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 hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The Scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

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

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 Policies Development Plan Document.

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 Design publication “Lighting Against Crime – A Guide for Crime Reduction Professionals”, ACPO SPD, January 2011. The design shall satisfy criteria to limit obtrusive light presented in Table 1, p25 of the guide, relating to Environmental Zone E3 – medium district brightness areas. The development shall not be occupied until the approved scheme has been installed. Thereafter the approved measures shall be permanently retained.

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

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.
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. 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.
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 DPD (March 2011).
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.