Reason for Referral to DCB as set out in Part 2, Chapter 9 of the Council Constitution:
The application has been submitted by a Councillor.

Address: 102 North Street, Barking

Development: Use of office building as tuition centre

Applicant: Mr Mohammad Miah

Summary:
The application site is a 2 storey detached building located on the eastern side of North Street, Barking. The application seeks permission for a proposed change of use from office accommodation (Class B1) to a tuition centre (Class D1).

The proposed tuition centre will offer private tuition to students from age 5 years to 18 years (Year 1 to A Level). It is stated that the centre would offer 8 hours free education per month to students. The proposed facility also seeks to offer free online assessment tests for Year 2 and Year 6 SAT exam practice, and learning material for GCSE and A Level exam practice. The opening hours will be between 9.00am – 9.00pm Monday to Sunday. No car parking is provided within the site for staff or visitors.

The building has been vacant since 2015 and previously comprised the constituency office for Margaret Hodge. The premises are small providing a gross internal floor space of approximately 82sqm. Such a small office has only limited commercial appeal. It is considered that the proposed development would contribute to the wider regeneration initiatives of the Borough by providing social infrastructure, addressing qualification levels and providing accessible education opportunities for local young people.

The application site has a Public Transport Accessibility Level (PTAL) rating of 6a on a scale of 1-6 (where 6 is excellent). The premises are located within close proximity to Barking Town Centre and within easy reach of bus and tube networks. Accordingly, the proposed development is considered to be suitably sited for access by foot, bicycle or public transport. As such the lack of car parking for staff and visitors is considered to be acceptable.

The proposed development would result in a beneficial community facility that will contribute towards educating young people ultimately helping them into jobs and reducing unemployment rates. The beneficial nature of the development for the local community is considered to outweigh the loss of office space in this case.

Recommendation:
That the Development Control Board grant planning permission subject to the following conditions:
1) The development permitted shall be begun before the expiration of three years from the date of this permission.

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

2) The premises shall be used as a tuition centre; and for no other purpose (including any other purpose in Class D1; of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

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

| Contact Officer | Title: Development Management Officer | Contact Details: Tel: 020 8227 3067 E-mail: Ian.Drew@lbld.gov.uk |

1. **Introduction and Description of Development**

1.1 The application site is a 2 storey detached building located on the eastern side of North Street, Barking close to the junction with Gurdwara Way. The site is adjoined to the east and north by Northbury Primary School. The application seeks permission for a proposed change of use from office accommodation (Class B1) to a tuition centre (Class D1).

1.2 The proposed tuition centre will offer private tuition to students from age 5 years to 18 years (Year 1 to A Level). It is stated that the centre would offer 8 hours free education per month to students. The proposed facility also seeks to offer free online assessment tests for Year 2 and Year 6 SAT exam practice, and learning material for GCSE and A Level exam practice. The opening hours will be between 9.00am – 9.00pm Monday to Sunday. No car parking is provided within the site for staff or visitors.

2. **Background**

2.1 No relevant planning history

3. **Consultations**

3.1 9 Neighbouring occupiers were consulted. No responses were received.

3.2 **Transport Development Management Team**

The current Public Transport Accessibility Level (PTAL) rating has been determined at a level 6a, on a scale of 1 to 6 where 6 is excellent.

There is no dedicated drop-off/pick-up area at this location which can be used by parents in a vehicle without impeding traffic free flow. However, we believe this location is workable if parents are discouraged to drive to the tuition centre; and in
case of necessity where driving is unavoidable, they should be advised to use the London Road multi-storey car park.

The above is to mitigate against illegal/inconsiderate parking thereby causing inconvenience to nearby residents. Subject to the above, we have no objections.

4. Local Finance Considerations

4.1 The scheme is exempt from the Mayoral and Local Community Infrastructure Levy.

5. Analysis

5.1 Policy BE5 of the Borough Wide Development Policies DPD states that any loss of office space (whether in use or vacant) will only be considered acceptable if all of the following criteria are met:

5.2 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;

5.3 The building has been vacant since 2015, the premises is small providing a gross internal floor space of approximately 82sqm. Such a small office has only limited commercial appeal, such buildings traditionally attract only small/start up businesses, with prospective tenants often unable to provide evidence that they can meet the financial criteria required.

5.4 The alternative scheme will contribute significantly to wider regeneration initiatives;

5.5 The Borough’s Core Strategy sets out, amongst other things, the strategic objectives for Borough. It is considered that the proposed development would contribute to the wider regeneration initiatives of the Council by helping to achieve strategic objectives SO.2 and SO.5 which state:

SO.2 – Ensuring development and growth helps to reduce inequalities and promote community cohesion by providing high quality, accessible, inclusive and integrated social infrastructure.

SO.5 – Addressing low income and qualification levels and high unemployment rates by helping local people into more rewarding, better paid jobs and supporting developments and new schemes that will provide accessible and high quality employment, education and childcare opportunities.

5.6 The alternative scheme will help to achieve a higher quality of design and / or improvements to the public realm;

5.7 The proposed development does not involve any external changes to the building and accordingly is not capable of achieving a higher quality of design and / or improvements to the public realm. 5.8 If possible, employment and training opportunities are retained or created as part of the new development;

5.9 The proposed development would provide employment and training opportunities for the community.
5.10 Policy BE5 further states that the Council’s preferred alternative 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. The proposed development is considered to be a beneficial community facility and therefore meets this requirement.

5.11 Policy CC2 of the Core Strategy states that in order to maintain and improve community wellbeing, support will be given to proposals and activities that protect, retain or enhance existing community facilities, or lead to the provision of additional community facilities.

5.12 Policy CC2 further states that community facilities should be sustainable and accessible by being located where they can be accessed on foot, bicycle or public transport, rather than only by car; be fully accessible for people with disabilities; be well linked to housing, jobs, shopping, leisure and other local services; and be located in close proximity to the community they will serve.

5.13 The application site has a Public Transport Accessibility Level (PTAL) rating of 6a on a scale of 1-6 (where 6 is excellent). The premises are located within close proximity to the town centre and within easy reach of bus and tube networks. Accordingly, the proposed development is considered to be suitably sited for access by foot, bicycle or public transport. As such the lack of car parking for staff is considered to be acceptable.

5.14 The proposal is therefore considered to meet the requirements of Policy CC2. The proposed tuition centre will promote the development of key skills and attainment of qualifications which will be accessible for children and young people from the local area, which in turn has a direct correlation to the employability and overall well being of the community.

6. Conclusion

6.1 The proposed development would result in a beneficial community facility that will contribute towards educating young people ultimately helping them into jobs and reducing unemployment rates. The beneficial nature of the development for the local community is considered to outweigh the loss of office space in this case.

Background Papers

- Planning Application File  [http://paplan.lbbd.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OKNOTPBLJWV00](http://paplan.lbbd.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OKNOTPBLJWV00)

- Local Plan Policy

  Local Development Framework Core Strategy (July 2010):

  Policy CC2 – Social Infrastructure to Meet Community Needs

  Local Development Framework (LDF) Borough Wide Development Plan Document (DPD):
Policy BE5 – Offices - Design and Change of Use
Policy BP8 – Residential Amenity
Policy BP11 – Urban design
Policy BR9 – Parking
Policy BR10 – Sustainable Transport

The London Plan (2016):

Policy 6.13 – Parking