfaces within root protection areas should be conditioned.
3.3 The eastern border of the site is the most important as it follows the highway boundary. Currently the vegetation here is an old unmanaged shrubbery of honeysuckle and firethorn now colonised with native self sown seedlings and small trees. The replacement planting is well positioned to retain a vegetated border. The trees identified as T5 and T6 are both A class London planes and the most significant trees within the grounds to be impacted. It is proposed to remove T5 and retain T6. It will be important to retain one or both of those trees due to their excellent public visible position and potential longevity.

3.4 The tree planting proposed within the completed development along the new access road through the site is adequate.

3.5 Officer note: In response to these comments the applicant has prepared an amended arboricultural report taking account of the arboricultural officer’s advice. As noted above T6 is proposed for retention but T5 is proposed for removal as it conflicts with the location of a proposed parking court serving the adjacent flat block.

Transport Development Management

3.6 Further analysis of the design of the proposed site access junction is requested with a view to providing safety improvements within Whalebone Lane North that may change the existing lane marking (providing a right turn lane into Warren Farm opposite the site) to a different layout.

3.7 However, it is not envisaged that such design improvements would result in a need to alter the position of the proposed access road.

3.8 The siting of the two car park entrances for the flat blocks fronting Whalebone Lane, nearly opposite each other (as opposed to an earlier iteration of the drawings where they were staggered) has a potentially negative affect with regards to traffic movement entering and leaving the site.

3.9 It is recommended that a condition be imposed requiring that all highway details regarding the access arrangement must be submitted by the applicant for approval, with the necessary highway agreement in place, to the local planning authority prior to any development work commencing on site.

3.10 Officer note: Conditions can be imposed to secure the design and implementation of a suitably designed access junction.

3.11 The transport officer’s comment regarding the juxtaposition of the car parking court entrances is noted. However, as the parking areas would serve only 9 cars and 7 cars respectively, the usage of these junctions will be light, thereby limiting the potential for conflicting traffic movements. Secondly, the amendment to the layout that has resulted in this access arrangement is considered to have resulted in a significant improvement to the urban design of the scheme, by enabling the provision of a communal garden for the north-east flat block, setting this building further back from the main road, and making a clearer distinction between areas of public and private realm.

Access Officer
3.12 Sets out some suggested improvements to internal layout which have been passed onto the applicant.

3.13 Officer note: Details to ensure accessibility will be secured by condition.

Metropolitan Police – Designing Out Crime Officer

3.14 The proposed layout has the potential to achieve Secure by Design accreditation.

3.15 However, the stand-alone bin and cycle stores for the north-east flat block, and the stand-alone cycle store proposed for the south-east flat block are a particular concern. Experience from other developments with this characteristic within the Borough shows that such storage buildings can be utilised as locations for anti-social behaviour or crime; and that the cycle stores are often targeted for by thieves for the cycles within; and the roofs are liable to be vandalised or intruded upon. It is preferred therefore that such facilities should be designed to form an integral part of the flat blocks, with the cycle store accessible only from within the lobby of the building.

3.16 If these storage facilities are to be retained within separate buildings, the alternative is for them to be behind a secure access controlled boundary treatment for the blocks.

3.17 Officer note: Since the above comments were made an amendment to the layout has resulted in the cycle stores for both of these blocks being retained within a separate storage building, and being behind a secure boundary gate and fence that would be access controlled for residents of the block only. The cycle stores would also be overlooked by the flats. The bin store for the north-east flat block would now be attached to the flat block within a single storey side projection, as is the design for the south-east block. The entrances to the bin stores would be overlooked from the street and adjacent residential units.

Parks

3.18 No objections.

Environmental Health

3.19 No objections subject to the imposition of various conditions including land remediation and a construction management plan.

Thames Water

3.20 In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage.

3.21 Officer note: This matter can be secured by condition.

Historic England – Archaeology
3.22 The planning application lies in an area of archaeological interest. A condition securing an archaeological investigation of the site should be imposed.

Refuse Services

3.23 No objections.

Essex and Suffolk Water

3.24 No comments received.

London Fire and Emergency Planning Authority

3.25 No objections.

Housing Strategy

3.26 No comments received.

Street Lighting

3.27 No objections.

4. Local Finance Considerations

4.1 The proposed development would be liable for the Mayoral Community Infrastructure Levy (CIL) at a rate of £20 per square metre (index linked from 2012) and the Borough CIL at a rate of £10 per square metre (index linked from 2015). This would result in a total Mayoral contribution of £138,067.26 and a total Borough contribution of £60,370.59.

5. Analysis

Principle of the development

5.1 The site is not situated within the Green Belt and it is not designated as Protected Open Space, it is not publicly accessible and there are no rights of way across the land. The residential development of the site would therefore be in accordance with the Local Plan, and this would be the preferred use for a site of this nature, that is not located within a town centre and is not in an area of high public transport accessibility.

5.2 The site provides a pleasant open outlook for its residential neighbours to the south and east which would be compromised as a result of this development. However, protecting views is not a relevant planning consideration.

5.3 The proposed housing mix would result in the provision of 45% family housing (3 bedrooms or more) exceeding the minimum requirement of policy CC1 of the Core Strategy that usually requires at least 40% family sized housing.
5.4 It is proposed that the tenure of the development would be 100% private sale on the site. Policy 3.12 of the London Plan requires that the provision of affordable housing is maximised for each site subject to a financial viability test. It states that usually the affordable housing should be provided on site, unless it is demonstrated that this is not appropriate and that there are planning benefits that would accord with London Plan objectives in providing a contribution towards off site affordable housing.

5.5 In this case it is proposed that a financial contribution to the Council towards the provision of affordable housing off site be made. Marks Gate is an area with an existing high proportion of affordable housing, and it is considered desirable that the tenure mix of the estate should be more balanced, in order to provide a range of housing options, and create a more balanced mix of income levels which can contribute to local regeneration and economic development. This is in accordance with policy 3.9 of the London Plan which states that mixed and balanced communities should be promoted.

5.6 A development appraisal was carried out by the Council in connection with the sale of the land which identified that the development could afford a £1m contribution towards the provision of affordable housing elsewhere. This is therefore considered the appropriate amount that will maximise affordable housing provision in accordance with the London Plan and the applicant has agreed to a contribution at this level which is also secured through the sale agreement with the Council.

5.7 The proposed residential density at 58.5 dwelling per hectare is within the range recommended by the London Plan for suburban areas of this nature with a Public Transport Accessibility Level (PTAL) rating of 2.

**Transport**

5.8 The site has a low PTAL of 2 out of 6 where 6 is excellent.

5.9 Whilst the vehicular access to the site would be provided from Whalebone Lane North, it is proposed that a pedestrian link be created with Thatches Grove. The northern end of this cul-de-sac borders the south-west boundary of the site. This will significantly enhance the accessibility of the site to local services as it will bring the site to within walking distance of the Rose Lane shopping parade, and community facilities within Marks Gate including the primary school, library, health centre, and community centre. The proposed pedestrian link will also enhance access to bus stops.

5.10 The proposed parking ratio is 1:1 which is in accordance with the London Plan. This level of provision is considered to strike an appropriate balance between meeting potential parking demand, and preventing the creation of a car dominated street scene. The spaces would be provided within small car parking courts in front of the flat blocks, and within front gardens for the houses.

5.11 The transport officer has considered the traffic flow and highway safety implications of the proposed vehicular access and has no objections in principle to the siting of the access as proposed. However, because the existing access to the Warren Farm quarry is roughly opposite the site of the proposed access, and the main road
markings provide a ‘right turn in lane’ for traffic entering the quarry, there is a potential conflict of traffic movements when traffic leaving the proposed development site turns right (south bound) onto Whalebone Lane North.

5.12 In order to safely address this issue it may be necessary to make alterations to the road marking and road layout within Whalebone Lane North. Further work to assess the potential impact is required. It is suggested therefore that a condition is imposed requiring the approval of a scheme of highway works to facilitate the proposed access, that must then be implemented prior to the occupation of the residential development.

5.13 The transport officer has confirmed that on this basis there is no objection to the proposed development.

Design

5.14 Following the submission of some minor amendments to the scheme it is considered that the proposal would result in a good quality layout that would incorporate the following good urban design characteristics:

- A well defined, and legible street scene, with active frontages, and buildings defining the edges of the street
- Private communal gardens for flats and private rear gardens for houses
- Clear definition between areas of public realm and private amenity space
- Space for street trees
- Retention of existing mature trees where feasible
- Small parking courts not dominating the street scene

5.15 With regard to the security and crime prevention considerations, having regard to the comments of the Designing out Crime Officer, and the subsequent amendments to the scheme described above, the proposed design is considered acceptable.

5.16 Turning more specifically to the details, the two flat blocks fronting Whalebone Lane North would be set well back from the road by approximately 17m measured from the middle of their front elevations. These blocks are oriented at a slight angle to the road and the orientation follows that of the existing 3 storey flat block to the south in Bagleys Spring. The set back and the orientation both accord with recommendations that were set out in an informal Planning Guidance Note for the site that was prepared prior to its sale.

5.17 The houses would be predominantly 3 storeys in height, with exceptions being two 2 storey houses (plots 31 and 32) situated adjacent to the existing rear gardens of Nos. 56a and 56b Thatches Grove, and plots 42 and 43. The latter two are the end 2 houses of a terrace of 5 fronting a northern spur of the main access road through the site. The design intention is to reduce the impact on the residential neighbours and users of the cemetery. This matter will be assessed in the section titled ‘Amenity’ below.

5.18 The proposed layout enables the retention and protection of most of the existing trees at the site which are mainly located on the east boundary with Whalebone Lane North. There are also significant trees along the north-west boundary of the site adjoining the cemetery and most of these trees are within the cemetery site.
The new access into the site will necessitate the removal of some of the existing vegetation on the east boundary, but this is unavoidable, and additional tree and shrub planting to bolster that existing can be secured along this frontage. This will also help to partially screen the parking courts that would be located to the front of the two flat blocks in this part of the site.

5.19 Given that the cemetery to the north is within the Green Belt it is desirable, as was set out within the Planning Guidance Note for the site that the north section of the site provides a relatively ‘soft’ border to the Green Belt that would not be overbearing or visually dominant.

5.20 In general the proposed development would be set well back from the boundary with the Green Belt (the cemetery) with the 3 storey houses having rear gardens of approximately 15m depth backing onto the cemetery. However, the north-east flat block would be closer, at 5m from the cemetery boundary, and the west flat block would be 7.5m from the boundary. The two storey end house referred to above within the spur section of the access road would be set back by 3m at the closest point, widening to 4m.

5.21 The two storey house would have an end wall facing towards the cemetery with no windows. This flank wall would be 9m in width. The west flat block is located adjacent to an extremely dense tree screen along the boundary. The north-east flat block whilst more visually prominent from the cemetery site is seen in the context of the main road, the west side of which is continuously built up from this point southward.

5.22 Having regard to the above factors it is considered that the proposed development would have an acceptable relationship with the Green Belt.

5.23 In terms of the design of the buildings the houses would generally have pitched roofs with gable ends, and the flat blocks would have pitched hipped roofs. Window positions would be aligned between storeys providing vertical emphasis. Entrance doors are relatively prominent in design and provide animation. The flat blocks would have partially recessed balconies which provide visual interest to the elevations.

5.24 The proposed materials are for the most part brick for the walls and tiled roofs. Some of the elevations are proposed to incorporate panels where an alternative material such as render can be utilised in order to provide greater articulation to the buildings. The proposal is for the use of render in these locations, but it is considered that an alternative coloured brick may be a better design solution. The details of the materials would be the subject of a condition with details to be subsequently approved.

Amenity

5.25 The development would provide a separation distance between the rear elevation of the existing block of flats in Bagleys Spring to the south, and the rear elevations of the proposed houses on the south side of the site, of 36 metres. This is more than adequate to maintain a good standard of privacy for existing and future occupiers.
5.26 To west of the site the rear gardens of the houses at Nos. 56a and 56b Thatches Grove back onto the site, as does part of the rear garden of No. 56 Thatches Grove. The flank wall of the proposed Plot 32 house would be situated directly to the rear of 56b Thatches Grove and partially to the rear of 56a Thatches Grove. There would be a rear wall to flank wall separation distance of 15.5m, and the flank wall of the proposed house would be set back from the rear garden boundary of the existing houses by 1.7m. The proposed plot 32 house would be two storeys in height with a hipped roof.

5.27 The proposed development as described above, would be prominent in the outlook from the existing pair of semis, Nos. 56a and 56b. The hip end roof proposed would help to somewhat reduce the visual impact. On balance it is considered that the proposed relationship is acceptable and would not harm the residential amenities of the existing neighbouring occupiers.

5.28 Also at this western end of the site close to Thatches Grove is the three storey flat block of plots 48 – 55 of the proposed scheme. This would be sited to the north-east (partially to the side and partially to the rear) of the closest neighbouring house, No. 56b Thatches Grove. Relative to 56b the side wall of the flat block would be set away from the flank wall by 8.3m, and would project beyond the rear elevation of 56b by 8m. It would have a height of 3 storeys. The flat block would not therefore project forward of a notional 45 degree angle measured from the corner of the affected house. This would be in accordance with the test set out within the Council’s ‘Residential Extension and Alterations’ Supplementary Planning Guidance, which would suggest that the impact is acceptable. Although the proposed development does not relate to a residential extension it is considered that the above guidance is of relevance to assessing this relationship.

5.29 The south elevation of this flat block has limited windows, but does have a kitchen window on both the first and second floors that would face towards the rear garden of No. 56b. Given that these windows are relatively small, serve kitchens only, and are set back from the neighbouring garden by over 8m, it is considered that an acceptable standard of privacy will be maintained.

5.30 In relation to the cemetery it is important, as set out within the Planning Guidance Note, that the residential development is not overbearing and does not cause disturbance to mourners and those paying their respects to the dead at the cemetery particularly since there are graves located close to the southern boundary of the cemetery that borders the application site.

5.31 There are other parts of the cemetery that are already close to residential neighbours, for example the north-west boundary of the cemetery backs onto the rear gardens of houses in Kingston Hill Avenue.

5.32 The scheme is designed such that there are no main windows directly overlooking the cemetery close to the boundary, and the north facing house windows that face towards the cemetery site are set well back within the site. In view of this it is considered that the development would not adversely affect the amenities of visitors to the cemetery.

5.33 All houses would have private rear gardens with depths that typically range between 12m and 15m. Each flat unit would have either a balcony or external...
terrace achieving the London Plan standard. In addition each of the flat occupiers would benefit from the use of a private communal garden that would serve each flat block. All units are dual or multi aspect and the flats would have floor to ceiling heights of 2.5m in accordance with London Plan housing standards.

5.34 The developer has agreed to the provision of a children’s play space of a minimum area of 70m2 in accordance with the London Plan ‘Play and Informal Recreation’ Supplementary Planning Guidance. The details will be secured by condition, and the open space in front of plots 42 and 43 has been identified as a potentially suitable location.

5.35 Internally all units would exceed the minimum gross internal area, storage space, and bedroom dimensions set by the London Plan and the ‘nationally described space standard’.

5.36 All units have been designed to achieve the ‘Accessible and adaptable dwellings’ standard, and in addition it is a policy requirement that 10% of units achieve the ‘wheelchair user dwellings’ standard as defined by Part M of the Building Regulations. The applicant has incorporated a larger house type that has an internal design that would achieve the ‘wheelchair user dwelling’ standard, though the specific locations of the 10% wheelchair units has not been identified. This matter can be secured by condition.

Environmental Sustainability

5.37 The proposed energy strategy is designed to achieve a 35% reduction in carbon emissions through the use of improved building fabric and photovoltaic panels. This meets the London Plan policy requirement and is therefore acceptable.

5.38 The bio-diversity value of the site can be protected and enhanced through the imposition of conditions as set out within the Recommendation above. Lighting for the site will need to be designed to minimise light spillage as this could adversely affect potential bat habitat. The lighting design will be secured by condition.

5.39 With regard to flood risk due to the soil characteristics the site is not suitable for a sustainable drainage system. It is therefore proposed that the surface water drainage from the site should discharge to the existing surface water sewer in Thatches Grove at a controlled rate. In order to manage this controlled rate, to minimise the risk of flooding and cater for storm events an attenuation tank is proposed beneath a landscaped area within the development. This would be in accordance with the objectives of policy BR4 of the Borough Wide Development Policies Development Plan Document.

Conclusions

5.40 The proposed development would result in a good quality residential development that responds well to the site context, and would not cause harm to the amenities of neighbouring residents. It will also contribute to creating a more varied tenure mix in the Marks Gate area which currently has a high proportion of social rented housing.

Background Papers

• **Local Plan Policy**

Policy CR2  Preserving and Enhancing the Natural Environment  
Policy CC1  Family Housing  
Policy CC3  Achieving Community Benefits through Developer Contributions  
Policy BR3  Greening the Urban Environment  
Policy BR9  Parking  
Policy BR10  Sustainable Transport  
Policy BR11  Walking and Cycling  
Policy BC1  Delivering Affordable Housing  
Policy BC7  Crime Prevention  
Policy BP3  Archaeology  
Policy BP5  External Amenity Space  
Policy BP8  Protecting Residential Amenity  
Policy BP11  Urban Design

• **London Plan**

Policy 3.5  Quality and Design of Housing Developments  
Policy 3.6  Children and Young People’s Play and Informal recreation Facilities  
Policy 3.8  Housing Choice  
Policy 3.9  Mixed and Balanced Communities  
Policy 3.10  Definition of Affordable Housing  
Policy 3.12  Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes  
Policy 3.13  Affordable Housing Thresholds  
Policy 5.2  Minimising Carbon Dioxide Emissions  
Policy 5.7  Renewable Energy  
Policy 6.13  Parking

• **National Policy**

National Planning Policy Framework  
National Planning Practice Guidance  
Technical housing standards - nationally described space standard
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Front Elevation
Plots: 20, 22, 24, 26, 28, 30, 32, 42
As drawn
Plots: 21, 23, 25, 27, 29, 34, 36, 41, 47 - Varied

Side Elevation
Nbr: obscure side windows to plots 44 & 47 only
Nbr: string course extended on plot 44 only
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Front Elevation

Plots: 39 - As drawn
Plots: 19 & 23 - Handed

Side Elevation

N.B.: obscure side windows to plots 19, 33 & 39 only

window to plots 39 only
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Application No. | 16/01183/FUL  
---|---
Ward: | Abbey  
Reason for Referral to DCB as set out in Part 2, Chapter 9 of the Council Constitution: | The application is a major development which is of a scale and importance that should be determined at DCB.  
Address: | 16-48 Cambridge Road, Barking  
Development: | Application for variation of conditions 2 (drawing numbers), 3 and 4 (contamination), 7 (construction logistics plan), 8 (archaeology), 9 (surface water drainage), 18 (cycle parking facilities), 22 (car parking spaces), 23 (energy statement), 34 (wheelchair adaptable units), 36B (method statement for site investigations - High Speed 1) and 41 (bat emergence report) in respect of planning permission 15/01252/FUL - to increase the total number of residential units from 274 to 291 and other minor alterations.  
Applicant: | Swan New Homes  
Contact Officer: | Adele Lawrence  
Title: | Planning Development Officer  
Contact Details: | Tel: 020 8227 3552  
E-mail: adele.lawrence@lbbd.gov.uk  
Summary:  
Planning permission 15/01252/FUL was granted for 16-48 Cambridge Road, Barking on 24 March 2016 for “Demolition of existing building and redevelopment of site to provide 274 residential units within four interlinked buildings (10, 16, 19 and 26-storeys), with ancillary car and cycle parking, refuse storage areas and plant space; together with 485 square metres of flexible commercial floorspace (Classes A1, A2, A3, A4, B1, D1, D2), landscaping including roof gardens, and other associated works".  
This application seeks to vary conditions 2 (drawing numbers), 3 and 4 (contamination), 7 (construction logistics plan), 8 (archaeology), 9 (surface water drainage), 18 (cycle parking facilities), 22 (car parking spaces), 23 (energy statement), 34 (wheelchair adaptable units), 36B (method statement for site investigations - High Speed 1) and 41 (bat emergence report) in respect of planning permission 15/01252/FUL. This is essentially an application under S73 of the Town and Country Planning Act 1990 (as amended) for minor material amendments to the development approved under planning permission 15/01252/FUL and should be considered in the context of the approved planning permission for the site.  
The application proposes an increase in the total number of residential units from 274 units as previously approved to 291 units. This is facilitated by reducing the slab thickness between the existing floors. The previously approved storey heights
of 10, 16, 19 and 26-storeys would be amended to 10, 17, 20 and 28-storeys. The overall height and massing of the buildings as previously approved remain unaltered by the proposals.

Minor amendments to the previously approved ground floor layout have also been made in order to facilitate a more efficient building layout and as a result of detailed design feedback from the building contractors. Cycle parking and blue badge car parking spaces have also been reconfigured as a result of changes to the structural grid and column locations. The previously approved skylight above the reception area has been removed for design reasons and the rotating entrance door has been replaced with a manual hinge-opening double-leaf door for fire safety reasons.

It is proposed to amend the wording of what were conditions 3 and 4 (contamination), 7 (construction logistics plan), 8 (archaeology), 9 (surface water drainage scheme), 36B (method statement for site investigations - Highspeed 1) and 41 (bat emergence report) in respect of planning permission 15/01252/FUL so as to reflect the information previously submitted to discharge those conditions.

The proposed unit mix of 291 residential units comprises 195 private for sale units and 96 shared ownership units (33% of the total number of units). This represents an uplift of 47 shared ownership units over the previously approved scheme. The Council appointed BNP Paribas to carry out an independent review of the developer’s revised financial appraisal. It was concluded that the revised scheme cannot afford in excess of 33% sub-market housing. Accordingly, the sub-market housing offer of 96 shared ownership units is considered to be acceptable.

A revised Energy Strategy has also been developed following the detailed design stage of the proposed development resulting in the need to vary condition 23. The revised Energy Strategy is in keeping with London Plan policy.

The cycle parking provision of 300 spaces agreed as part of the previously approved scheme has been increased by 16 spaces in response to the proposed additional units. As per the previously approved scheme, the cycle parking provision falls short of the London Plan cycle parking policy. Given the constraints of the site and evidence of limited usage of communal cycle parking facilities in other developments, Borough officers consider that there is a case for the provision of 1:1 cycle spaces on this site and the proposed provision would exceed that. It should be noted that cycle parking usage would be monitored through the Travel Plan in accordance with the previously agreed S106 Agreement dated 24 March 2016 as there is the potential to accommodate additional cycle parking spaces to the rear of the building should the need arise in the future.

It is not anticipated that the proposed additional floors or the minor amendments to the ground floor layout would have a material impact on the high quality internal and external design previously approved.

Overall, the revised scheme maintains a high standard of design throughout commensurate with planning permission 15/01252/FUL and is considered to be of an exemplar quality which is befitting of its prominent location within the town centre and adjacent to Barking Station platforms.

The proposed variations to the conditions are considered to be acceptable.
The application is referable to the Mayor of London and he has concluded that the amendments do not give rise to any new strategic planning issues. Accordingly, the Mayor does not need to be consulted further on this application and the Council may proceed to determine the application without further reference to the Greater London Authority.

**Recommendation:**

That the Development Control Board grants planning permission subject to the completion of a Deed of Variation to the original S106 Agreement dated 24 March 2016 relating to Planning Permission 15/01252/FUL to secure a revised definition of ‘Development’ and revised definitions of ‘Housing Units’ and ‘Subsidised Housing Unit Mix’ as detailed in Section 5.7 of this report, and payment of the Council’s legal costs for the preparation and completion of the Deed of Variation; and the conditions listed in this report (with any amendments that might be necessary up to the issue of the decision).

**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 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:


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

3. Development shall take place in accordance with the Desk Study & Ground Investigation Report prepared by Geotechnical & Environmental Associates and dated 18 May 2016, as approved under planning application 16/00807/CDN. Minor amendments may be agreed in writing from time to time by the Local Planning Authority.

4. 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.
5. 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, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason for Conditions 3 to 5: 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.

6. Development shall take place in accordance with the Construction Environmental, Logistics & Management Plan (Rev B) prepared by Swan and dated 12 April 2016, as approved under planning application 16/00807/CDN. Minor amendments may be agreed in writing from time to time by the Local Planning Authority.

Reason: 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.

7. Development shall take place in accordance with A Written Scheme of Investigation for an Archaeological Evaluation dated April 2016 and An Archaeological Evaluation Report dated July 2016, both prepared by AOC Archaeology Group, as approved under planning application 16/00807/CDN. Minor amendments may be agreed in writing from time to time by the Local Planning Authority.

Reason: Heritage assets of archaeological interest may survive on the site, and in accordance with policies BP2 and BP3 of the Borough Wide Development Policies Development Plan Document.

8. The Surface Water Drainage Scheme for the site shall be implemented before the development is completed in accordance with the Surface Water Management Plan (Rev D) prepared by Heyne, Tillett, Steel dated 9 August 2016, as approved under planning application 16/00807/CDN. Minor amendments may be agreed in writing from time to time by the Local Planning Authority.

Reason: 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.

9. Demolition and construction work and associated activities shall be carried out in accordance with the submitted Construction Environmental Management Plan.
prepared by Swan and dated 12 July 2015; 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; and the recommendations contained within Table 21 of the Air Quality Assessment (Reference Y310-01 dated October 2015).

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

10. Demolition and construction work and associated activities, other than internal works not audible outside the site boundary, are only to be carried out between the hours of 08.00 and 18.00 Monday to Friday and 08.00 and 13.00 Saturday, with no work on Sundays or public holidays without the prior written permission of the Local Planning Authority. Other than with the prior written approval of the Local Planning Authority, piling is to be carried out between the hours of 08:00 and 18:00 Monday to Friday only.

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

11. The developer shall enter into detailed discussions with the Local Planning Authority around the external facing materials for the development, including on-site sample boards, within 6 months of commencing above ground works. Full details, including samples, specifications and annotated plans, of all external facing materials shall then be submitted to the Local Planning Authority for approval in writing. The development shall only be implemented in accordance with the approved details and to the satisfaction of the Local Planning Authority.

Reason: To protect or enhance the character and amenity of the area and to ensure an exemplar finish to the building in accordance with policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document and policies 7.1, 7.4 and 7.6 of the London Plan.

12. A scheme showing the provisions to be made for interconnecting pipework to link with any future District Heating Network shall be submitted to the Local Planning Authority for approval in writing within 6 months of commencing above ground works. The development shall not be occupied until the approved scheme has been installed. As, and when, the proposed District Heating Network is operable, the scheme shall be linked into it.

Reason: To ensure that the development is satisfactorily designed in accordance with policy CP3 of the Core Strategy, policy BP11 of the Borough Wide Development Policies Development Plan Document and policies 7.1, 7.4 and 7.6 of the London Plan and in the interests of promoting heating networks in accordance with policies 5.5 and 5.6 of the London Plan.

13. The development hereby permitted shall not be occupied until full details of the hard landscaping have been submitted to and approved in writing by the Local Planning Authority. The hard landscaping scheme shall include, but not be limited
to, details of the following:

a) surface materials;
b) communal roof terraces, including details of balustrading and screening to ensure a secure and sheltered environment;
c) play spaces and any related equipment;
d) boundary treatment; and
e) management and maintenance.

The hard landscaping scheme shall be implemented prior to occupation of the development in accordance with the approved details and thereafter permanently maintained, to the satisfaction of the Local Planning Authority.

Reason: In the interests of design quality, residential amenity, walking, accessibility and public safety, in accordance with policy CP3 of the Core Strategy and policy BP11 of the Borough Wide Development Policies Development Plan Document.

14. The development hereby permitted shall not be occupied until a detailed scheme of soft landscaping for the site has been submitted to and approved in writing by the Local Planning Authority. All trees, shrubs, plants and seeds introduced to the site should generally be native (except for fruit trees) and of local provenance, unless otherwise agreed. The approved landscaping scheme shall be carried out in the first planting and seeding seasons following the occupation 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 of the landscaping in the interests of the visual amenity of the area and in accordance with policy CP3 of the Core Strategy and policies BR3 and BP11 of the Borough Wide Development Policies Development Plan Document.

15. The development hereby permitted shall not be occupied until a scheme showing the provisions to be made for external lighting, CCTV coverage, access control and any other measures to reduce the risk of crime, has been submitted to and approved in writing by the Local Planning Authority. The external lighting of the development is to be designed, installed and maintained so as to fully comply with The Association of Chief Police Officers Secured by Design publication 'Lighting Against Crime - A Guide for Crime Reduction Professionals', ACPO SPD, January 2011. The design shall satisfy criteria to limit obtrusive light presented in Table 1, p25 of the guide, relating to Environmental Zone E4 - high district brightness areas. The development shall not be occupied until the approved scheme has been installed. Thereafter the approved measures shall be permanently retained.

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

16. Within 3 months of commencing above ground works a detailed residential and commercial refuse strategy, including the design and location of the refuse stores,
shall be submitted to the Local Planning Authority for approval in writing. The approved refuse stores shall be provided before the occupation of the development 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.

17. Within 6 months of commencing above ground works details of the cycle parking facilities shown on drawing No. 3360_PL(20)100_PL1 shall be submitted to the Local Planning Authority for approval in writing. The submission should include details of the security, monitoring and access arrangements for the cycle parking facilities. The development shall not be occupied until the approved details have been implemented. Thereafter, the cycle parking facilities shall be permanently retained.

Reason: In the interests of promoting cycling as a safe, efficient and non-polluting mode of transport and in accordance with policy BR11 of the Borough Wide Development Policies Development Plan Document and policy 6.9 of the London Plan.

18. Within 6 months of commencing above ground works a scheme of noise insulation of party construction between the proposed residential accommodation and the proposed new commercial unit(s) hereby permitted shall be submitted to the Local Planning Authority for approval in writing. The approved scheme is to be fully implemented before the first occupation of the commercial/residential unit(s) to which it relates.

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

19. Within 6 months of commencing above ground works full details of a scheme of acoustic protection of habitable rooms against road traffic/railway noise shall be submitted to the Local Planning Authority for approval in writing. The scheme of acoustic protection shall be sufficient to secure internal noise levels no greater than 35 dB LAeq in living rooms and bedrooms (07.00 hrs to 23.00 hrs) with windows closed; and 30 dB LAeq in bedrooms (23.00 hrs to 07.00 hrs) with windows closed. Additionally, where the internal noise levels will exceed 40 dB LAeq in living rooms and bedrooms (07.00 hrs to 23.00 hrs) or 35dB LAeq in bedrooms (23:00 hrs to 07.00 hrs) with windows open the scheme of acoustic protection shall incorporate a ventilator system which is commensurate with the performance specification set out in Schedule 1 (paragraphs 6 and 7) of The Noise Insulation Regulations 1975 (as amended). The approved scheme shall be fully implemented before the first occupation of the residential unit to which it relates and shall be maintained at all times thereafter.

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

20. The combined heat and power plant (CHP) to be installed at the premises is to
comply with the emission standards for CHP plant for Band A locations set out in Appendix 7 of the Mayor of London's 'Sustainable Design and Construction Supplementary Planning Guidance', April 2014.

Reason: To ensure that products of combustion emitted from the plant will not be prejudicial to health or a nuisance and in accordance with policies BR14 and BP8 of the Borough Wide Development Policies Development Plan Document and policy 7.14 of the London Plan.

21. The 11 car parking spaces indicated on drawing No. 3360_PL(20)100_PL1 shall be constructed and marked out prior to the occupation of the development as accessible parking bays (to be clearly marked with a British Standard disabled symbol). 2 of the car parking spaces shall include electric vehicle charging points with an additional 2 of the car parking spaces to be provided with the infrastructure in place to allow for future installation. The car parking spaces and charging points shall thereafter be retained permanently for occupiers and visitors to the premises and not used for any other purpose.

Reason: To ensure and promote easier access for disabled persons, to ensure sufficient off-street parking, and to encourage the use of electric cars in order to reduce carbon emissions, in accordance with policies BC2, BR9 and BR10 of the Borough Wide Development Policies Development Plan Document and policy 6.13 of the London Plan.

22. The development hereby permitted shall be carried out in accordance with the submitted Amendment of the Original Energy Strategy Report prepared by Mendick Waring Ltd (Document Reference: J2107, dated 20 July 2016). Details of the location and quantum of photovoltaic panels shall be submitted to the Local Planning Authority for approval in writing within 6 months of commencing above ground works. The photovoltaic panels shall be implemented in accordance with the approved details prior to occupation of the development.

Reason: In the interests of safeguarding the environment and providing sustainable development in accordance with policies BR1 and BR2 of the Borough Wide Development Policies Development Plan Document and policies 5.2, 5.3, 5.5, 5.6 and 5.7 of the London Plan.

23. The development hereby permitted shall not be occupied until bird nesting and bat roosting bricks/boxes have been installed in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. The details shall accord with the advice set out in 'Biodiversity for Low and Zero Carbon Buildings: A Technical Guide for New Build' (Published by RIBA, March 2010) or similar advice from the RSPB and the Bat Conservation Trust.


24. The combined rating level of the noise from any plant installed pursuant to this permission shall not exceed the existing background noise level outside the window to any noise-sensitive room. Any assessment of compliance with this condition...
shall be made according to the methodology and procedures presented in BS4142:2014.

Reason: To ensure that noise-sensitive rooms within the proposed development and neighbouring developments are adequately protected from noise and in accordance with policy BR13 of the Borough Wide Development Policies Development Plan Document and policy 7.15 of the London Plan.

25. In the event that during construction, cranage or scaffolding is required at a higher elevation than that of the planned development, then their use must be subject to separate consultation with London City Airport. Any proposed changes to the height or exact location of the development must also be re-submitted to London City Airport for re-assessment.

Reason: To ensure that construction activities and the built form of the development will not adversely affect the operation of London City Airport.

26. Following the occupation of the ground floor commercial space any further change of use to another use specifically permitted by this permission must be carried out within a period of 10 years from the date of this permission.

Reason: To accord with the provisions of Class E, Part 3 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015.

27. The proposed new commercial unit(s) hereby permitted shall be permitted to trade between the hours of 07:00 hrs and 23:00 hrs on any day and at no other time, with the exception of the deposit of cycles which shall be permitted from 05:00 hrs.

Reason: To prevent any undue disturbance to residential occupiers and occupants of neighbouring properties at unreasonable hours and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

28. The delivery/collection of goods associated with the proposed new commercial unit(s) is only permitted to take place between the hours of 07:00 hrs and 21:00 hrs on any day.

Reason: To prevent any undue disturbance to residential occupiers and occupants of neighbouring properties at unreasonable hours and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

29. The movement of bins and rubbish associated with the proposed new commercial unit(s) are not permitted to take place outside the premises between the hours of 23:00 hrs on one day and 07:00 hrs the following day.

Reason: To prevent any undue disturbance to residential occupiers and occupants of neighbouring properties at unreasonable hours and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

30. The commercial unit(s) hereby permitted shall not be occupied until details of the appearance of any kitchen extract ventilation system and associated equipment
(which shall include measures to alleviate fumes and odour and incorporating activated carbon filters where necessary), and any other plant or equipment on the roof, has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented before the first use of the relevant commercial unit and shall thereafter be permanently retained in an efficient manner.

Reason: To safeguard the appearance of the premises and minimise the impact of cooking smells and odours in accordance with policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

31. Any kitchen extract ventilation system for the proposed new commercial unit(s) shall be designed to ensure that structure borne (re-radiated) noise emissions from the kitchen ventilation system do not exceed 35 LAeq dB (5 min) when measured in any habitable room in adjoining residential premises.

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

32. Ninety percent (90%) of the residential units hereby permitted shall meet Building Regulations Approved Document M Volume 1 (2015 Edition) M4 (2) 'accessible and adaptable dwellings'.

Reason: To ensure that accessible housing is provided in accordance policy BC2 of the Borough Wide Development Policies Development Plan Document and policy 3.8 of the London Plan.

33. The 34 wheelchair units proposed shall meet Building Regulations Approved Document M Volume 1 (2015 Edition) M4 (3) 'wheelchair adaptable dwellings' and, notwithstanding the submitted drawings, these shall be distributed across all tenures in accordance with details to be submitted to the Local Planning Authority for approval in writing within 6 months of commencing above ground works.

Reason: To ensure that sufficient accessible housing is provided in accordance with policy BC2 of the Borough Wide Development Policies DPD and policy 3.8 of the London Plan.

34. The development hereby permitted shall not be occupied until details of a communal television and satellite system have been submitted to and approved in writing by the Local Planning Authority. The approved system shall be provided prior to occupation of the development and be made available to each residential unit. No antennae or satellite dishes may be installed on the exterior of the building, with the exception of a single antennae or satellite dish per building to support the communal television and satellite system. The proposed antennae or satellite dishes shall be designed to minimise their visual impact and shall not be mounted on any publicly visible façade.

Reason: To safeguard the external appearance of the buildings in accordance with policy CP2 of the Core Strategy and policies BP2 and BP11 of the Borough Wide Development Policies Development Plan Document.

35. A) The developer shall enter into discussions with High Speed 1 (HS1) and
their engineer, Network Rail (High Speed), as soon as practicable to assist in identifying the likely effect of the development on HS1 or HS1 Property.

B) Any below ground site investigations involving boreholes or trial pits deeper than one metre shall be carried out in accordance with the details approved under planning permission 16/00807/CDN, namely MS01: Method Statement for Shell and Auger Drilling; RA01: Risk Assessment for Cable Percussion Drilling; MS02: Method Statement for Machine Dug Trial Pitting; RA02: Risk Assessment for Machine Dug Trial Pitting; MS04: Method Statement for Hand Dug Trial Pitting; RA04: Risk Assessment for Hand Dug Trial Pitting; MS05: Method Statement for Window Sampling; RA05: Risk Assessment for Window Sampling; and related e-mail correspondence dated 7 and 9 March 2016.

C) No demolition activity shall take place until the proposed methodology has been submitted to and approved in writing by the Local Planning Authority in consultation with HS1.

D) Prior to the start of construction the following details shall be submitted to and approved in writing by the Local Planning Authority in consultation with HS1:

i) drawings showing the vertical and horizontal distance of HS1 tunnels from the site;

ii) a site layout plan showing proximity of the development and its services to HS1 infrastructure;

iii) details of the design of the foundations and other works proposed below existing ground level;

iv) engineering details of the size, depth and proximity to HS1 of any excavations;

v) details of the size, loading and proximity to HS1 of additional ground loads such as stockpiles; and

vi) details of the plant and equipment proposed which are likely to give rise to vibration (such as pile driving, demolition and vibro-compaction of the ground) together with predicted vibration levels. Activities likely to cause vibration in the vicinity of HS1 infrastructure such that a peak particle velocity (PPV) of 5mm/s may be exceeded at the railway boundary will be subject to agreement in advance. Where activities could give rise to PPV of 5mm/s or greater, a vibration and settlement monitoring regime shall be submitted to and approved in writing by the Local Planning Authority in consultation with HS1. It shall be put in place prior to the start of works and HS1 shall be provided reasonable access to the results of monitoring.

Site investigations, demolition, excavations, construction activity and works shall be carried out in accordance with the approved details unless the Local Planning Authority in consultation with HS1 has previously agreed in writing to any change.

Reason: Details are to be approved prior to commencement of development in order to ensure that the development does not compromise the integrity, safety, security, operation, maintenance and liabilities of HS1; to ensure that loads on, and settlement of, HS1 tunnels, structures, track and other infrastructure do not prejudice the safety or operation of HS1; to ensure that the stability HS1 tunnels, structures, track and other infrastructure is not prejudiced; and to ensure that vibration does not prejudice the safety, operation and structural integrity of HS1.
36. Prior to the occupation of the development a Delivery and Servicing Plan shall be submitted to and approved in writing by the Local Planning Authority in conjunction with Transport for London. The Plan shall identify efficiencies and sustainability measures to be undertaken once the development is operational, and should incorporate details of deliveries to the site and servicing arrangements, including the size of vehicles, routing and tracking of vehicles and times of deliveries and servicing. The 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.

37. No above ground new development shall commence until the developer has submitted to the Local Planning Authority for approval in writing, in consultation with the Local Highway Authority, a scheme of highway works associated with the development. The approved works shall be carried out prior to the final occupation of the development, or as otherwise agreed in writing with the Local Planning Authority, in consultation with the Local Highway Authority.

Reason: In the interests of highway safety and in accordance with policies BR9 and BR10 of the Borough Wide Development Policies Development Plan Document.

38. There shall be no vegetation clearance or tree works during the bird breeding season (February to September). If this is not possible the vegetation should be surveyed immediately prior to removal by a suitably qualified ecologist. If nests/nesting birds are present, the relevant works must be delayed until the nesting season is over and the fledglings have left the surrounding area.

Reason: To protect the ecology of the area in accordance with policy CR2 of the Core Strategy.

39. No part of the development hereby permitted shall be occupied until a Car Parking Management Plan has been submitted to the Local Planning Authority for approval in writing. The Car Parking Management Plan is to develop a parking strategy which details the rationale behind car parking allocation to residents. The development shall only be implemented in accordance with the details approved and the approved Plan shall be permanently retained for the lifetime of the development.

Reason: To ensure that off-street car parking spaces are effectively managed and so as not to prejudice the free flow of traffic on the local highway network, in accordance with policies BR9 and BR10 of the Borough Wide Development Policies Development Plan Document and policy 6.13 of the London Plan.

40. In the event that the existing building on site is not demolished by 1 May 2017 the Bat Survey Report dated July 2016 prepared by RSK Environment and approved under planning permission 16/00807/CDN shall be repeated to establish whether bats are using the building.

Reason: To protect the ecology of the area in accordance with policy CR2 of the
41. Within 6 months of commencing above ground works monthly demand profiles for heating, cooling and electrical loads shall be submitted to the Local Planning Authority for approval in writing in consultation with Greater London Authority (GLA) Officers. The development shall only be implemented in accordance with the approved details.

Reason: In the interests of safeguarding the environment and providing sustainable development in accordance with policies BR1 and BR2 of the Borough Wide Development Policies Development Plan Document and policies 5.2, 5.3, 5.5, 5.6 and 5.7 of the London Plan.

42. The proposed commercial unit(s) hereby permitted shall not be occupied until cycle parking provision for visitors and staff in accordance with London Plan standards; and staff showers, lockers and on-site changing facilities have been provided. Thereafter, these facilities shall be permanently retained.


43. No above ground new development shall commence until dynamic overheating modelling in accordance with CIBSE Guidance TM52 and TM49 to identify the risk of overheating has been submitted to and approved in writing by the Local Planning Authority (in consultation with the Greater London Authority). This should also include mitigation measures for any restrictions proposed, for example, by local air quality issues, ground floor apartments and single aspect units. Once approved, the agreed measures must be implemented prior to occupation of the development.

Reason: In order to avoid overheating and minimise cooling demand in accordance with policy 5.9 of the London Plan.

1.0 Introduction and Description of Development

1.1 Planning permission 15/01252/FUL was granted for 16-48 Cambridge Road, Barking on 24 March 2016 for “Demolition of existing building and redevelopment of site to provide 274 residential units within four interlinked buildings (10, 16, 19 and 26-storeys), with ancillary car and cycle parking, refuse storage areas and plant space; together with 485 square metres of flexible commercial floorspace (Classes A1, A2, A3, A4, B1, D1, D2), landscaping including roof gardens, and other associated works”.

1.2 This application seeks to vary conditions 2 (drawing numbers), 3 and 4 (contamination), 7 (construction logistics plan), 8 (archaeology), 9 (surface water drainage), 18 (cycle parking facilities), 22 (car parking spaces), 23 (energy statement), 34 (wheelchair adaptable units), 36B (method statement for site investigations - High Speed 1) and 41 (bat emergence report) in respect of planning permission 15/01252/FUL. This is essentially an application under Section 73 of the Town and Country Planning Act 1990 (as amended) for minor material amendments to the development approved.
under planning permission 15/01252/FUL and should be considered in the context of the approved planning permission for the site.

1.3 The application proposes an increase in the total number of residential units from 274 units as previously approved to 291 units. This would be facilitated by reducing the slab thickness between the existing floors. Whilst the number of storey heights within the buildings would increase to accommodate the additional units, the overall height and massing of the buildings as previously approved remain unaltered by the proposals. The height of the screening to the top of the 17-storey tower is to be reduced to reflect the more streamlined proportions of the lower floors.

1.4 The additional 17 residential units proposed would be accommodated within towers 2, 3 and 4 of the development. Tower 1, which is adjacent to Hapag-Lloyd’s office building, would remain unchanged. The previously approved storey heights of 10, 16, 19 and 26-storeys would be amended to 10, 17, 20 and 28-storeys.

1.5 The additional units and floor levels result in revisions to the approved layout plans and result in additional layout plans.

1.6 Minor amendments to the previously approved ground floor layout have also been made in order to facilitate a more efficient building layout and as a result of detailed design feedback from the building contractors. Cycle parking and blue badge car parking spaces have also been reconfigured as a result of changes to the structural grid and column locations. The gross internal floor area of the commercial unit would marginally increase from 485 square metres to 488 square metres as a result of the amendments. The previously approved skylight above the reception area has been removed for design reasons and the rotating entrance door has been replaced with a manual hinge-opening double-leaf door for fire safety reasons.

1.7 It is proposed to amend the wording of what were conditions 3 and 4 (contamination), 7 (construction logistics plan), 8 (archaeology), 9 (surface water drainage scheme), 36B (method statement for site investigations - Highspeed 1) and 41 (bat emergence report) on the previously approved scheme so as to reflect the information previously submitted to discharge those conditions. This ensures that any fresh grant of planning permission agreed by way of this Section 73 application is unburdened by any requirement to re-discharge those conditions.

1.8 Variation of condition 23 (energy strategy) is also sought to reflect a revised Energy Strategy for the scheme which has arisen following the detailed design stage of the proposed development.

1.9 The application is referable to the Mayor of London under Categories 1A, 1B and 1C of the Schedule to The Town and Country Planning (Mayor of London) Order 2008.

2.0 Background
16/00807/CDN - Application for approval of details reserved by conditions 3 and 4 (contamination), 7 (construction logistics plan), 8 (archaeology), 9 (surface water drainage scheme), 36B (method statement for site investigations - Highspeed 1) and 41 (bat emergence report) in respect of planning permission 15/01252/FUL. Permission granted on 23 September 2016.

15/01252/FUL - Demolition of existing building and redevelopment of site to provide 274 residential units within four interlinked buildings (10, 16, 19 and 26-storeys), with ancillary car and cycle parking, refuse storage areas and plant space; together with 485 square metres of flexible commercial floorspace (Classes A1, A2, A3, A4, B1, D1, D2), landscaping including roof gardens, and other associated works. Permission granted on 24 March 2016.

10/00438/FUL - Erection of a mixed use development comprising 286 residential units and 1,050 square metres of A1, A2, A3, B1, D1 or D2 floorspace ranging between 8 – 20 storeys in height with ancillary access alterations, car and cycle parking and landscaping. Application ‘finally disposed of’.

06/00702/FUL - Demolition of existing buildings and erection of a 6/7/23 storey high mixed use development comprising of ground and first floor commercial space for A1, A2, A3, A4 and B1 use and 149 residential units consisting of 38 one-bedroom flats, 106 two-bedroom flats and 5 three-bedroom flats. Permission refused on 12 September 2008.

04/00216/FUL - Erection of 10-storey building to provide offices (Class B1) on ground floor and 75 one and two bedroom flats above with ancillary parking spaces. Application was withdrawn.

3.0 Consultations

3.1 Neighbours / Publicity

A site notice was posted on 2 August 2016 and expired on 23 August 2016. A press notice was also published in the Barking and Dagenham Post on 10 August 2016 and expired on 31 August 2016.

Two consultation letters were also sent to previously interested parties on 2 August 2016 and the 21 day consultation period expired on 23 August 2016.

There have been two objections to the application as summarised below:

Resident of 64 Sandhurst Drive, Ilford:

I object to the application because there are going to be 17 more residential units, when 274 units are really enough for this location. Having 291 homes rather than the originally planned amount will also cause more noise and disturbance as there will be more people living in the proposed development.
Officer Note:

Officers do not consider that an additional 17 residential units would have a significant impact on noise and disturbance associated with the development.

Hapag-Lloyd (UK) Ltd, Hapag-Lloyd House, Cambridge Road, Barking:

The access to Hapag-Lloyd’s rear car park and cycle store runs along the boundary with the application site. Prior to the site’s clearance the boundary was secured by a dwelling and a brick wall which provided a secure boundary and prevented views into the car park from Cambridge Road.

However, the site is currently demarcated by a chain link fence that allows passers-by to see through to Hapag-Lloyd’s car park. This has seriously compromised the security of the area and has resulted in a number of incidents of trespassers on our grounds, including cycle theft and illegal parking.

In the details approved under 15/01252/FUL the developer committed to securing the site boundary with a 2.4 metre solid hoarding during construction works. However, the documents submitted as part of the current application show much of the boundary between the site and Hapag-Lloyd as being open and unsecured, continuing to allow passers-by views into the Hapag-Lloyd access and car park.

We are concerned for the safety of our staff especially as they use the car park and cycle store early in the morning and in the evening, times at which it is dark for much of the year. Furthermore, the consented development includes commercial floorspace at ground floor level adjoining Hapag-Lloyd. The use of this space has not been confirmed but it has the potential to adversely impact upon our operations. A solid and secure boundary would help mitigate any impact.

The proposed amendment to condition 7 (construction logistics plan) would also have an unacceptable impact on Hapag-Lloyd and the surrounding road network as the information submitted to discharge condition 7 as part of application 16/00807/CDN fails to appropriately safeguard Hapag-Lloyd and the surrounding area from the impact of the construction activity.

Officer Note:

Swan’s representatives have met with Hapag-Lloyd to discuss their concerns and e-mail correspondence from Swan to Hapag-Lloyd since that meeting has confirmed the following points, amongst other things:

Traffic Volumes – We have submitted a logistics / traffic frequency table to the Council. Deliveries will be managed by the Site Delivery Vehicle Coordinator. We operate a booking-in system with the Coordinator in communication with the lorry drivers. The lorry drivers will wait in close...
proximity to the North Circular Road whilst they await confirmation they can deliver to the site. As there are 2 cranes on site we can unload 2 vehicles in the holding areas quite quickly. The ground worker we have placed the order with have their own batching plant for concrete near Beckton which will be the bulk of the deliveries. We will also be using pre-cast columns which will also reduce delivery numbers. Our vehicle banksman will ensure that Hapag-Lloyd’s access road is kept clear at all times.

Hoarding – We will erect a 2.4 metre high hoarding along the boundary to Hapag-Lloyd’s car park whilst construction works take place. The Council will not, however, let us erect our new hoarding until the S278 Agreement for footpath improvement works has been agreed.

Officers are comfortable that there is a clear dialogue now open between Swan and Hapag-Lloyd and that Hapag-Lloyd’s concerns have been adequately addressed subject to the erection of the agreed hoarding to the side boundary. It should be noted that the Construction Logistics Plan under Planning Application 16/00807/CDN has now been approved.

3.2 Consultees

a) Greater London Authority (GLA) – The amendments do not give rise to any new strategic planning issues. Therefore, the Mayor of London does not need to be consulted further on this application.

b) Historic England (Archaeology) - I have received an archaeological report provided in compliance with the archaeological investigation condition under 15/01252/FUL. Having considered the submitted document I recommend its approval. No further archaeological work is necessary and the archaeological condition under 15/01252/FUL has been satisfied.

c) London Fire and Emergency Planning Authority (LFEPA) - The Brigade will be satisfied with the proposals subject to Fire Brigade vehicle access remaining unaffected.

d) High Speed 1 (HS1) – No comment.

e) Thames Water - As this relates to a slight increase in the number of units the infrastructure capacity available can cope with this. As regards surface water the Mayor of London Drainage Hierarchy must be followed.

f) Environmental Health Team – No response.

g) Transport Development Management Team - The Construction Logistics Plan is considered to be acceptable. We also consider the slight increase in cycle parking to 316 cycle parking spaces to be acceptable.

There were 11 blue badge car parking spaces in the previously approved scheme and the provision is to remain the same, although the number of wheelchair accessible/easily adaptable units has risen from 32 to 34 units.
The site has a public transport accessibility level of 6a on a scale of 1a-6b, where 6b is the highest. As a result of this high rating the development is considered to be a car-free development. Accordingly, parking permits for the surrounding streets should not be granted to any occupiers of the proposed development and this should be secured by S106 Agreement.

There are no apparent adverse highway implications arising from the proposed development.

Officer Note:

The proposed S106 Deed of Variation would ensure that no occupiers of the development would be eligible for a permit for any Controlled Parking Zone (CPZ).

h) Access Officer – No response.

i) Refuse Services – No response.

j) Environment Division – No response.

4.0 Local Financial Considerations

4.1 The revised scheme as a whole is liable for a Community Infrastructure Levy (CIL) of £2,569,141.41 based on a Mayoral CIL charge of £640,443.68 and a Local CIL charge of £1,928,697.73. The Council has previously granted social housing relief to the developer to the value of £854,993.59 for 96 shared ownership units. The Council issued a letter on 20 June 2016 confirming the same. Accordingly, the total CIL payment to be made by the developer is £1,714,147.82. It is noted that the developer has already paid a CIL instalment in relation to the previously approved scheme and this will be credited to the outstanding CIL amount.

5.0 Analysis

5.1 Principle of the Development

5.1.1 The principle of the proposed mixed use development has already been agreed pursuant to Planning Permission 15/01252/FUL.

5.1.2 National Planning Practice Guidance (NPPG) sets out information on applications made under Section 73 of the Town and Country Planning Act (1990) for minor material amendments. Paragraph 17 of the NPPG advises that there is no statutory definition of a ‘minor material amendment’ but it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved. Paragraph 19 of the NPPG advises that when considering an application under Section 73, Local Planning Authorities must consider the development plan and other material considerations, and the conditions attached to the existing permission. Local Planning Authorities should, in making their decisions, focus their attention on national and development
plan policies, and other material considerations which may have changed significantly since the original grant of permission.

5.2 Housing

Housing Mix and Sub-Market Housing

5.2.1 The revised proposal is for 291 residential units based on a mix of 195 private for sale units and 96 shared ownership units (33% of the total number of units) as detailed below. The proposed mix and tenure split is as follows:

<table>
<thead>
<tr>
<th>Tenure</th>
<th>Private</th>
<th>Shared Ownership</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio</td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>1-bed/2-person</td>
<td>51</td>
<td>13</td>
<td>64</td>
</tr>
<tr>
<td>1-bed/2-person (Wheelchair)</td>
<td>6</td>
<td>4</td>
<td>10</td>
</tr>
<tr>
<td>2-bed/3-person</td>
<td>3</td>
<td>6</td>
<td>9</td>
</tr>
<tr>
<td>2-bed/3-person (Wheelchair)</td>
<td>7</td>
<td>1</td>
<td>8</td>
</tr>
<tr>
<td>2-bed/4-person</td>
<td>115</td>
<td>68</td>
<td>183</td>
</tr>
<tr>
<td>2-bed/4-person (Wheelchair)</td>
<td>12</td>
<td>4</td>
<td>16</td>
</tr>
<tr>
<td>Total</td>
<td>195</td>
<td>96</td>
<td>291</td>
</tr>
</tbody>
</table>

5.2.2 This represents an improved sub-market housing offer compared to the previously approved scheme of 274 units which comprised 225 private for sale units and 49 shared ownership units (18%). It should be noted that following that permission the developer secured grant funding from the Greater London Authority as part of the Barking Town Centre Housing Zone for an additional 47 shared ownership units, thus increasing the shared ownership provision to a total of 96 units.

5.2.3 The current application was accompanied by a revised full financial appraisal. The Council appointed BNP Paribas to carry out an independent review of the developer’s revised financial appraisal. It was concluded that the revised scheme cannot afford in excess of 33% sub-market housing. Accordingly, the sub-market housing offer of 96 shared ownership units is considered to be acceptable.

Density

5.2.4 The density has been calculated in accordance with the Mayor’s ‘Housing’ Supplementary Planning Guidance (SPG) by reducing the total site area by the proportion of non-residential floorspace. The revised scheme has a density of 990 units per hectare which represents a small increase over the previously approved density of 932 units per hectare. This high density was accepted on the previous scheme on the basis that the proposed housing was of an exemplar design quality. The small increase in density arising from the provision of an additional 17 units is also considered to be acceptable given the exemplar design quality of the proposed housing and the town centre location.

Internal Layout
5.2.5 All of the proposed units have been designed to be compliant with the nationally described space standards and the minimum space standards set out in the London Plan. The proposed additional floors would replicate the existing floor-plate layouts thus ensuring that each of the flats is dual-aspect and each core serves the recommended maximum of 8 flats per floor.

5.2.6 In accordance with Policy 3.8 of the London Plan, 90% of the proposed residential units are to meet Building Regulation requirement M4(2) ‘accessible and adaptable dwellings’.

5.2.7 The revised scheme includes 34 units which will be wheelchair accessible, or easily adaptable for wheelchair users. The proposal exceeds the 10% wheelchair housing requirement set out in Policy 3.8 of the London Plan and Building Regulation M4(3).

5.3 Design

5.3.1 The height and massing of the buildings as previously approved would remain unaltered by the proposal. The floor-to-ceiling heights of the previously approved residential units would also remain unaltered.

5.3.2 It is proposed that the additional floors would be seamlessly incorporated into the previously approved elevations and the existing balcony positions above and below would be adjusted to facilitate the additional floor and balconies. The proposed balconies would be staggered around the building in the same manner as those previously approved.

5.3.3 The application also proposes the following minor amendments to the approved ground floor layout in order to facilitate a more efficient building layout and as a result of detailed design feedback from the building contractors:

- Installation of a dedicated commercial refuse storage area with access from Cambridge Road;
- Creation of an additional lobby to Block 1 circulation core in order to provide access to the water plant room;
- Relocation of 46 residential cycle parking spaces to a new secure store adjacent to the residential car park;
- Relocation of the residential access point to the main cycle storage area;
- Installation of letter boxes;
- Reconfiguration of the residential car parking layout;
- Creation of an additional entrance point to the thermal plant room;
- Enlargement of the kitchen/locker room and associated W/C;
- Removal of the previously approved skylight above the reception area; and
- Replacement of the rotating entrance door with a manual hinge-opening double-leaf door.

5.3.4 The revised Sunlight / Daylight Assessment concludes that the revised scheme would not have a significant impact on sunlight and daylight received by neighbouring premises.
5.3.5 Overall, it is not anticipated that the proposed additional floors or the minor amendments to the ground floor layout would have a material impact on the high quality internal and external design previously approved. The proposed development is considered to be of an exemplar quality which is befitting of its prominent location within the town centre and adjacent to Barking Station platforms.

5.4 External Amenity Space

5.4.1 The overall children’s playspace requirement for the revised scheme would increase from 145 square metres under the previous scheme to 155 square metres. The previously approved 206 square metres of children’s playspace at first floor level is unchanged by the revised scheme and accordingly there is already considered to be sufficient children’s playspace proposed to accommodate the small increase in child yield and to comply with London Plan policy.

5.4.2 All residential units within the revised scheme include a private balcony designed in accordance with the space requirements set out in the Mayor’s ‘Housing’ Supplementary Planning Guidance (SPG).

5.5 Transport / Parking

5.5.1 Given the excellent public transport accessibility of the site, the previously approved scheme was considered acceptable as a car-free development, with the exception of 11 blue badge spaces accessed from Cambridge Road. The revised proposal also includes 11 blue badge spaces albeit in a revised layout. A service lay-by and a separate drop-off point on Cambridge Road in front of the development are to be provided as per the previously approved scheme.

5.5.2 The cycle parking provision of 300 spaces agreed as part of the previously approved scheme has been increased by 16 spaces in response to the proposed additional units. As per the previously approved scheme, the cycle parking provision falls short of the London Plan cycle parking policy. Given the constraints of the site and evidence of limited usage of communal cycle parking facilities in other developments, Borough officers consider that there is a case for the provision of 1:1 cycle spaces on this site and the proposed provision would exceed that. It should be noted that cycle parking usage would be monitored through the Travel Plan as per clause 1.8.1.3 of the previously agreed S106 Agreement dated 24 March 2016 as there is the potential to accommodate additional space to the rear of the building should the need arise in the future.

5.6 Sustainability & Energy

5.6.1 The London Plan requires all developments to achieve a 35% reduction in carbon dioxide (CO\textsubscript{2}) emissions beyond Part L of the Building Regulations 2013. The Energy Strategy submitted under the previously approved scheme was based on conventional building materials and construction methods. During the detailed design stage, it was noted that the U-values
assumed for the curved façade system in the original Energy Strategy were marginally better than what would be achieved for the curved façade system in reality. In order to continue to meet the policy target of 35% reduction in CO₂ emissions, improvements have been made wherever possible to other areas of the building fabric performance and a photovoltaic panel system has also been incorporated to make up the shortfall. The revised Energy Strategy would achieve a 36% reduction in CO₂ emissions in accordance with London Plan policy.

5.7 S106 Developer Contributions

5.7.1 The original S106 Agreement dated 24 March 2016 relating to Planning Permission 15/01252/FUL is to be updated through a S106 Deed of Variation to secure the revisions to the scheme, namely:

- A revised definition of ‘Development’ to reflect 291 residential units, revised storey heights of 10, 17, 20 and 28 storeys and revised commercial floorspace of 488 square metres;

- A revised definition of ‘Housing Units’ to reflect an increase from 274 residential units to 291 residential units; and

- A revised definition of ‘Subsidised Housing Unit Mix’ to reflect an increase in shared ownership units from a minimum of 49 units to a minimum of 96 units.

5.7.2 The S106 would also secure payment of the Council’s legal costs for the preparation and completion of the Deed of Variation.

6.0 Conclusion

6.1 The application maintains a high standard of design throughout commensurate with Planning Permission 15/01252/FUL and is considered to be of an exemplar quality which is befitting of its prominent location within the town centre and adjacent to Barking Station platforms.

6.2 The proposal would result in the provision of 291 residential units based on a mix of 195 private for sale units and 96 shared ownership units (33% of the total number of units), as well as 488 square metres of flexible commercial space which the Council would operate. The sub-market housing provision is considered to be acceptable following the outcome of an independent financial viability review. The proposal would help to rebalance the tenure mix in the town centre, with the aim of supporting a widening of the town centre’s retail and leisure offer and, in particular, to support the poorly developed evening economy.

6.3 The proposal complies with the relevant policies set out in the National Planning Policy Framework, the London Plan and the Local Plan, with the exception of cycle parking provision as discussed in Section 5.5 above.

6.4 It is recommended that the Development Control Board grants planning permission subject to the completion of a Deed of Variation to the original
S106 Agreement dated 24 March 2016 relating to Planning Permission 15/01252/FUL to secure a revised definition of ‘Development’ and revised definitions of ‘Housing Units’ and ‘Subsidised Housing Unit Mix’ as detailed in Section 5.7 of this report, and payment of the Council’s legal costs for the preparation and completion of the Deed of Variation; and the conditions listed in this report (with any amendments that might be necessary up to the issue of the decision).

**Background Papers**

- Planning Application File
  [http://paplan.lbld.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OB18O1BLF0K00](http://paplan.lbld.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OB18O1BLF0K00)

- Local Plan Policy

  **Borough Wide Development Policies Development Plan Document (March 2011):**

  Policy BR1 – Environmental Building Standards
  Policy BR2 – Energy and On-Site Renewables
  Policy BR3 – Greening the Urban Environment
  Policy BR4 – Water Resource Management
  Policy BR5 – Contaminated Land
  Policy BR9 – Parking
  Policy BR10 – Sustainable Transport
  Policy BR11 – Walking and Cycling
  Policy BR13 – Noise Mitigation
  Policy BR14 – Air Quality
  Policy BR15 – Sustainable Waste Management
  Policy BC1 – Delivering Affordable Housing
  Policy BC7 – Crime Prevention
  Policy BC8 – Mixed Use Development
  Policy BE2 – Development in Town Centres
  Policy BE4 – Managing the Evening Economy
  Policy BE5 – Offices – Design and Change of Use
  Policy BP2 – Conservation Areas and Listed Buildings
  Policy BP3 – Archaeology
  Policy BP4 – Tall Buildings
  Policy BP5 – External Amenity Space
  Policy BP8 – Protecting Residential Amenity
  Policy BP10 – Housing Density
  Policy BP11 – Urban Design

  **Core Strategy (July 2010):**

  Policy CM1 – General Principles for Development
  Policy CM2 – Managing Housing Growth
  Policy CM5 – Town Centre Hierarchy
  Policy CR1 – Climate Change and Environmental Management
  Policy CC1 – Family Housing
Policy CC3 – Achieving Community Benefits Through Developer Contributions
Policy CE1 – Vibrant and Prosperous Town Centres
Policy CP1 – Vibrant Culture and Tourism
Policy CP2 – Protecting and Promoting Our Historic Environment
Policy CP3 – High Quality Built Environment

**Barking Town Centre Area Action Plan (BTCAAP) (February 2011):**

Policy BTC1 – Additional Shopping Floorspace
Policy BTC5 – Leisure Uses and the Evening Economy
Policy BTC13 – Housing Supply
Policy BTC16 – Urban Design
Policy BTC17 – Tall Buildings
Policy BTC19 – Heritage and the Historic Environment
Policy BTC22 – Sustainable Energy
Policy BTC23 – Developer Contributions

Site Specific Allocation BTCSSA3 – Barking Station

**Other Guidance:**

Barking Station Masterplan SPD (February 2012)
Planning Advice Note - Waste and Recycling Provisions in New and Refurbished Residential Developments (10 February 2013)

- **The London Plan (March 2016):**

Policy 3.3 – Increasing Housing Supply
Policy 3.4 – Optimising Housing Potential
Policy 3.5 – Quality and Design of Housing Developments
Policy 3.6 – Children and Young People’s Play and Informal Recreation Facilities
Policy 3.8 – Housing Choice
Policy 3.10 – Definition of Affordable Housing
Policy 3.11 – Affordable Housing Targets
Policy 3.12 – Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes
Policy 3.13 – Affordable Housing Thresholds
Policy 5.2 – Minimising Carbon Dioxide Emissions
Policy 5.3 – Sustainable Design and Construction
Policy 5.5 – Decentralised Energy Networks
Policy 5.6 – Decentralised Energy in Development Proposals
Policy 5.7 – Renewable Energy
Policy 5.9 – Overheating and Cooling
Policy 5.10 – Urban Greening
Policy 5.11 – Green Roofs and Development Site Environs
Policy 5.13 – Sustainable Drainage
Policy 5.14 – Water Quality and Wastewater Infrastructure
Policy 5.15 – Water Use and Supplies
Policy 5.18 – Construction, Excavation and Demolition Waste
Policy 5.21 – Contaminated Land
Policy 6.3 – Assessing Effects of Development on Transport Capacity
Policy 6.9 – Cycling
Policy 6.10 – Walking
Policy 6.13 – Parking
Policy 7.1 – Lifetime Neighbourhoods
Policy 7.2 – An Inclusive Environment
Policy 7.3 – Designing Out Crime
Policy 7.4 – Local Character
Policy 7.5 – Public Realm
Policy 7.6 – Architecture
Policy 7.7 – Location and Design of Tall and Large Buildings
Policy 7.8 – Heritage Assets and Archaeology
Policy 7.13 – Safety, Security and Resilience to Emergency
Policy 7.14 – Improving Air Quality
Policy 7.15 – Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes
Policy 8.2 – Planning Obligations

**Mayor of London’s Supplementary Planning Guidance:**

Shaping Neighbourhoods: Character and Context (June 2014)
Accessible London – Achieving an Inclusive Environment (October 2014)
Sustainable Design and Construction (April 2014)
Town Centres (July 2014)
Housing (March 2016)
Shaping Neighbourhoods: Play and Informal Recreation (September 2012)

London Riverside Opportunity Area Planning Framework (September 2015)

- **National Planning Policy Guidance**

  National Planning Policy Framework (March 2012)
  Planning Practice Guidance
  Technical Housing Standards – Nationally Described Space Standard (March 2015)
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DEVELOPMENT CONTROL BOARD

7 November 2016

Title: Town Planning Appeals

Report of the Development Management Manager, Regeneration Division

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<td><strong>Key Decision:</strong> No</td>
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| **Report Author:** Dave Mansfield, Development Management Manager | Tel: 020 8227 3999  
E-mail: dave.mansfield@lbbd.gov.uk |
| **Accountable Director:** John East, Growth and Homes |

Summary:
This report advises Members of recent appeals that have been lodged and the outcomes of decisions made.

Recommendation(s)
The Development Control Board is asked to note this report.

1. **Appeals Lodged**
The following appeals have been lodged

a) **Conversion of existing dwelling into 2 self-contained flats – 24 Salisbury Avenue, Barking (Ref: 16/00074/FUL)**
Application refused under delegated powers 4 April 2016 (Abbey Ward).

b) **Subdivision of house into 1 two bedroom and 1 three bedroom houses - 2 St Erkenwald Road, Barking (Ref: 16/00431/FUL)**
Application refused under delegated powers 17 May 2016 (Abbey Ward).

c) **Change of use of part of existing warehousing/storage floor space to banqueting facility with ancillary storage – 6-8 Thames Road (Ref: 14/00464/FUL)**
Application refused under delegated powers 29 February 2016 (Thames Ward).

d) **Erection of two storey side extension to provide new dwelling – 18 Martin Road, Dagenham (Ref: 16/00389/FUL)**
Application refused under delegated powers 25 May 2016 (Mayesbrook Ward).

e) Erection of two storey two bedroom house - Land adjacent to 33 Braintree Road, Dagenham (Ref: 16/00751/FUL)

Application refused under delegated powers 27 July 2016 (Heath Ward).

f) Conversion of house into 2 two bedroom flats – 16 Gordon Road, Chadwell Heath (Ref: 16/00858/FUL)

Application refused under delegated powers 1 August 2016 (Whalebone Ward).

g) Conversion of single dwelling into 6 bedroom house in multiple occupation (retrospective) - 259 Valence Wood Road, Dagenham (Ref: 16/00028/FUL)

Application refused under delegated powers 29 March 2016 (Heath Ward).

2. Appeals Determined

2.1.1 The following appeals have been determined by the Planning Inspectorate:

a) Erection of two storey side and single storey rear extension - 166 Canonsleigh Road, Dagenham (Ref: 16/00574/FUL – Eastbury Ward)

Application refused under delegated powers 16 June 2016 for the following reason:


Planning Inspectorate’s Decision: Appeal dismissed 3 October 2016 (see attached).

b) Application for prior approval: Notification of a proposed change of use of ground to third floor Class B1 (offices) to Class C3 (residential) (9 studio flats, 11 one bedroom flats and 4 two bedroom flats) - Quayside House, 13 Town Quay Wharf, Abbey Road, Barking (Ref: 16/00407/PRIOFF – Gascoigne Ward).

Application refused under delegated powers 6 May 2016 for the following reason:

1. The application fails to meet the requirements of Schedule 2, Part 3, Class O of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) by reason that prior approval was not applied for and obtained before beginning the development.

Planning Inspectorate’s Decision: Appeal dismissed 17 October 2016 (see attached).
c) Erection of two storey side extension and a two storey rear extension and a part single storey side/rear extension – 113 Hunters Hall Road, Dagenham (Ref: 16/00694/FUL – Alibon Ward)

Application refused under delegated powers 16 June 2016 for the following reason:

1. The proposed extension roof would appear incongruous and disharmonious and out of keeping with the design of other nearby terraces in Hunters Hall Road and the original design of the host terrace, disrupting the appearance of the rooftopscape and resulting in harm to the character and appearance of the streetscape contrary to policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document (March 2011) and the Supplementary Planning Document for Residential Extensions and Alterations (February 2012).

Planning Inspectorate’s Decision: Appeal dismissed 18 October 2016 (see attached).

d) Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of rear dormer window and front rooflights - 164 Manor Square, Dagenham (Ref: 16/00493/CLU_P – Valence Ward)

Application refused under delegated powers 1 June 2016 for the following reason:

1. That a certificate of lawfulness is refused as the proposed development together with existing roof additions exceeds 50 cubic metres in volume and therefore does not comply with the requirements of Class B of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.

Planning Inspectorate’s Decision: Appeal dismissed 21 October 2016 (see attached).

e) Erection of 2 bedroom bungalow – Land rear of 24 Goring Road, Dagenham (Ref: 15/01452/FUL – Village Ward)

Application refused under delegated powers 31 December 2015 for the following reason:

1. The proposed bungalow, located in the former rear garden of an existing bungalow, will result in a form of backland development out of character and harmful to the prevailing pattern of development in the area contrary to policies BP8 and BP11 of the Borough Wide Development Policies DPD, policy CP3 of the Core Strategy and paragraph 53 of the NPPF.

Planning Inspectorate’s Decision: Appeal dismissed 21 October 2016 (see attached).

f) Demolition of existing building and erection of 3 storey building comprising 5 two bedroom maisonnettes, 2 one bedroom flats, 1 two bedroom flat and 1 three bedroom flat - Land between 487 - 535A Rainham Road South, Dagenham (Ref: 16/00168/FUL – Eastbrook Ward)
Application refused under delegated powers 8 June 2016 for the following reasons:

1. The proposed development, by reason of its design and appearance, would result in an intrusive and dominant addition to the street scene and rear garden environment, harmful to the character of the area and visual amenities of existing residential occupiers and contrary to Policy CP3 of the Core Strategy (July 2010) and Policy BP11 of the Borough Wide Development Policies DPD (March 2011).

2. The proposed development would, by reason of its siting and proximity to residential properties in Durham Road, result in a loss of outlook, harmful to the living standards and visual amenities of existing and future occupiers of Durham Road and contrary to Policy BP8 of the Borough Wide Development Policies DPD (March 2011).

3. The proposed development fails to provide sufficient gross internal floor area for units 8 and 9 which would result in substandard units of accommodation, detrimental to the living standards and amenities enjoyed by existing and future occupiers and contrary to Policy 3.5 of the Minor Alterations to the London Plan (March 2016) DCLG Technical Housing Standards - Nationally Described Space Standards (March 2015).

4. The drawings do not accurately detail the proposed parking area development in terms of size of car parking space and turning area and by virtue of its uncontrolled nature, the parking area would be likely to generate anti social behaviour, detrimental to crime prevention initiatives and the principles of secure by design and contrary to Policy BC7 of the Borough Wide Development Policies DPD (March 2011).

Planning Inspectorate’s Decision: Appeal dismissed 21 October 2016 (see attached).
Appeal Decision

Site visit made on 11 October 2016

by Alex Hutson  MATP  CMLI  MArborA
an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21 October 2016

Appeal Ref: APP/Z5060/W/16/3153597
Land to the rear of 24 Goring Road, Dagenham, Essex RM10 8BL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Jamie Addis against the decision of the Council of the London Borough of Barking & Dagenham.
- The application Ref 15/01452/FUL, dated 16 October 2015, was refused by notice dated 31 December 2015.
- The development proposed is “Bungalow 2 bedroom detached”.

Decision

1. The appeal is dismissed.

Preliminary matter

2. I note that the details of the appellant on the appeal form relate to the appellant’s agent. Nevertheless, it is clear from the evidence that the appellant is Mr Jamie Addis and this is reflected in the banner heading above.

3. The Council, within Part 3 of their questionnaire, has indicated that the proposal would affect an ancient monument. However, the Council has confirmed that this is an administrative error and I have considered the appeal on this basis.

4. The appellant indicates, in Section H of the appeal form, an intention to submit a planning obligation. Nevertheless, no form of planning obligation has been forthcoming and it is unclear from the evidence what the purpose of one would be. Moreover, the Council has not indicated a specific requirement for a planning obligation. The lack of any planning obligation therefore has very little bearing on my consideration of the appeal and I have dealt with it on this basis.

Main issue

5. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

6. The appeal site, which currently contains a static caravan, is located within a wider residential area and comprises the former large rear garden of 24 Goring Road. No 24 is a detached bungalow set back from and facing the road.
Whilst dwellings in the vicinity of the appeal site display a variety of architectural styles and sizes, the linear pattern of residential dwellings along the southern side of this part of Goring Road is a strong and defining characteristic of the streetscape and area. In addition, the typically large rear gardens of dwellings along the southern side of the road add a spatial quality to the area. These factors positively contribute to the character and appearance of the area.

7. The proposal seeks to erect a new, two bedroom bungalow on the appeal site. Whilst the design of the proposed bungalow would be architecturally sympathetic to other dwellings in the area, it would introduce a form of development considerably out of keeping with the prevailing pattern of residential development along this side of the road, given its back land location. This is notwithstanding that some boundary treatment has already been erected. Moreover, I observed that the proposed bungalow would be clearly apparent in views from along Goring Road, through the gaps between No 24 and the dwellings either side and from the windows and gardens of a number of nearby dwellings.

8. The proposed bungalow would therefore introduce an incongruous and uncharacteristic form of back land development that would considerably reduce the spatial qualities of the appeal site and area. Consequently, it would result in significant harm to the character and appearance of the area. I do not consider that this intrinsic harm could be sufficiently mitigated through additional landscaping around the boundaries of the appeal site.

9. I acknowledge that some built structures exist in other rear gardens along the southern side of Goring Road. Nevertheless, these tend to be modest sized structures, clearly ancillary and subordinate to their host dwellings and do not share the features typical of separate dwellings. Moreover, whilst a static caravan has existed on the appeal site for over a year, the planning history of the appeal site indicates that permission for this structure was refused under Ref 15/00956/FUL. As such, and without any substantive evidence to demonstrate otherwise, it is therefore likely to be unlawful. I do not therefore consider that the presence of any existing rear garden structures in the area or the presence of the static caravan on the appeal site justifies a planning permission for a separate dwelling in this instance.

10. I therefore conclude that the proposed dwelling would result in significant harm to the character and appearance of the area. This would be contrary to Policies BP8- Protecting Residential Amenity, BP11- Urban Design and CP3- High Quality Built Environment, of the Barking and Dagenham Borough Wide Development Policies Development Plan Document 2011. These policies require, amongst other things, development to respect, protect, enhance and strengthen the local character of the area. These policies are consistent with the broad aims and objectives of the National Planning Policy Framework that seek planning to take account of the different roles and character of different areas.

Other matters

11. I acknowledge that the Council has not raised any concerns in respect of neighbour living conditions. I also acknowledge that the proposed dwelling would be built to a high standard of energy efficiency, would be located within an area with a good level of access to local services and facilities and would
make a contribution, albeit a limited contribution, to housing supply within the Borough. In addition, I have taken into consideration the fact that the appellant is local to the area and indicates a desire to live in a home in close geographical proximity to his family. However, these matters are not, individually or cumulatively, sufficient to outweigh the harm that would arise to the character and appearance of the area.

**Conclusion**

12. For the reasons set out and having regard to all other matters, I conclude that the appeal should be dismissed.

*Alex Hutson*

INSPECTOR
Appeal Decision

Site visit made on 4 October 2016

by H Baugh-Jones BA(Hons) DipLA MA CMLI
an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 18th October 2016

Appeal Ref: APP/Z5060/D/16/3154769
113 Hunters Hall Road, Dagenham RM10 8LH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Nicolae Vasile against the decision of the Council of the London Borough of Barking & Dagenham.
- The application Ref 16/00694/FUL, dated 6 May 2016, was refused by notice dated 16 June 2016.
- The development proposed is erection of two storey side extension and a two storey rear extension and a part single storey side/rear extension.

Decision

1. The appeal is dismissed.

Procedural matter

2. I have used the description of development given on the appeal form as this most accurately reflects the appeal proposal.

Main Issue

3. The main issue in this appeal is the effect of the proposal on the character and appearance of the host building and the area with particular regard to the Hunters Hall Road street scene.

Reasons

4. The appeal property is an end of terrace dwelling located within an area comprising a mix of terraced and semi-detached houses. Whilst there is some variation in the buildings lines between groups of dwellings, gaps between them have remained largely unchanged and although some have had minor fascia and fenestration alterations, development along Hunters Hall Road has maintained a clear identifiable rhythm. In combination with the overall uniform hipped roof appearance of most dwellings, this creates a distinctive street scene.

5. Extensions to the dwelling have been granted on appeal1. Whilst the previous appeal decision is clearly a material consideration, I do not have the full details of it before me or thus, the considerations that led the Inspector to conclude that the proposal was acceptable. Consequently, I cannot be certain that the previous scheme is directly comparable to the current appeal proposal. In any

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1 Ref: APP/Z5060/D/15/3136180
case, I have determined the appeal on its individual merits based on the evidence before me and my own observations on site.

6. I noted the introduction of a gable end and a very substantial rear dormer that extends to the flank of the dwelling to create a part pitched and part flat roof. These substantial alterations to the dwelling’s appearance have significantly diminished its original character and the roof itself appears disjointed and out of character with its neighbours. This is very noticeable in the street scene because of the existing gap between the appeal property and that next door.

7. Although the proposed side extension would be of relatively modest width, it would have a small hipped roof that would rise only modestly above eaves level. Consequently, it would not visually tie in to the existing roof form. This disharmonious relationship to the current, albeit out of keeping roof would further erode the appearance of the dwelling and harm the street scene.

8. Furthermore, although not all proposed elements would be readily seen in public views, the totality of the proposed extensions including the additions at first floor level at the rear of the dwelling would exacerbate the clear identified harm to its character and appearance.

9. Consequently, I consider the proposal would run counter to Policies BP8 and BP11 of the Council’s Borough Wide Development Policies Development Plan Document (2011) (BWDP). Amongst other things, these policies require development to have regard to local character and contribute to its distinctiveness including through high quality architecture. I also consider the proposal would conflict with the design principles set out in the Council’s Residential Extensions and Alterations Supplementary Planning Document (2012) (SPD). Whilst the BWDP and the SPD pre-date the Framework, I consider them to be in general accordance with its requirement for good design.

Other matter

10. I have considered the Council’s argument that the current proposal would set a precedent for similar developments in Hunters Hall Road. Whilst each application and appeal must be judged on its individual merits, I can appreciate the Council’s concern that approval of this proposal could be used in support of such similar schemes given the existing spaces between end terraces and the potential for utilising the roof spaces of the dwellings. Allowing this appeal would make it more difficult to resist further planning applications for similar developments and I consider that their cumulative effect would exacerbate the harm which I have described above.

Conclusion

11. For the above reasons and having had regard to all other matters raised, the appeal does not succeed.

Hayden Baugh-Jones
Inspector
The appeal is made under section 195 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 against a refusal to grant a certificate of lawful use or development (LDC).

The appeal is made by Mr Nanu Miah against the decision of the Council of the London Borough of Barking & Dagenham.

The application Ref 16/00493/CLU_P, dated 1 April 2016, was refused by notice dated 1 June 2016.

The application was made under section 192(1)(b) of the Town and Country Planning Act 1990 as amended.

The development for which a certificate of lawful use or development is sought is loft conversion with rear dormer and two front skylights.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the Council’s decision to refuse to issue an LDC was well-founded. This turns on whether the proposed development would constitute permitted development by virtue of the provisions of Schedule 2, Part 1, Class B to the Town and Country Planning (General Permitted Development) (England) Order 2015 ('the GPDO').

Reasons

3. In order for an LDC to be granted under section 192 of the 1990 Act, the onus is firmly on the appellant to show that the development would be lawful.

4. The appeal property is a semi-detached house which has previously been extended to the side and rear. The appellant proposes a loft conversion involving the addition of a rear roof dormer and the insertion of front roof lights.

5. Pursuant to Class B of the GPDO, the enlargement of a dwellinghouse consisting of an addition or alteration to its roof is permitted development subject to certain limitations and conditions. Paragraph B.1 stipulates that development is not permitted by Class B if, amongst other matters, the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than 50 cubic metres in the case of a semi-detached house.
6. Guidance on interpretation of Class B is contained in the Government’s Technical Guidance issued in April 2016\(^1\). This explains that any previous enlargement to the original roof space in any part of the house must be included in the volume allowance.

7. There is no dispute that the volume of the proposed roof dormer would be 16.54 cubic metres. Where the parties differ in opinion is the cubic content of the roof for the existing two storey side extension.

8. According to the Council’s calculations the additional roof space for the existing side extension is 40.375 cubic metres in volume. If this is correct, then the proposal would exceed the 50 cubic metre threshold within paragraph B.1(d) and planning permission would be required.

9. The appellant maintains that the Council has incorrectly taken the roof height as 3.8m instead of 2.5m and also applied an incorrect formula to ascertain the cubic content. Based on the appellant’s calculations, the cubic content of the two storey extension roof is 26.88 cubic metres and as such the proposal would be within the parameters for permitted development. The Council arrived at the same figure as the appellant when considering a previous LDC application for a roof extension at this property.

10. The parties have each set out their methodology. The appellant has multiplied the depth x width x height and halved the total to arrive at the cubic content of the existing roof extension. The Council has applied the formula (depth x height) divided by 2 and then multiplied by the width. Each has used measurements taken from different points. The appellant’s approach has been to take the extended hipped part of the roof. By drawing a line vertically upwards from the original end wall, only part of the extended roof has been measured. This is why the figure is much lower than the Council’s.

11. Effectively what happened when the house was extended was that the hipped end was pushed along by about 2.5m. Thus, the increase in volume is that of the triangular prism 2.5m wide. The Council has applied the correct formula to establish that volume. The height must be measured up to the ridge which is around 3.8m. The parties agree that the depth (length) is 8.5m. Therefore, based on those figures the roof has already been extended by 40.375 cubic metres which corresponds with the Council’s findings.

12. I am not satisfied that the figures supplied by the appellant are correct. As advised in the national Planning Practice Guidance\(^2\), the onus is on the appellant to provide sufficiently precise and unambiguous evidence to show that, on the balance of probabilities the appeal should be allowed. Here, the appellant has not provided an accurate calculation of the volume of the previous roof enlargement. The information is not therefore precise.

13. In these circumstances, I consider that on the balance of probabilities the proposed rear dormer would not be permitted development under the provisions of Class B of Part 1 to Schedule 2 to the GPDO.

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\(^1\) “Permitted development for householders, Technical Guidance”, published by the Department for Communities and Local Government

\(^2\) Section on ‘Lawful development certificates’
Conclusion

14. For the reasons given above I conclude that the Council’s refusal to grant a certificate of lawful use or development in respect of a loft conversion with rear dormer and two front skylights was well-founded and that the appeal should fail. I will exercise accordingly the powers transferred to me in section 195(3) of the 1990 Act as amended.

KR Saward

INSPECTOR
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Appeal Decision

Site visit made on 16 September 2016

by Timothy C King BA(Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 03 October 2016

Appeal Ref: APP/Z5060/D/16/3153864

166 Canonsleigh Road, Dagenham, RM9 4DB

• The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
• The appeal is made by Mrs A Bibi against the decision of the Council of the London Borough of Barking & Dagenham.
• The application Ref 16/00574/FUL, dated 18 April 2016, was refused by notice dated 16 June 2016.
• The development proposed is ‘Double storey side extension with hipped roof over. Single storey rear extension with flat roof.’

Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council has not raised any objections to the single-storey rear extension proposed as part of the scheme. I agree with this approach and, as such, I will limit my assessment to the proposed two-storey side extension.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the surrounding area.

Reasons

4. The appeal site forms one half of a distinctive pairing of semi-detached dwellings and associated curtilages; the other being No 200 Woodward Road. Straddling the corners of the two roads, both dwellings have gable features fronting their respective streets, and the buildings then turn inwards to meet at a central point. The proposed two-storey extension would project the dwelling’s frontage across to the common boundary with No 168 Canonsleigh Road, and would be overlain with a hip-ended roof. Flush with the front building line the design would incorporate bay windows at ground and first floor levels to reflect those as currently exist in the unextended dwelling.

5. Policy BP11 of the Council’s Borough Wide Development Policies Development Plan Document (DPD) requires that the design of buildings and the layout of new development should, amongst other things, protect or enhance the character and amenity of the area. More specifically, in relation to householder
developments, the Council’s Supplementary Planning Document ‘Residential Extensions and Alterations guidance’ (SPD) comments in paragraph 5.4.3 thereto that the character of a semi-detached house is partly derived from the symmetry it has with its adjacent twin, and a side extension can significantly alter this balance. The appeal proposal represents a typical case in point, and the proposed extensive physical alterations would be an anomalous form of development which, due to its positioning at the junction of two roads, would be of particular visual prominence in the streetscene.

6. The significant expanse and width of the development would not only damage the relationship between the appeal property and its twin, it would also result in an awkward juxtaposition with No 168, due to the extension’s height relative to No 168’s roof profile. I do not consider that the intended hip-end would temper what would be a difficult physical relationship between the two dwellings.

7. Further, in terms of general principles, house extensions should show a degree of subordination to the host dwelling, which is often demonstrated by the addition being recessed from the front building line and also, in relation to two-storey side extensions, that they be set down from the main ridgeline. Notwithstanding the symmetry issue in relation to its immediate neighbour and the resultant relationship with No 168, this unduly prominent extension would exacerbate such incongruity.

8. Although, as mentioned, there is no objection to the single-storey rear extension proposed as part of the scheme, due to the nature of the proposal, as shown on the submitted plan, the two elements are not severable. In illustration, the proposed dining room at the rear would open out into the side living room, which is part of the two-storey side addition. As such, on the basis of the plans before me, I am unable to grant planning permission for the rear extension by way of a split decision.

9. I conclude that the proposal would be harmful to the character and appearance of the surrounding area and would be in material conflict with the aims and requirements of Core Strategy Policy CP3, DPD Policy BP11 and relevant advice within the Council’s SPD.

10. For the above reasons, and having had regard to all matters raised, the appeal does not succeed.

Timothy C King

INSPECTOR
Appeal Decision

Site visit made on 11 October 2016

by Alex Hutson  MATP CMLI MArborA
an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21 October 2016

Appeal Ref: APP/Z5060/W/16/3153743
Land between 487 – 535a Rainham Road South, Dagenham RM10 7XJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Shapeup Investments Limited against the decision of the Council of the London Borough of Barking & Dagenham.
- The application Ref 16/00168/FUL, dated 4 February 2016, was refused by notice dated 8 June 2016.
- The development proposed is “Demolition of existing single storey brick building and the erection of a new 3 storey Brick and Block building, comprising 5 No 2 bedroom 2 Storey apartments, 2 No 1 bedroom apartments and 1 No 2 bedroom apartment and 1 No 3 bedroom apartment”.

Decision

1. The appeal is dismissed.

Preliminary matters

2. Both the appellant and the Council have confirmed that revised plans 3403_SK16L, 3403_SK17D and 3403_SK25B formed part of the original planning application and were considered by the Council in respect of it. I have therefore also considered the appeal having regard to these plans.

Main Issues

3. The main issues are:
   - The effect of the proposal on the character and appearance of the area;
   - The effect of the proposal on the living conditions of the occupiers of neighbouring properties along Durham Road with particular regard to outlook;
   - Whether the proposal would provide adequate living conditions for any future occupiers of Flats 8 and 9 with particular regard to internal space provision; and
   - Whether the proposal would encourage anti-social behaviour.
Reasons

Character and appearance

4. The appeal site, which fronts Rainham Road South, comprises a broadly rectangular plot of land currently in use for the sale of motor vehicles. Some single storey buildings associated with this use are located towards the rear boundary of the appeal site.

5. Buildings in the wider vicinity of the appeal site comprise a mix of uses, including residential and commercial, and a variety of architectural styles, including two and three storey terraces, some with shops at ground floor level, and three storey blocks of flats. Nevertheless, the appeal site is bound to the immediate north, south and west by two storey terraced buildings of a traditional character and appearance which provide its immediate and, in my view, its key context in the streetscape. In addition, despite the architectural variety in the wider vicinity, I observed that buildings are typically constructed of brick and display traditional pitched roof forms. This is also true of those to the immediate north, south and west of the appeal site. These features clearly form a strong and defining characteristic of the streetscape and area.

6. The proposal seeks to demolish the existing buildings and to introduce a contemporary, residential, three storey building onto the appeal site. It would have a flat roof to the front, with a mono pitched roof to the rear and would be constructed from a mix of brick and coloured cladding.

7. I acknowledge that contemporary design can, in some instances, provide a pleasant, modern contrast with buildings of a more traditional character and appearance. Nevertheless, the three storey height of the proposed building would appear considerably at odds with the two storey buildings that provide the immediate context to the appeal site. In addition, the flat roof would sit forward of the pitched roofs of the row of terraces to the south that it would adjoin and would fail to reflect the traditional roof form of other buildings within the streetscape and area. Furthermore, whilst the proposed brick work may reflect the prevailing use of building materials in the area, the coloured cladding would appear considerably out of keeping, given that this material is not reflective of the materials of other buildings in the vicinity of the appeal site.

8. Consequently, in this instance, I consider that the proposal would result in a visually intrusive and dominant building that would fail to respect the scale and rhythm of its surroundings. This would result in significant harm to the character and appearance of the streetscape and area.

9. I acknowledge that the appellant makes reference to a number of other contemporary buildings and buildings with flat roofs in support of their case. However, some of these examples are a considerable distance from the appeal site, some are non-residential buildings, some stand alone and some are located within a large business and technical park. In light of these factors, I do not consider that these examples could reasonably be said to share the same context as the appeal site and are not a helpful comparison to the proposal I am to consider as part of this appeal. In addition, each case should be considered on its own merits.
10. The proposal would therefore be contrary to Policy CP3- High Quality Built Environment, of the London Borough of Barking and Dagenham Core Strategy 2010 (Core Strategy); and Policy BP11- Urban Design, of the London Borough of Barking and Dagenham Borough Wide Development Policies Development Plan Document 2011 (DPDPD). These policies require, amongst other things, development to respect, strengthen, protect or enhance the character of an area. These policies are consistent with the broad aims and objectives of the National Planning Policy Framework (the Framework) that seek planning to take account of the different roles and character of different areas.

Living conditions- existing occupiers

11. The residential dwellings along Durham Road to the rear of the appeal site have short rear garden depths. Consequently, the low height of the existing buildings on the appeal site affords a reasonable level of outlook for the occupiers of these properties from any rear facing windows to habitable rooms and from the rear gardens of these properties.

12. The proposal would clearly introduce a change in the view for the occupiers of these properties. Nevertheless, the vertical rear elevation of the proposed building would be set back from the rear boundary of the appeal site by a considerable degree. In addition, the vertical rear elevation would rise to a modest height of approximately 4m after which, the mono pitched roof would slope away to the east. In light of factors, I do not consider that the proposal would be oppressive in any views obtained from the rear windows or rear gardens of dwellings along Durham Road and would not provide any overwhelming sense of enclosure for the occupiers of these dwellings. In addition, whilst I acknowledge the Council’s concern that the appearance of the rear elevation of the proposal would be monotonous and visually uninspiring, I do not consider that this matter alone would be sufficient to cause any material harm in respect of outlook. Therefore, whilst there would be a change in the view from the properties along Durham Road to the rear of the appeal site, the change would not, in my opinion, result in harm.

13. Moreover, whilst the Council makes reference to a previous appeal decision in respect of the appeal site where the Inspector in that case did find harm to outlook, that proposal was quite different, particularly with regard to the considerably closer proximity and height of proposed built form to the western boundary of the appeal site. I therefore do not consider that, in respect of this main issue, the proposal under that appeal is helpfully comparable to the proposal I am to consider under this appeal. In addition, whilst built form would encroach marginally closer at first and second floor level than the built form of a recently consented scheme on the appeal site, for the reasons given above, I do not consider that this additional encroachment would result in harm.

14. I therefore consider that the proposal would maintain the living conditions of the occupiers of neighbouring properties along Durham Road in respect of outlook. The proposal would therefore comply with Policy BP8- Protecting Residential Amenity, of the DPDPD, which requires, amongst other things, development to not lead to significant loss of outlook. This policy is consistent with the broad aims and objectives of the Framework that seek planning to

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1 Ref APP/Z5060/A/12/2184071
2 Ref 14/01418/FUL
secure a good standard of amenity for all existing occupants of land and buildings.

**Living conditions - future occupiers**

15. The submitted plan 3403_SK17D clearly sets out the intention for the provision of a single storey 2 bedroom/3 person flat with a gross internal floor area (GIA) of 63.1 square metres (sqm) and a single storey 3 bedroom/5 person flat with a GIA of 94.1sqm within the proposed development. This relates to proposed Flats 8 and 9 respectively where one bedroom in each of these flats is shown to contain a single bed.

16. The Government’s Technical Housing Standards - Nationally Described Space Standard (NDSS) sets out a minimum GIA requirement of 61 square metres (sqm) for a 2 bedroom/3 person flat and 86sqm for a 3 bedroom/5 person flat of a single storey. The GIA that would be provided for each of these flats would therefore exceed the minimum requirement of the NDSS.

17. It seems to me that the Council’s concerns with regard of this main issue are based on a superseded plan which showed all bedrooms within Flats 8 and 9 to contain double beds. In addition, I would also concur with the appellant that although the proposed single bedrooms would considerably exceed the NDSS floorspace requirement of 7.5sqm for single bedrooms, given their irregular shape, they would be best suited for the purposes of a single bedroom rather than a double bedroom.

18. On this basis, I am satisfied that the would proposal would provide adequate living conditions for any future occupiers of Flats 8 and 9 in respect of internal space provision. It would therefore comply with Policy 3.5 - Quality and Design of Housing developments, of the Housing Standards - Minor Alterations to the London Plan March 2016. This policy requires, amongst other things, development to reflect the standards of the NDSS. The proposal would also comply with the broad aims and objectives of the Framework that seek planning to secure a good standard of amenity for all future occupants of land and buildings.

**Anti-social behaviour**

19. The Council has cited a reason for refusal on the basis that the uncontrolled nature of the proposed parking area would generate anti-social behaviour, given that there would be no barrier to protect it. Nevertheless, the submitted plans 3403_SK16L, 3403_SK17D and 3403_SK25B clearly identify that an automatic roller shutter would be installed at the entrance to the car parking area. As such, I consider that this feature would provide protection to this space and would prevent it from being a magnet for anti-social behaviour given that it would likely only allow any of the residents of the proposal to use it.

20. I therefore find no conflict with Policy BC7 - Crime Prevention, of the DPDPD, which requires, amongst other things, development to reduce the opportunity for crime, to minimise the fear of crime and to create a safer and more secure environment. This policy is consistent with the broad aims and objectives of the Framework that seek planning to achieve a safe environment where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.
Other matters

21. The Council does not specify highway safety as a reason for refusal on their decision notice but does raise a concern in this regard within their officer’s report and appeal statement. A bus stop is located to the front of the appeal site and Dagenham East underground station is located within a reasonable walking distance along Rainham Road South to the south of the appeal site. These two factors are likely to substantially increase the level of pedestrian footfall in the vicinity of the appeal site. Whilst I acknowledge that there is already a dropped kerb at the access point to the proposed car parking area, I share the Council’s concern that any vehicle waiting for the proposed automatic roller shutter to open on entry to it, would be required to wait on the pavement and would thereby obstruct pedestrian movement along this part of Rainham Road South.

22. This could realistically result in pedestrians walking on to the road to manoeuvre around any waiting vehicle. Given the likely high level of footfall along this part of Rainham Road South, the close proximity to buses manoeuvring into and out of the bus stop and the general busy nature of the road, I consider that this would have a considerable detrimental effect on highway safety. This would conflict with the broad aims and objectives of the Framework that require development to provide safe and suitable access to the site for all people. This lends substantial weight to my decision to dismiss the appeal. My view on this matter would stand, even if the dimensions of the car parking spaces can be scale accurately.

23. I acknowledge that the Council and a number of third parties have raised a concern relating to the overshadowing of rear gardens along Durham Road. Some third parties have also raised a concern in respect of privacy. Nevertheless, overshadowing and privacy matters did not form one of the Council’s reasons for refusal. In addition, given the considerable setback of the proposed building from these gardens and the proposed mono pitched roof form to the rear elevation, I consider that it is unlikely that a harmful level of overshadowing to these gardens would arise. Moreover, in respect of the previous abovementioned appeal decision, the Inspector in that case did not consider overshadowing to have a significant impact, despite the closer proximity and height of the proposed built form to the western boundary of the appeal site. With regard to privacy, the rear facing upper floor windows of the proposed building would be at a high level and at an oblique angle that would minimise any opportunities for overlooking.

24. The appellant claims that the proposal would ensure economic viability when compared with the consented scheme in respect of the appeal site. Nevertheless, I have not been provided with any viability assessment to demonstrate the consented scheme to be unviable in economic terms. I therefore afford very limited weight to this matter.

25. I acknowledge that the proposal would occupy a location with a good level of access to local services and facilities. It would also make a modest contribution to the economy through Council Tax payments and short-term construction jobs. I have no doubt that the proposal would incorporate sustainable construction and energy efficiency measures. I also recognise the benefit of reusing previously developed land and the contribution, albeit a modest contribution, that the proposal would make to housing supply in the
Borough. Nevertheless, I consider that the harm I have identified would significantly and demonstrably outweigh these benefits.

**Conclusion**

26. Whilst I have not found harm in respect of living conditions and anti-social behaviour, I have found harm to the character and appearance of the area. I have also found that the proposal would have a harmful impact on highway safety. The harm so caused would be significant and would clearly and demonstrably outweigh any benefits.

27. Consequently, for the reasons set out above and having regard to all other matters, I conclude that the appeal should be dismissed.

*Alex Hutson*

INSPECTOR
Appeal Decision

Site visit made on 4 October 2016

by H Baugh-Jones BA(Hons) DipLA MA CMLI
an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17th October 2016

Appeal Ref: APP/Z5060/W/16/3154617
Quayside House, 13 Town Key Wharf, Abbey Road, Barking, Essex IG11 7BZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Class O of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO).
- The appeal is made by Mr Waseem Ahmed against the decision of the Council of the London Borough of Barking & Dagenham.
- The application Ref 16/00407/PRIOFF, dated 15 March 2016, was refused by notice dated 6 May 2016.
- The development proposed is Prior Approval of proposed change of use of the ground to third floor inclusive, from Use Class B1 (Offices) to Use Class C3 (Residential).

Decision

1. The appeal is dismissed.

Procedural matters

2. The written evidence and my observations on site inform me that the scheme for which approval is sought, has been completed. I have considered the appeal on that basis. I note that the Council validated the application but this has no bearing on my consideration of the appeal.

Main Issue

3. The main issue in this appeal is whether the notification complies with the provisions of the GPDO for a change of use from office (Use Class B1(a)) to a residential unit (Use Class C3).

Reasons

Background

4. The appeal is made following the refusal of an application of notification for 'prior approval' for the change of use and conversion of an office building, forming part of the Town Quay Wharf development, into residential use. The scheme comprises a total of 24 dwellings ranging from studio flats to one and two bedroom flats.

5. The appellant argues that the proposal does not give rise to any unacceptable effects relating to transport and highways; contamination risks; flooding risks; and noise. This is because the Council granted prior approval for a different but
nonetheless wholly residential scheme in February 2015. I have no reason to disagree.

6. However, Class O of the GPDO contains a provision that an application should be made to the local planning authority for a determination as to whether prior approval is required before beginning the development. As I have already mentioned and as the parties point out, the development has been completed and I was able to verify this at my site visit.

7. I accept that the principle of the appeal scheme (i.e. a change of use from B1(a) to C3) is the same for which prior approval was granted previously. However, the current proposal is materially different to the previous one, involving an increase in the number dwellings. It cannot be, therefore, that the grant of prior approval for one scheme can be transferred to another simply because the principle of the change of use is the same. Therefore, given the circumstances, in my view, prior approval cannot be granted under the provisions of the GPDO.

8. The appellant has also drawn my attention to a scheme granted on appeal (ref: APP/R5510/A/14/2227533). In that case, the Inspector was required to determine whether, in addition to the transport and highways effects of the scheme, that the formal prior approval procedure had been complied with. In particular, I note that the scheme involved a change of use of three separate buildings and that the Inspector concluded that the Council’s contention in respect of Class J of the (1995) GPDO had no merit in practice. This is an entirely different situation to that before me; notably that the development has been completed. I cannot, therefore, draw any meaningful comparison between that appeal scheme and the proposal before me.

Conclusion

9. For the above reasons and having had regard to all other matters raised, the appeal does not succeed.

Hayden Baugh-Jones

Inspector
## LONDON BOROUGH OF BARKING AND DAGENHAM
**REGENERATION AND ECONOMIC DEVELOPMENT**
**DEVELOPMENT CONTROL BOARD**
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<td>16/00867/ FUL</td>
<td>Application Permitted on 1 August 2016</td>
<td>Mr R Kumar</td>
<td>Erection of single storey rear extension and alterations to garage involving raising height of roof and formation of door and window openings. 74 Shirley Gardens Barking Essex IG11 9XA</td>
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<td>16/00974/ PRIOR6</td>
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<td>16/00979/ PRIOR6</td>
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<td>Application for prior approval of proposed single storey rear extension (depth: 6.0 metres; height to eaves: 2.6 metres and maximum height: 3.05 metres). 11 The Gables Tanner Street Barking Essex IG11 8PS</td>
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<td>Mr M K Hussini</td>
<td>Conversion of house into one 2 bedroom and 1 three bedroom flats. 31 Aldersey Gardens Barking Essex IG11 9UG</td>
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<td>16/00963/ PRIOR6</td>
<td>Prior approval required and permission refused on 2 August 2016</td>
<td>Mr J Miah</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 6.0 metres; height to eaves and maximum height: 3.0 metres). 83 Melford Avenue Barking Essex IG11 9HS</td>
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<td>16/00992/ PRIOR6</td>
<td>Prior approval required and permission refused on 3 August 2016</td>
<td>Mr B R Lawson Daku</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 6.0 metres; height to eaves: 3.0 metres and maximum height: 3.8 metres). 117 Lichfield Road Dagenham Essex RM8 2AX</td>
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<td>16/00820/ FUL</td>
<td>Application Permitted on 4 August 2016</td>
<td>Mr M Ali</td>
<td>Erection of first floor rear extension. 82 Gay Gardens Dagenham Essex RM10 7TD</td>
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<td>16/00839/ FUL</td>
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<td>Erection of single storey side extension. 114 Becontree Avenue Dagenham Essex RM8 2AU</td>
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<td>Erection of part single/part two storey rear extension. 260 Goresbrook Road Dagenham Essex RM9 6XU</td>
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<td>Mr &amp; Mrs Mossobir</td>
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<td>16/00873/CLU_P</td>
<td>Certificate issued on 5 August 2016</td>
<td>Mr A Alim</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of part gable end roof, rear dormer window and front rooflights and erection of single storey side extension. 17 Mayesbrook Road Dagenham Essex RM8 2EA</td>
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<td>16/00887/CLU_P</td>
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<td>Mr W Ali</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of gable end roof, rear dormer window and front rooflights and erection of single storey side extension. 12 Adelaide Gardens Chadwell Heath Romford Essex RM6 6SS</td>
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<td>Mr M Rama</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of gable end roof, rear dormer window and front rooflights. 59 School Road Dagenham Essex RM10 9QB</td>
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<td>Application Permitted on 5 August 2016</td>
<td>Mr M Rama</td>
<td>Erection of first floor rear extension. 59 School Road Dagenham Essex RM10 9QB</td>
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<td>16/00731/ FUL</td>
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<td>Mr D Topalli</td>
<td>Construction of rear dormer window. Aria 31 Longbridge Road Barking Essex IG11 8TN</td>
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<tr>
<td>16/00750/ FUL</td>
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<td>Erection of extensions to restaurant. KFC Unit 6 Merrielands Retail Park Merrielands Crescent Dagenham Essex RM9 6SJ</td>
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<td>16/00845/ FUL</td>
<td>FUL</td>
<td>Mrs D Patel</td>
<td>Erection of two storey 2 bedroom house. 12 Sterry Road Barking Essex IG11 9SJ</td>
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<td>16/00880/ FUL</td>
<td>FUL</td>
<td>Mr A Cahani</td>
<td>Construction of front dormer window. 78 Keir Hardie Way Barking Essex IG11 9NY</td>
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<td>16/00900/CLU_P</td>
<td>Certificate issued on 8 August 2016</td>
<td>Mr M Uddin</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of rear dormer window and front rooflights. 5 Wood Lane Dagenham Essex RM8 3ND</td>
<td>Parsloes</td>
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<tr>
<td>16/00902/CLU_P</td>
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<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving, construction of rear dormer window and front rooflights. 130 Wilmington Gardens Barking Essex IG11 9TU</td>
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<td>16/00911/FUL</td>
<td>Application Permitted on 8 August 2016</td>
<td>Mr Hanif</td>
<td>Erection of single storey rear/side extension. 509 Whalebone Lane North Romford Essex RM6 5QX</td>
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<td>16/00912/FUL</td>
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<td>Mr G Shungafor Shu &amp; Mrs B Shu Born Che</td>
<td>Erection of first floor rear extension and associated roof and window alterations. 123 Crescent Road Dagenham Essex RM10 7HS</td>
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<tr>
<td>16/01001/PRIOR6</td>
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<td>Ms O Nwadeli-Obi</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 5.0 metres; height to eaves and maximum height: 2.95 metres). 16 Arden Crescent Dagenham Essex RM9 6TL</td>
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<tr>
<td>16/01029/PRIOR6</td>
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<td>Mr Rai</td>
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<td>16/01109/CDN</td>
<td>Application Permitted on 8 August 2016</td>
<td>Touchstone Archaeology</td>
<td>Application for approval of details reserved by condition 7 (archaeology) in respect of planning permission 15/01778/FUL. Land At Front Of 1 -29 Webber House North Street Barking Essex</td>
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<td>Shaddoth Miah</td>
<td>Application for non-material amendment following grant of planning permission 15/01482/FUL (increase depth of rear extension by 600mm). 2 Studley Road Dagenham Essex RM9 6BE</td>
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<td>Ambe Properties Ltd</td>
<td>Erection of front porch and two rear dormer windows in connection with subdivision of house into 2 three bedroom houses. 21 Hurstbourne Gardens Barking Essex IG11 9UY</td>
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<tr>
<td>16/00901/FUL</td>
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<td>Mr K Stokely</td>
<td>Erection of first floor side extension, conversion of garage to habitable accommodation and loft conversion involving installation of front and rear rooflights. 95 Beccles Drive Barking Essex IG11 9HY</td>
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<tr>
<td>16/00969/PRIRET</td>
<td>Prior approval not required on 9 August 2016</td>
<td>Liberty Property Developments Ltd</td>
<td>Application for prior approval: Notification of a proposed change of use of part of ground floor from Class A1 retail unit to Class C3 dwellinghouse use (1 two bedroom flat). 183 Broad Street Dagenham Essex RM10 9JD</td>
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<td>Mrs H K Mudhar</td>
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<td>16/01036/PRIOR6</td>
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<td>Ms M Rahman</td>
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<td>Arvus Land Developments Ltd</td>
<td>Remodelling of existing fairways and driving range (application accompanied by an Environmental Statement). Crowlands Heath Golf Course Wood Lane Dagenham Essex RM8 1JX</td>
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<td>Mr O Singh</td>
<td>Erection of outbuilding in rear garden to provide non self-contained accommodation for family members. 204 Wood Lane Dagenham Essex RM9 5ST</td>
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<td>16/01051/ PRIOR6</td>
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<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of rear dormer windows and front rooflights. 54 Fanshawe Avenue Barking Essex IG11 8RG</td>
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<td>Miss I Sharif</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of rear dormer window. 11 The Gables Tanner Street Barking Essex IG11 8PS</td>
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### LONDON BOROUGH OF BARKING AND DAGENHAM
#### REGENERATION AND ECONOMIC DEVELOPMENT
#### DEVELOPMENT CONTROL BOARD
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<tbody>
<tr>
<td>16/00990/ FUL</td>
<td>Application Permitted on 12 August 2016</td>
<td>Ms B Afriyie</td>
<td>Erection of single storey rear extension. 138 Lillechurch Road Dagenham Essex RM8 2BZ</td>
<td>Mayesbrook</td>
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<tr>
<td>16/01064/ PRIOR6</td>
<td>Prior approval not required on 12 August 2016</td>
<td>Mr N Islam</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 5.0 metres; height to eaves: 2.8 metres and maximum height: 2.9 metres). 234 Westrow Drive Barking Essex IG11 9BT</td>
<td>Longbridge</td>
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<tr>
<td>16/01067/ PRIOR6</td>
<td>Prior approval not required on 12 August 2016</td>
<td>Mr N Nachev</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 4.5 metres; height to eaves: 3.0 metres and maximum height: 4.0 metres). 52 Parsloes Avenue Dagenham Essex RM9 5NU</td>
<td>Alibon</td>
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<tr>
<td>16/00782/ CDN</td>
<td>Application Permitted on 15 August 2016</td>
<td>Zeeshan Investments Ltd</td>
<td>Application for approval of details reserved by conditions 3 (glazing and ventilation) and 4 (access control) in respect of Planning Inspectorate appeal decision reference APP/Z5060/W/15/3134979. Barking Magistrates Court 44 - 48 East Street Barking Essex</td>
<td>Abbey</td>
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<tr>
<td>16/00817/ FUL</td>
<td>Application Permitted on 15 August 2016</td>
<td>Mrs B Kaur</td>
<td>Erection of single storey side and rear extensions. 6 Stanhope Gardens Dagenham Essex RM8 3DL</td>
<td>Heath</td>
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**15 August 2016**
## London Borough of Barking and Dagenham Regeneration and Economic Development
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<tr>
<td>16/01073/PRIOR6</td>
<td>PRIOR6</td>
<td>Mr A Frooq</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 6.0 metres; height to eaves:</td>
<td>Becontree</td>
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<td></td>
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<td>2.7 metres and maximum height: 3.0 metres). 162 Campden Crescent Dagenham Essex RM8 2SL</td>
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<tr>
<td>16/01078/PRIOR6</td>
<td>PRIOR6</td>
<td>Mr A Ahmed</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 4.0 metres; height to eaves:</td>
<td>Thames</td>
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<td>2.62 metres and maximum height: 3.0 metres). 42 Scrattons Terrace Barking Essex IG11 0UB</td>
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<tr>
<td>16/01081/PRIOR6</td>
<td>PRIOR6</td>
<td>Mr T Ali</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 6.0 metres; height to eaves:</td>
<td>Whalebone</td>
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<td>2.9 metres and maximum height: 3.0 metres). 174 Grafton Road Dagenham Essex RM8 1QP</td>
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### 16 August 2016

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<tr>
<td>16/00563/CDN</td>
<td>CDN</td>
<td>LBBD - Schools &amp; Children's Services</td>
<td>Application for approval of details reserved by conditions 3 (external materials), 5 (hard landscaping), 7 (construction management plan), 8 (local labour), 9 (tree protection) and 10 (root protection) in respect of planning permission 15/01149/FUL. Robert Clack Comprehensive School Annex Green Lane Dagenham Essex RM8 1AL</td>
<td>Whalebone</td>
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LONDON BOROUGH OF BARKING AND DAGENHAM
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<tr>
<td>16/00945/ FUL</td>
<td>Permitted on 16 August 2016</td>
<td>Mr N Ditta</td>
<td>Use of shop as mini-cab office. 19B Longbridge Road Barking Essex IG11 8TN</td>
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<tr>
<td>16/00993/ CDN</td>
<td>Permitted on 16 August 2016</td>
<td>Mulalley And Company Ltd</td>
<td>Application for approval of details reserved by condition 9 (surface water drainage) in respect of planning permission 15/01778/FUL. Land At Front Of 1 -29 Webber House North Street Barking Essex</td>
<td>Abbey</td>
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<tr>
<td>16/00847/ CLU_P</td>
<td>Certificate issued on 17 August 2016</td>
<td>Mr N Haque</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of gable end roof, rear dormer window and front rooflights. 37 Shirley Gardens Barking Essex IG11 9UZ</td>
<td>Longbridge</td>
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<tr>
<td>16/00932/ FUL</td>
<td>Permitted on 17 August 2016</td>
<td>Mr P Penev</td>
<td>Erection of part single/part two storey side extension and single storey front extension to provide ‘granny annexe’ on ground floor and loft conversion involving construction of rear dormer window. 11 Alibon Road Dagenham Essex RM9 5QU</td>
<td>Alibon</td>
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<tr>
<td>16/00950/ FUL</td>
<td>Permitted on 17 August 2016</td>
<td>Mr N Vasile</td>
<td>Erection of first floor rear extension. 113 Hunters Hall Road Dagenham Essex RM10 8LH</td>
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<tr>
<td>Application Reference</td>
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<td>16/00952/ FUL</td>
<td>Application Permitted on 17 August 2016</td>
<td>LBBD - Roding Primary School</td>
<td>Installation of 2 canopies within playground. Roding Primary School Cannington Road Dagenham Essex RM9 4BL</td>
<td>Mayesbrook</td>
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<tr>
<td>16/00953/ FUL</td>
<td>Application Permitted on 17 August 2016</td>
<td>Mr O Ajiga</td>
<td>Erection of single storey front and rear extensions and two storey side extension. 12 Lake Road Romford Essex RM6 5BP</td>
<td>Chadwell Heath</td>
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<tr>
<td>16/00956/ FUL</td>
<td>Application Permitted on 17 August 2016</td>
<td>Mr A Gill</td>
<td>Erection of single storey rear extension. 9 Strathfield Gardens Barking Essex IG11 9UJ</td>
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<tr>
<td>16/00957/ CLU_P</td>
<td>Certificate issued on 17 August 2016</td>
<td>Mrs A Ras</td>
<td>Application for a certificate of lawfulness for a proposed development: Erection of single storey rear extension. 30 Stamford Road Dagenham Essex RM9 4HA</td>
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<tr>
<td>16/00977/ FUL</td>
<td>Application Permitted on 17 August 2016</td>
<td>Mr R Oliver</td>
<td>Erection of outbuilding. 64 Woodbridge Road Barking Essex IG11 9ES</td>
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<tr>
<td>16/01058/ CLU_P</td>
<td>Certificate issued on 17 August 2016</td>
<td>Mr D Palozov</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of rear dormer window and front rooflight. 388 Becontree Avenue Dagenham Essex RM8 3UD</td>
<td>Valence</td>
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<td>16/01082/PRIOR6</td>
<td>Prior approval not required on 17 August 2016</td>
<td>Mr &amp; Mrs P Deritter</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 6.0 metres; height to eaves: 2.8 metres and maximum height: 3.6 metres). 160 Westrow Drive Barking Essex IG11 9BP</td>
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<tr>
<td>16/01083/PRIOR6</td>
<td>Prior approval not required on 17 August 2016</td>
<td>Mr M Raila</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 6.0 metres; height to eaves and maximum height: 3.0 metres). 30 Henshawe Road Dagenham Essex RM8 3AU</td>
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<tr>
<td>16/01256/NMA</td>
<td>Application Permitted on 17 August 2016</td>
<td>LBBD - Children's Services</td>
<td>Application for non-material amendment following grant of planning permission Ref: 15/00106/FUL (relating to construction of an all-through school (Riverside School) on part of Plot 1.21 (District Centre within Stage 2)) - Changes to site levels. Barking Riverside Area Renwick Road Barking Essex</td>
<td>Thames</td>
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**18 August 2016**

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<td>16/00964/CLU_P</td>
<td>Certificate issued on 18 August 2016</td>
<td>Mr E Lleshi</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of rear dormer window and front rooflights. 38 Julia Gardens Barking Essex IG11 0UJ</td>
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<td>16/00965/ FUL</td>
<td>Application refused on 18 August 2016</td>
<td>Mr E Lleshi</td>
<td>Erection of two storey front extension. 38 Julia Gardens Barking Essex IG11 0UJ</td>
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<td>16/00984/ CLU_P</td>
<td>Certificate issued on 18 August 2016</td>
<td>Mr J Benning</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of rear dormer window and erection of single storey rear extension. 2 Freshwater Road Dagenham Essex RM8 1SP</td>
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<tr>
<td>16/01098/ PRIOR6</td>
<td>Prior approval not required on 18 August 2016</td>
<td>Mr M E Miah</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 6.0 metres, eaves height and maximum height: 3.0 metres). 27 Clare Gardens Barking Essex IG11 9JH</td>
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<td>16/00706/ FUL</td>
<td>Application Permitted on 19 August 2016</td>
<td>Mr G Vintu</td>
<td>Erection of single storey rear extension, two storey side/rear extension, front porch and garage in rear garden. 156 School Road Dagenham Essex RM10 9QL</td>
<td>River</td>
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<tr>
<td>16/00727/ FUL</td>
<td>Application refused on 18 August 2016</td>
<td>Mr G LePort</td>
<td>Erection of two bedroom bungalow in garden. 44 Rugby Gardens Dagenham Essex RM9 4BA</td>
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<td>16/00828/ FUL</td>
<td>Application Permitted on 19 August 2016</td>
<td>Mr S Kumar</td>
<td>Erection of two storey rear extension. 137 Second Avenue Dagenham Essex RM10 9EA</td>
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<tr>
<td>16/009999/ PRIOFF</td>
<td>Prior approval required on 19 August 2016</td>
<td>Borough Junction</td>
<td>Application for prior approval: Notification of a proposed change of use of ground to second floor offices to 3 dwellings (3 two bedroom flats). 9 Town Quay Wharf Abbey Road Barking Essex IG11 7BZ</td>
<td>Gascoigne</td>
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<tr>
<td>16/01111/ PRIOR6</td>
<td>Prior approval required and permission refused on 19 August 2016</td>
<td>Mr M Deda</td>
<td>Application for prior approval of proposed extension (depth: 6.0 metres; height to eaves and maximum height: 2.9 metres). 49 Ilchester Road Dagenham Essex RM8 2YT</td>
<td>Mayesbrook</td>
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<tr>
<td>16/01140/ PRIOR6</td>
<td>Prior approval required and permission refused on 19 August 2016</td>
<td>Mr P Kulendran</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 5.0 metres; height to eaves: 2.9 metres and maximum height: 3.0 metres). 19 Sunningdale Avenue Barking Essex IG11 7QF</td>
<td>Abbey</td>
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<tr>
<td>16/00763/ PRIOR6</td>
<td>Prior approval required and permission refused on 19 August 2016</td>
<td>Mr M Ehsan</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 4.0 metres, eaves height and maximum height: 3.0 metres). 64 Netherfield Gardens Barking Essex IG11 9TN</td>
<td>Abbey</td>
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<tr>
<td>14/00963/ FUL</td>
<td>Application Refused on 22 August 2016</td>
<td>R.C.C.G.</td>
<td>Continuance of use of industrial unit as place of worship and community centre. Unit 4 Sterling Industrial Estate Rainham Road South Dagenham Essex RM10 8XE</td>
<td>Eastbrook</td>
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<tr>
<td>16/00756/ FUL</td>
<td>Application Permitted on 22 August 2016</td>
<td>Mrs Ahmed</td>
<td>Erection of single storey rear extension. 51 Cecil Avenue Barking Essex IG11 9TE</td>
<td>Abbey</td>
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<tr>
<td>16/00819/ FUL</td>
<td>Application Refused on 22 August 2016</td>
<td>Mr R Schwartz</td>
<td>Change of use of first and second floors from ancillary shop storage to 1 x 8 bedroom flat including erection of first and second floor rear extensions and alterations to form mansard roof. 21 Station Parade Barking Essex IG11 8ED</td>
<td>Abbey</td>
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<tr>
<td>16/00846/ FUL</td>
<td>Application Permitted on 22 August 2016</td>
<td>Mr N Haque</td>
<td>Erection of part single/part two storey rear extension. 37 Shirley Gardens Barking Essex IG11 9UZ</td>
<td>Longbridge</td>
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<tr>
<td>16/00955/ FUL</td>
<td>Application Permitted on 22 August 2016</td>
<td>Mr B Rogers</td>
<td>Raising of roof over side bay and erection of front extension. 4 Thames Road Barking Essex IG11 0JF</td>
<td>Thames</td>
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<tr>
<td>16/01032/ CDN</td>
<td>Application Permitted on 22 August 2016</td>
<td>Estates &amp; Agency Properties Limited</td>
<td>Application for approval of details reserved by conditions 7 (piling risk assessment), 10 (investigation and risk assessment), 11 (remediation scheme) in respect of planning permission 13/00852/FUL. Abbey Retail Park Abbey Road Barking Essex</td>
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<td>16/01101/ PRIOR6</td>
<td>Prior approval required and permission refused on 22 August 2016</td>
<td>Mr N Afzal</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 5.0 metres; height to eaves: 2.6 metres and maximum height: 3.35 metres). 33 Standfield Road Dagenham Essex RM10 8JP</td>
<td>Alibon</td>
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<tr>
<td>16/01141/ CDN</td>
<td>Application Permitted on 22 August 2016</td>
<td>Kier Construction</td>
<td>Application for approval of details reserved by condition 24 (scheme of highway works) in respect of planning permission 15/00638/FUL. Building D75 Aventis Pharma Rainham Road South Dagenham Essex RM10 7XS</td>
<td>Eastbrook</td>
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<tr>
<td>16/00050/ CDN</td>
<td>Application Permitted on 23 August 2016</td>
<td>Mr A Odutola</td>
<td>Application for approval of details reserved by conditions 3 (external materials), 4 (hard landscaping), 5 (soft landscaping), 8 (boundary treatment), 10 (acoustic protection), 11 (site investigation), 17 (cycle parking), 18 (HS1 stockpile heights), 19 (HS1 foundation design), 20 (HS1 plant and equipment) and 21 (site levels) in respect of planning permission 14/01097/FUL. Land Adjacent To 25 - 27 Eldred Road Barking Essex</td>
<td>Gascoigne</td>
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<tr>
<td>16/00524/ CLU_E</td>
<td>Certificate issued on 23 August 2016</td>
<td>Mr I Ullah</td>
<td>Application for a certificate of lawfulness for an existing use: Use of part of house as self-contained dwelling. 8A Gordon Road Chadwell Heath Romford Essex RM6 6DD</td>
<td>Whalebone</td>
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<td>16/00914/CLU_P</td>
<td>Certificate issued on 23 August 2016</td>
<td>Mr F Ahmed</td>
<td>Application for a certificate of lawfulness for a proposed development: Erection of single storey rear extension. 78 Gay Gardens Dagenham Essex RM10 7TD</td>
<td>Eastbrook</td>
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<tr>
<td>16/00961/CDN</td>
<td>Application Permitted on 23 August 2016</td>
<td>Mr A Patel</td>
<td>Application for approval of details reserved by conditions 3 (external materials), 4 (boundary treatment), and 5 (hard landscaping) in respect of planning permission 13/00179/FUL. 929 Green Lane Dagenham Essex RM8 1DJ</td>
<td>Whalebone</td>
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<tr>
<td>16/00987/FUL</td>
<td>Application Permitted on 23 August 2016</td>
<td>Mr P Hicks</td>
<td>Installation of access ramp with handrails to front of house. 10 Cadiz Road Dagenham Essex RM10 8XL</td>
<td>Village</td>
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<tr>
<td>16/01103/PRIOR6</td>
<td>Prior approval not required on 23 August 2016</td>
<td>Mr T Khan</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 5.0 metres; height to eaves: 2.7 metres and maximum height: 2.9 metres). 8 Studley Road Dagenham Essex RM9 6BE</td>
<td>Goresbrook</td>
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<tr>
<td>16/01105/PRIOR6</td>
<td>Prior approval required and permission refused on 23 August 2016</td>
<td>Mr M F Sethi</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 6.0 metres; height to eaves: 2.9 metres and maximum height: 4.0 metres). 119 Wilmington Gardens Barking Essex IG11 9TR</td>
<td>Abbey</td>
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### Regeneration and Economic Development

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<tr>
<td>16/01117/PRIOR6</td>
<td>Prior approval not required on 23 August 2016</td>
<td>Mr L Macaud</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 3.6 metres; height to eaves: 2.8 metres and maximum height: 3.0 metres). 136 Whitebarn Lane Dagenham Essex RM10 9LR</td>
<td>River</td>
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<tr>
<td>16/00913/CDN</td>
<td>Application Permitted on 24 August 2016</td>
<td>Mr L Verduyn</td>
<td>Application for approval of details reserved by condition 4 (rainwater guttering details) in respect of planning permission 16/00080/FUL. 6 Cecil Avenue Barking Essex IG11 9TA</td>
<td>Abbey</td>
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<tr>
<td>16/01000/FUL</td>
<td>Application Permitted on 24 August 2016</td>
<td>Mr Shahzad</td>
<td>Erection of rear conservatory. 63 Alibon Road Dagenham Essex RM10 8BY</td>
<td>Alibon</td>
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<tr>
<td>16/01005/FUL</td>
<td>Application Permitted on 24 August 2016</td>
<td>Mr R Dreher</td>
<td>Erection of single storey rear/side extension. 87 Heathway Dagenham Essex RM9 6AY</td>
<td>Goresbrook</td>
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<tr>
<td>16/01006/CDN</td>
<td>Application Permitted on 24 August 2016</td>
<td>Estates &amp; Agency Properties Limited</td>
<td>Application for approval of details reserved by condition 4 (hard landscaping) in respect of planning permission 13/00852/FUL. Abbey Retail Park Abbey Road Barking Essex</td>
<td>Gascoigne</td>
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<tr>
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<td>Application Permitted on 24 August 2016</td>
<td>Mr L Verduyn</td>
<td>Application for approval of details reserved by condition 4 (rainwater guttering details) in respect of planning permission 16/00080/FUL. 6 Cecil Avenue Barking Essex IG11 9TA</td>
<td>Abbey</td>
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<tr>
<td>16/01000/FUL</td>
<td>Application Permitted on 24 August 2016</td>
<td>Mr Shahzad</td>
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