## Barking and Dagenham Council
### Development Control Board

**Date:** 31 July 2017

<table>
<thead>
<tr>
<th>Application Nos.</th>
<th>17/00574/FUL and 17/00575/LBC</th>
<th>Ward: Gascoigne</th>
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<tr>
<th>Reason for Referral to DCB as set out in Part 2, Chapter 9 of the Council Constitution</th>
<th>The applications involve the creation of new residential dwellings (6 in total) without any private amenity space and there are shortfalls in internal space standards.</th>
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<tr>
<th>Address:</th>
<th>Old Granary, Town Quay, Barking</th>
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<tr>
<th>Development:</th>
<th>Applications for Planning Permission and Listed Building Consent: Refurbishment and restoration of building in connection with conversion of building from storage to a restaurant/bar on ground floor with associated deck and visitor mooring pontoon and 5 two-bedroom and 1 three-bedroom flats on upper floors.</th>
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<th>Applicant:</th>
<th>Lewisham Works Limited</th>
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<th>Summary:</th>
<th>The application site comprises the Old Granary at Town Quay, Barking which is a Grade II listed building. The site is located in the Barking Town Centre Area Action Plan (AAP) area but outside of the Barking Town Centre boundary. The site also falls within the Abbey and Barking Town Centre Conservation Area and the Abbey Road Riverside Conservation Area is located nearby. Planning permission and listed building consent are sought for the refurbishment and restoration of the existing building in connection with conversion of the building from storage to a restaurant/bar on the ground floor and conversion of the upper floors to create 5 two-bedroom and 1 three-bedroom flats. The proposed works include reinstating original openings and sensitively restoring the envelope of the building. A deck is proposed adjacent to the river for the restaurant/bar use. A pontoon is also proposed as a visitor mooring. In response to the consultation process, officers have received 2 letters of objection, 2 letters of support and 2 letters neither objecting to nor supporting the application. The main areas of concern relate to loss of amenity, particularly around noise/disturbance associated with the hours of use proposed by the developer. The proposed development would result in the welcome protection, enhancement and re-use of a Grade II listed building. The proposed restaurant/bar use is welcomed and would help to stimulate the night-time economy which is currently poorly provided for in the Barking Town Centre AAP area. The principle of the proposed use of the upper floors for residential accommodation is also considered to be acceptable. The proposed deck and pontoon associated with the restaurant/bar use would help to encourage more active use of the river/riverside.</th>
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The proposed works to the interior and exterior of the listed building, including the new deck and pontoon, are considered to result in less than substantial harm and any detriment is outweighed by the protection and re-use of the building. Furthermore, the proposed development is not considered to significantly affect the setting of nearby heritage assets.

Officers also conclude that the proposed development would result in less than substantial harm to the two Conservation Areas. It is considered that the public benefits of the scheme outweigh any harm to the two Conservation Areas.

The listed status of the building restricts its internal layout and results in a minor shortfall in the gross internal floor area of one flat and a shortfall in storage cupboard space in all of the flats. Overall, it is considered that future occupiers of the proposed development would still enjoy a satisfactory standard of accommodation.

Officers accept that there is no potential to provide any on-site external amenity space in this case given the listed status of the building which prevents the addition of balconies/terraces.

Officers have proposed a balanced restriction on the hours of use of the restaurant/bar that take into account the concerns of neighbouring residential occupiers, whilst not restricting the night-time economy.

The residential element of the proposed development is considered to be acceptable as car-free given the constraints of the site and a clause within a S106 Agreement would prevent future occupiers from obtaining a parking permit for any Controlled Parking Zone (CPZ). Three existing car parking spaces are to be retained for use in association with the restaurant/bar, one of which would be marked out as a blue badge space.

As a means of helping to justify the provision of the deck and pontoon on the river and contributing to riverside activity, a S106 Agreement would secure a clause that requires the developer to commit to hosting at least four events a year that clearly attract people to the riverside. A financial contribution of £10,000 (index linked) would also be secured for dredging costs to help unlock the Council’s Town Quay community mooring project.

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 internal space standards and external amenity space provision as discussed within the main report.

It is recommended that planning permission and listed building consent be granted subject to a S106 Agreement to secure the matters set out in Section 6.7 of this report and the conditions listed in this report (with any amendments that might be necessary up to the issue of the decisions).

**Recommendation:**

That the Development Control Board grants planning permission and listed building consent subject to:

1. A Section 106 legal agreement to secure the matters set out in section 6.7 of this report; and

2. The following conditions (with any amendments that might be necessary up to the issue
Conditions for Planning Application No. 17/00574/FUL

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:

VINE77/SV/00, 01, 02, 03, 04, 05, 06, 07, 08, 09, 10 and 11; and

VINE77/PR00 Rev 2, 01 Rev 3, 02 Rev 2, 03 Rev 2, 04 Rev 2, 05 Rev 3, 06 Rev 2, 07 Rev 2, 08 Rev 2, 09 Rev 2 and 10.

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

3. 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) the parking of vehicles of site operatives and visitors;
b) loading and unloading of plant and materials;
c) storage of plant and materials used in constructing the development;
d) the erection and maintenance of security hoarding(s) including decorative displays and facilities for public viewing, where appropriate;
e) wheel washing facilities;
f) 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;
g) a scheme for recycling/disposing of waste resulting from demolition and construction works;
h) the use of efficient construction materials;
i) methods to minimise waste, to encourage re-use, recovery and recycling, and sourcing of materials; and
j) 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.

Demolition and construction work and associated activities are to be carried out in accordance with the recommendations contained within British Standard 5228:2009, "Code of practice for noise and vibration control on construction and open sites", Parts 1 and 2.

The approved CEMP and SWMP shall be implemented for the entire period of the construction works at the site, to the satisfaction of the Local Planning Authority.
Reason: The CEMP and SWMP are required prior to commencement of development in order to reduce the environmental impact of the construction phase 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 demolition and 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. Any works which are associated with the generation of ground borne vibration are only to be carried out between the hours of 0800 and 1800 Monday to Friday.

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 in writing by the Local Planning Authority. 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; and

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

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 Policies Development Plan Document.

6. No above ground new development shall commence 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 CP2 and CP3 of the Core Strategy, policies BP2, 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.

7. No above ground new development shall commence 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) refuse storage;
c) cycle parking;
d) railings; 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 policies CP2 and CP3 of the Core Strategy and policies BP2, BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

8. No work on the proposed pontoon and deck shall commence until full details of the design and construction of them, including the method of piling and an associated assessment of the impacts of piling on residential amenity and ecology, and details regarding the provision for water and electricity to the pontoon, have been submitted to the Local Planning Authority for approval in writing with the Port of London Authority. The design shall also incorporate measures to prevent litter arising from the proposed development entering the water. The pontoon and deck 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 and to protect the ecology of the area, in accordance with policies CR3, CP2 and CP3 of the Core Strategy and policies BR3, BP2, BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

9. 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 - small town centre or urban locations. All external lighting shall also be designed to prevent light spill into the watercourse or adjacent river corridor habitat and to minimise its impact on navigation and the ecology of the River Roding. 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, to safeguard neighbouring amenity and to minimise any impact on ecology, and in accordance with policies BR3, BC7 and BP11 of the Borough Wide Development Policies Development Plan Document.

10. The 3 car parking spaces as indicated on drawing No. PR/00 Rev 2 shall be constructed and marked out prior to the occupation of the development. 1 of the car parking spaces shall be marked as an accessible parking bay (to be clearly marked with a British Standard disabled symbol). The car parking spaces shall thereafter be retained permanently.
Reason: To ensure and promote easier access for disabled persons and to ensure sufficient off-street parking, 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.

11. 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 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.

12. Any kitchen extract system to be installed pursuant to this permission shall include measures for the removal and treatment of cooking odours, details of which shall be submitted to and approved in writing by the Local Planning Authority. Details of any external flue required shall also be submitted for approval. The measures shall have regard to and be commensurate with the guidance and recommendations in the publication ‘Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems’, DEFRA, 2005.

Reason: To ensure that the proposed residential units are adequately protected from noise and cooking smells and odours and in accordance with policies BP8 and BR13 of the Borough Wide Development Policies Development Plan Document and policy 7.15 of the London Plan.

13. Any machinery and equipment to be installed pursuant to this permission shall be designed and installed to ensure that structure borne (re-radiated) noise emissions shall 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.

14. No above ground new development shall commence until details of sound insulation measures to mitigate noise transmission between the ground floor restaurant/bar and first floor residential accommodation have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented before the first occupation of the residential unit to which they relate 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.

15. The restaurant/bar use is permitted to trade between the hours of 0800 to midnight Sunday to Thursday and 0800 to 0100 Friday and Saturday, and at no other time.

Reason: To prevent the uses causing 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.
16. The serving of food and drink at tables located outside the building is permitted to take place between the hours of 0800 to 2300 Sunday to Thursday and 0800 to midnight Friday and Saturday, and at no other time.

Reason: To prevent the uses causing 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.

17. The handling of bottles and movement of bins and rubbish is not permitted to take place outside the restaurant/bar between the hours of 2300 on one day and 0700 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.

18. The delivery/collection of goods associated with the restaurant/bar is only permitted to take place between the hours of 0700 and 2100 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.

19. Noise from entertainment including live and amplified music associated with the restaurant/bar use hereby permitted shall be controlled so as to be inaudible inside adjoining and other noise-sensitive premises in the vicinity of the restaurant/bar. 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);
- the L10 (EN) shall not exceed L90 (WEN) in any 1/3 octave band between 40Hz and 160Hz.

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

Reason: To ensure that noise-sensitive premises in the vicinity of the development 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 development hereby permitted shall not be occupied until details of riparian life saving equipment as recommended by the Port of London Authority have been submitted to and approved in writing by the Local Planning Authority in consultation with the Port of London Authority. The life saving equipment shall be to a standard recommended in the Hayes Report on the Inquiry into River Safety and provided in accordance with the approved details prior to the occupation of any part of the development. The life saving equipment shall be permanently retained to an acceptable standard.

Reason: In the interests of public safety and to accord with policy BP9 of the Borough Wide Development Policies Development Plan Document.
21. No development shall commence until two dusk or dawn bat surveys have been undertaken between 1 May and 1 September in accordance with the recommendations contained in the submitted Ecological Report dated 30 June 2017. If the surveys find the building is being used by bats, a strategy to ensure the protection of the roost and/or hibernation site must be submitted to and approved in writing by the Local Planning Authority before the commencement of works.

Reason: Bats are a protected species and therefore the survey work and associated assessment must be completed prior to commencement of development and in accordance with policy CR2 of the Core Strategy.

22. No more than two days prior to commencement of any works that may affect nesting birds (including river works, building work, roof works, tree works and vegetation clearance), buildings, river edges, trees and hedges shall be checked by a qualified ecologist to determine if nesting birds are present. A report shall be submitted to the Local Planning Authority confirming the presence or absence of birds before the works commence. If nesting birds are found, works should be delayed until the nesting season is over and the fledglings have left the area and a strategy should be agreed with the Local Planning Authority to ensure the nesting birds are not disturbed by any other works taking place on the site.


Conditions for Listed Building Consent Application No. 17/00575/LBC

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:

VINE77/SV/00, 01, 02, 03, 04, 05, 06, 07, 08, 09, 10 and 11; and

VINE77/PR00 Rev 2, 01 Rev 3, 02 Rev 2, 03 Rev 2, 04 Rev 2, 05 Rev 3, 06 Rev 2, 07 Rev 2, 08 Rev 2, 09 Rev 2 and 10.

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

3. No new plumbing, pipes, soilstacks, flues, vents, ductwork, grilles, security alarms, lighting, cameras or other appurtenances shall be fixed on the external faces of the listed building except where this is in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.

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
4. No demolition or development shall take place until an archaeological written scheme of investigation (WSI) has been submitted to and approved in writing by the Local Planning Authority. 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; and

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

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 Policies Development Plan Document.

5. Any hidden historic features which are revealed during the course of the works shall be retained in-situ, work suspended in the relevant area of the building and the Local Planning Authority notified immediately. Provision shall be made for the retention and proper recording of the features as required by the Local Planning Authority.

Reason: To preserve the character 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.

6. All new works and improvements inside and outside the building must match existing original adjacent work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the approved drawings or are required in conditions attached to this permission.

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.

7. No above ground new development shall commence until details and samples of all new external facing materials have been submitted to and approved in writing by the Local Planning Authority. All new brickwork to the existing listed building must exactly match adjacent original brickwork in terms of the colour, size, texture, brick bond and pointing. The relevant works shall be carried out in accordance with the approved details and samples.

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.

8. No above ground new development shall commence until detailed drawings showing the design of the deck and pontoon and the means of fixing them to the listed building have been submitted to and approved in writing by the Local Planning Authority. The relevant works
shall be carried out in accordance with the approved drawings.

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.

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<tr>
<th>Contact Officer</th>
<th>Title: Planning Development Management Officer</th>
<th>Contact Details: Tel: 020 8227 3552 E-mail: <a href="mailto:adele.lawrence@lbld.gov.uk">adele.lawrence@lbld.gov.uk</a></th>
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1.0 Introduction and Description of Development

Existing Site

1.1 The application site comprises the Old Granary at Town Quay, Barking which is a Grade II listed building. The existing building was built in 1870 and was once part of Barking Mill. The site incorporates a timber dock which is now submerged.

1.2 The site falls within the Abbey and Barking Town Centre Conservation Area and the Abbey Road Riverside Conservation Area is located nearby.

1.3 The existing building is currently used as a storage warehouse by a card/stationery company.

Proposal

1.4 Planning permission and listed building consent are sought for the refurbishment and restoration of the existing building in connection with conversion of the building from storage to a restaurant/bar on the ground floor and conversion of the upper floors to create 5 two-bedroom and 1 three-bedroom flats.

1.5 The proposed works include reinstating original openings and sensitively restoring the envelope of the building. A deck is proposed adjacent to the river for the restaurant/bar use. A pontoon is also proposed as a visitor mooring to replace the submerged dock.

2.0 Background

2.1 There is a lengthy planning history for the site for the period of 1949 – 1967, however, there has been no planning history since that time.

3.0 Consultations

3.1 Neighbours / Publicity:

3 site notices were posted on 21 April 2017 and expired on 12 May 2017.

A press notice was published in the Barking and Dagenham Post on 26 April 2017 and expired on 17 May 2017.
62 neighbouring occupiers were consulted on 21 April 2017 and the 21 day consultation period expired on 12 May 2017.

Officers have received 2 letters of objection to the proposed development, 2 letters of support and 2 letters neither objecting to nor supporting the application. These are summarised below.

**Objectors:**

*2 Benedicts Wharf, Highbridge Road, Barking*

Concerns raised about:

- Loss of privacy arising from occupiers of the proposed flats looking directly across the road into my living room window.
- The proposed restaurant use and the noise/violence this would bring to the area. At the moment it is a relatively quiet area and to have a restaurant/bar across the road would bring substantial noise to the area, leading to complaints from myself and other owners in the block of flats. Also the increased risk of violence and higher police activity around the area due to the bar serving alcohol and the late nights it would be open leaves me with huge concerns that we will not be able to sleep until the bar has fully closed and all of the customers have dispersed. I believe it is too close to a residential block of flats for this to be approved. I also strongly believe that the future residents living above the restaurant would not be happy living above a noisy restaurant/bar.

*33 Benedicts Wharf, Highbridge Road, Barking*

Concerns raised about:

- The A3/A4 commercial use due to noise and disturbance in late evenings and early mornings.
- The preferred opening times for the A3/A4 use of 11.00 – 03.00.
- We strongly believe that the A4 status should be rejected only keeping the A3 status (restaurant/cafe) due to the surrounding residential area with young families.
- If a compromise can be made where respectful hours are enforced, we are in a more neutral position with an A3 commercial use as it is good for the regeneration of the immediate area and Barking itself.

**Supporters:**

*Unit 1 Fresh Wharf Estate, Barking*

- I support the application as a refurbishment of a landmark conservation building in the borough which acts as a 'signpost' from Abbey Green to the River Roding. I support the inclusion of flats in the building and a restaurant offer on the ground floor to add interest and life to this corner of the town centre. It could make a significant contribution to the further development of Town Quay and local riverside spaces.
22 Benedicts Wharf, Highbridge Road, Barking

- I support the redevelopment of this building. What sound proofing will be added to reduce the noise of any bar/restaurant? I presume any licensing issues are handled later? What will the restrictions be on construction times? The road outside frequently gets issues due to lack of signage of who has right of way outside the Old Granary. Will this be rectified as part of this work? The local BT Openreach cabinet for this site has not been upgraded to fibre so there is limited internet. Will this development contribute to getting this upgraded? With this being a bar will the smoking area be outside the main entrance or on the pontoon?

Comments neither objecting to nor supporting the applications:

23 Benedicts Wharf, Highbridge Road, Barking

- The amenity section of the Design and Access Statement states that the preferred closing hours of the proposed restaurant/bar are 01.00 Sunday - Wednesday and 03.00 Thursday - Saturday. Given the proposed development is in a quiet residential section of Barking which currently only hears noise from the odd vehicle passing after 20.30 and the faint sound of vehicles on the A406 dual carriageway, what stipulations will be proposed to minimise/nullify any potential noise pollution derived from the restaurant/bar?

43 Benedicts Wharf, Highbridge Road, Barking

- I broadly support the application but with the caveat that in regards to the restaurant/bar, I believe licensing the premises to open and/or to serve alcohol up to 03.00 on weekends as proposed would have the potential of causing significant disturbance not only to the residents of the proposed flats above but also to neighbouring properties, and the additional potential of putting those residents at risk of harm. If a licence is to be granted, it should be no later than 23.00 on any day.
- A licence to serve alcohol beyond 23.00 would have the likelihood of creating unacceptable levels of noise as customers left the premises and make their way home. Since the period between 23.00 and 03.00 is well beyond the point where most restaurants serve food, it seems likely that the proposed restaurant/bar would be functioning as a bar or club at that time, possibly serving customers leaving other pubs or bars after standard closing time.
- As there is no public transport directly adjacent to the proposed site and no public parking in the planning application, it seems likely that customers of the proposed bar would pass directly by Benedicts Wharf in order to access bus or train routes on their way home. Experience of living opposite other licensed premises has shown that it is rarely, if ever, possible for licensees to control customers’ noise levels as they exit a building.
- I would certainly be concerned for the potential impact on safety of any new premises serving alcohol late into the night.
- I believe that Barking needs projects that support the regeneration of the area and, broadly speaking, I think this proposal would contribute positively to this. However, the site is in an area where people live and where there are no other licensed premises in the immediate vicinity.
I think it is very important that any new developments support the needs of the local community and a new high quality restaurant or bar with reasonable opening times that respected the needs of local residents would do so, as probably would some new flats. However, a late opening premises attracting those not able to find food or alcohol elsewhere in Barking would not be a positive contribution. My view is that such establishments would be better remaining in the area of the High Street where there is better access to public transport, better street lighting and better policing.

Officer Note: The comments made by the various parties above are addressed as follows:

With the exception of a new glazed staircase to the Highbridge Road elevation of the building, no new windows are proposed that would impact on the privacy of adjacent occupiers.

Matters relating to noise/disturbance associated with the restaurant/bar use are dealt with in the Environmental Health Officer’s comments in the ‘Consultation’ section of this report and at section 6.4 of this report. Conditions would also be imposed on any planning permission to ensure that there is suitable noise protection between the proposed restaurant/bar use and the proposed flats above.

There is nothing to suggest that the proposed use would result in an increased risk of violence in the locality.

Licensing issues would be dealt with by the Council’s Licensing Team in due course.

Standard construction working hours would be secured by condition on any planning permission granted.

The matters relating to road signage and upgrading of the local BT Openreach cabinet are not considered to be relevant planning matters.

Smoking areas have not been identified at this stage and that would be for the restaurant/bar owner to designate in due course. This would no doubt be on the outside deck area. Officers would not wish to see a smoking area designated outside the main entrance to the building.

3.2 Consultees:

Environmental Health – The issues raised by the proposed development are possible land contamination and operational/construction phase impacts as set out below:

- Odour/noise from any commercial kitchen extract system;
- Noise from any fixed plant installed pursuant to any permission that might be granted;
- Noise transmission from the ground floor restaurant to first floor residential accommodation;
- Noise from the use of the outdoor dining area;
• Possible disturbance from deliveries/collections at unsocial hours;
• Possible light pollution from the lighting of outdoor areas; and
• Construction phase impacts, including noise and dust and exhaust emissions to air from non mobile plant.

The submitted land contamination report draws on relevant, publically available sources of information but does not make reference to the planning history as set out in the pre-application letter from the Council to the applicant which identifies that one of the previous uses of the building is for the manufacture of toys. However, I note that no potentially contaminative items were encountered during the walkover survey.

I concur with the conclusion presented in the report that the conceptual model has demonstrated that there is a low risk of contamination on this site and that there should be no significant geo-environmental issues that would prevent the site from being developed for its intended end use.

I do not think it is necessary to impose the standard contaminated land conditions in this case but recommend that any permission that might be granted be subject to a suitably worded informative to safeguard against the possibility of the discovery of unexpected contamination during development.

In my view operational/construction phase impacts can be addressed by way of conditions.

I would note that the proposed restriction on the times when food and drink can be served outside the building is to allow for patrons to finish their meals before 2300 which is normally taken to be the start of the particularly sensitive night-time period.

**Officer Note:**

The planning conditions recommended above by the Environmental Health Officer will be secured on any planning permission granted, with the exception that officers have proposed that food and drink may be served outside on Fridays and Saturdays until midnight instead of 2300 given the proposed longer hours of operation on those days. It is considered that keeping the deck area open longer would mean that smokers could use it as opposed to potentially congregating outside the front of the building which is considered to be less desirable.

When asked to comment further on the developer’s proposed hours of use of the restaurant/bar in light of objections from neighbouring properties, the Environmental Health Officer responded as follows:

The restaurant has no windows facing nearby existing dwellings and I have recommended a restriction on the times of use of the outdoor area so I think it is unlikely that noise associated with the operation of the restaurant/bar will cause significant disturbance.

Clearly, there is always the possibility that on occasion a group of rowdy patrons leaving the premises in the early hours will cause disturbance and so a judgement has to be made as where to strike the balance between safeguarding a high
standard of aural amenity and avoiding placing unreasonable restrictions on development and inhibiting the development of the evening/night-time economy.

There are examples of restaurants/bars in the Borough that have similar opening hours to those proposed in this case which operate without giving rise to complaints of noise disturbance.

My view is that if the locality is regarded as one of mixed residential / commercial / cultural activities, as opposed to a primarily residential area, then the proposed opening hours are reasonable.

Officer Note: Officers have considered the Environmental Health Officer’s response above, but still have concerns about allowing the bar to open till 0300 on Thursday to Saturdays and 0100 on other days. Whilst it is appreciated that the Council wants to improve the night-time economy, it is considered premature to allow such late openings. The location is currently very quiet in the evening and, whilst it is hoped that this will change in the future, any noise generated will be very apparent. Moreover, officers currently have no idea who the operator will be and therefore there is no track record to assess this against. If the premises operate successfully over time, and are well-managed, the owner could potentially consider applying to extend the hours of use in the future.

Environmental Health (Food Safety) – With respect to the restaurant/bar use we would like to see details of the kitchen layout, sinks, wash basin, cookers and the location of the extract ventilation system.

Officer Note: This information is not currently available as a restaurant/bar operator has not yet been secured. Furthermore, this information is not considered necessary for the purposes of determining these applications. A condition would be imposed on any planning permission granted requiring the submission and approval of the kitchen extract ventilation system associated with the restaurant/bar use.

Transport Development Management Officer – There are no apparent major adverse highway safety implications arising from the proposed development.

Access Officer – The accessible parking bay must have 1.2 metre hatched transfer zones to at least one side and to the rear of the bay.

Detailed comments were also made which relate to minimum part M (Building Regulations) requirements and the developer’s duties under the Equality Act 2010.

Officer Note: The developer has confirmed that the part M matters are achievable and will be addressed at the Building Regulations stage; and that the accessible car parking space will be accommodated with 1.2 metre hatched transfers zones to one side and to the rear of the bay.

Refuse Team – The residential refuse storage area and quantity of one euro bin for residual and one euro bin for recycling is adequate for the six flats.

The developer should consider revising the size of the commercial refuse storage area so that it would accommodate a minimum of one 1,100 litre euro bin for residual waste and one 1,100 litre euro bin for recycling.
The proposed collection points for commercial and household waste will be reasonably accessible by our refuse crews.

**Officer Note:** *The commercial refuse storage area has been amended in line with the Refuse Team’s comments.*

**Lead Local Flood Authority** – We have no objections as there is little scope to incorporate the use of sustainable drainage systems for this development. We consider that the proposed finished floor levels are sufficient to mitigate the risk of flooding to the site but recommend that the flood resilience measures outlined in the Flood Risk Assessment are considered.

**Civil Protection Service** – No concerns regarding the safe evacuation for residents of this block if the measures outlined in sections 4.4-6 of the Flood Risk Assessment are implemented.

**Officer Note:** *An informative would be imposed on any planning permission granted.*

**Employment and Skills Team** – No response.

**Culture and Communities** – No response.

**Historic England (Archaeology)** – The planning application lies in an area of archaeological interest. The Victorian granary is a key reminder of Barking’s industrial strength and wealth during the nineteenth century and its conversion may offer the last opportunity to record many aspects of its construction and development before they are covered or removed.

The development is likely to cause some harm to archaeological interest but not sufficient to justify refusal of planning permission provided that a condition is applied to require an investigation to be undertaken to advance understanding.

**Officer Note:** *The recommended planning condition will be secured on any planning permission granted.*

**Historic England (Buildings)** – We do not consider that it is necessary for this application to be notified to Historic England under the relevant statutory provisions.

**Society for the Protection of Ancient Buildings** – No response.

**Ancient Monuments Society** – No response.

**Council for British Archaeology** – No response.

**Georgian Group** – No response.

**Victorian Society** – No response.

**Twentieth Century Society** – No response.
**Thames Water** – No response.

**Environment Agency** – We have no objections to the proposed development on flood risk safety grounds, but would recommend that, where feasible, finished floor levels for the proposed development are set as high as is practically possible, or flood resilience/resistance measures are incorporated. This is to protect the proposed development from flooding.

You are the competent authority on matters of evacuation or rescue, and therefore should assess the adequacy of the evacuation arrangements, including the safety of the route of access/egress from the site in a flood event or information in relation to signage, underwater hazards or any other particular requirements. You should consult your emergency planners (i.e. Civil Protection Service) as you make this assessment.

**Natural England** – The proposal is unlikely to affect any statutorily protected sites or landscapes.

**Port of London Authority (PLA)** – The PLA initially objected to the proposed deck/pontoon on the basis that insufficient information had been provided to assess the proposal and its impacts. The PLA also requested that notice be served on them as a landowner (i.e. Certificate B). Further discussions have since taken place between the developer’s consultants and the PLA culminating in the submission of technical notes and a Water Directive Framework Assessment. The PLA has provided the following response:

It is confirmed that notice under Certificate B has now been served on the PLA.

The PLA welcomes the discussions that have taken place with Marina Projects but unfortunately it does not alter the PLA’s position on the applications.

London Plan policy is clear that the use of the water space should be prioritised for water related purposes. What is proposed is principally a deck for use in connection with a ground floor restaurant use and then a pontoon which will have very limited use at best due to the restrictions that would be applied to it (hours of use linked to the restaurant, no access to land, etc.) and the tidal constraints in the creek. To the PLA the balance appears to be wrong, prioritising non-river related uses rather than river related ones.

The supporting text to policy 7.24 of the London Plan is clear that “the starting point for consideration of development and use of the Blue Ribbon Network (BRN) and land alongside it must be the water.” In the absence of a document that demonstrates otherwise, it appears that the starting point of the proposal was the restaurant not the water. I would also draw your attention to the part in the London Plan that states “the BRN should not be used as an extension of the developable land in London”. Tables and chairs for use in connection with a restaurant is clearly an extension of the developable land.

The PLA therefore continues to object in principle to this development that is non-river related and located over water and is clearly an extension of developable land.
In the event of planning permission being granted, a condition should ensure that details of riparian life saving equipment are submitted for approval. A condition should also require the submission and approval of external lighting details which demonstrate how the lighting has been designed to minimise light spill and ensure no negative impacts on any wildlife (including, where relevant, bats, birds and fish) or navigating vessels.

**Officer Note:** Officers have considered the PLA’s objection and whilst their point that the proposal relates to commercial space is acknowledged, it is argued that the proposal also opens up the riverside to numerous more people and it generates new moorings where there are none.

The Council is keen to see that the river is more actively used. There are theatre boats, cinema boats, etc. that could ideally be moored at the site to attract people to the riverside. On this basis, officers consider that as a means to addressing the PLA’s objection a S106 Agreement should secure that the developer commits to hosting at least four events a year that clearly attract people to the riverside.

Silting issues associated with the river is something that is also going to be a problem for the community moorings that the Council’s Regeneration Team is exploring in Town Quay. As a further means to addressing the PLA’s objection, a S106 contribution should secure £10,000 (index linked) for dredging costs to help unlock the community mooring project and make these moorings more accessible.

The developer has agreed to the above two S106 planning obligations being secured as part of any planning permission being granted. Officers conclude that the proposed development does not prevent any river related use, but rather opens up the riverside to other users by providing an opportunity to eat, drink and socialise alongside it and/or attend events. Furthermore, the proposed financial contribution for dredging costs would help to deliver further mooring opportunities in the vicinity. On this basis, officers consider that the planning obligations offer sufficient remedy to the PLA’s in principle objection relating to non-river versus river uses.

It should be noted that the developer would need to discuss and obtain a River Works Licence from the PLA in due course. The PLA is also yet to provide comments to the developer on their submitted Water Framework Directive Assessment. Both of these matters are for the PLA to agree and are not considered to affect the planning process.

Conditions would be imposed on any planning permission granted relating to riparian life saving equipment and external lighting.

**Designing Out Crime Officer** – It is recommended that this development seeks to achieve Secured by Design accreditation.

**Essex and Suffolk Water** – Our records show that we have apparatus located in the proposed development. We have no objection to this development subject to compliance with our requirements. Consent is given to the development on the condition that a water connection is made onto our company network for the new dwellings for revenue purposes.
London Fire and Emergency Planning Authority – The Brigade is satisfied with the proposals with regard to the ground floor. Access to the flats should comply with 16.3 of Approved Document B Volume 2 of The Building Regulations 2010. A pump appliance should be able to approach to within 45 metres of all points in all flats measured along a line suitable for the laying of hose. If this cannot be achieved a fire main should be installed and access for a pump appliance provided to within 18 metres of the inlet of the fire main which is usually sited on the face of the building. The inlet should be visible from the appliance. If no fire hydrant already exists within 100 metres of the entrance to the building, a fire hydrant should be provided within 90 metres of the fire main inlet.

Officer Note:  The developer has advised that it is their understanding, and through consultation with an Approved Inspector, that the proposal as it stands responds to paragraph 16.3 of Approved Document B Volume 2 of the Building Regulations.

London Fire Brigade – Water Team – No additional hydrants are required and no further action is required by our office.

Association for Industrial Archaeology (AIA) – The AIA is the national organisation for people who share an interest in Britain’s industrial past. The Association was not directly consulted by officers, however, they have submitted the following comments:

The new uses should ensure that the building survives and is maintained in good condition. Residential use is not always the most suitable re-use for an industrial building but it is usually the most secure. The Association welcomes a re-use. The present use may mean that some original features are not currently visible. Therefore, it is essential that any which come to light during the conversion are at the very least recorded and efforts should be made to retain them in-situ.

4.0 Local Financial Considerations

4.1 The proposed development is considered to be liable for the Mayoral and Borough Community Infrastructure Levies (CIL) as new dwellings are created. However, as there is no new floorspace being created and the existing floorspace meets the relevant use criteria the overall charge is considered to be nil.

5.0 Equalities Considerations

5.1 The Equality Act 2010 requires the Council to advance equality of opportunity in the exercise of its functions. In this respect, all entrances and thresholds to the restaurant and residential lobby are to be levelled and step-free.

6.0 Analysis

6.1 Principle of Development

6.1.1 The site is located in the Barking Town Centre Area Action Plan (AAP) area but outside of the Barking Town Centre boundary. Policy CM2 of the Core Strategy sets a target of 6,000 new homes in the Barking Town Centre AAP area through redevelopment in line with the AAP.
Policy BTC5 of the Barking Town Centre AAP states that the Council will regard small scale, commercial leisure uses as appropriate in the area around Town Quay provided proposals demonstrate improved public transport access to the area, improved pedestrian and cycling links with the town centre and the protection/enhancement of the character of the Abbey Road Riverside Conservation Area and of the various listed buildings in the area.

Officers accept that given the small scale nature of the proposed development it would not be viable to provide for any improved public transport or pedestrian/cycling links as part of the development. It is considered, however, that the proposed development seeks to protect/enhance the two Conservation Areas, the listed building itself and other nearby heritage assets.

The proposed restaurant/bar use is welcomed and would help to stimulate the evening economy which is currently poorly provided for in the Barking Town Centre AAP area.

The principle of the proposed use of the ground floor of the existing building as a restaurant/bar and the use of the upper floors for residential accommodation is considered to be acceptable subject to the matters below being satisfactorily addressed.

6.2 Design and Heritage

Paragraph 131 of the National Planning Policy 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”.

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”.

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”.

Policy CP2 of the Core Strategy and Policy BP2 of the Borough Wide Development Policies DPD seek to protect and enhance the historic environment in Barking and Dagenham.
6.2.5 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”.

6.2.6 The Old Granary was Grade II listed on 17 December 1968 and the listing reads as follows:

*Mid C19. Yellow brick. Slate roof. Casement windows. Four storeys. Seven windows. Tower of one extra storey and 3 windows to the return front of Italianate character with wide projecting eaves and pyramidal roof, at the right hand end. Gable end to the left hand return front of 3 windows. Small gable in the centre which originally had a projecting hoist beyond it.*

6.2.7 The site falls within the Abbey and Barking Town Centre Conservation Area and the Abbey Road Riverside Conservation Area is located nearby. The site is also located in an archaeological priority zone.

6.2.8 The site is located near to the Barking Abbey Scheduled Ancient Monument, the Grade I Listed Parish Church of St Margaret, the Grade II Listed Tomb of Captain John Bennett at St Margaret’s Church, the Grade II Listed remains of Barking Abbey and the old churchyard walls, the Grade II* Listed Fire Bell Gate (Curfew Tower) and the Grade II Listed bridge over the River Roding.

**Existing Building**

6.2.9 The Old Granary is built on a reclaimed site and from the south and west can be seen to rest on a yellow brick base that rises directly out of the water of the Mill Pool, with a stone plinth course that supports the main structure of the building.

6.2.10 The Old Granary is built of yellow brick laid in English bond under a slate roof. It is seven bays long from east to west and three bays wide. The building is four storeys high, except for the eastern-most bay which is wider than the others and rises by an extra storey to form a low tower with a hipped roof. The glazing consists mainly of double-opening timber casements. The architectural treatment of the building has been described as ‘austerely elegant’.

6.2.11 On the southern (river facing) elevation of the building, there are windows to each bay of each floor. There is a folding jib crane adjacent to the third floor openings, bracketed out from the wall surface with a diagonal beam to brace it. A luccam (extension running outward from the wall of a building to allow materials to be lowered by a hoist) has previously been removed from this elevation.

6.2.12 The eastern elevation of the building comprises the existing main entrance. There is a central doorway at ground level, flanked by windows that have been blocked up. Directly above at first floor level there is evidence of another doorway, probably
originally used for loading vehicles, which has been reduced in size to make a window. There are three windows to each of the upper floors of the building.

6.2.13 The northern elevation of the building fronts Highbridge Road and is almost entirely blind with the exception of two windows to the second and third floors, made by partly blocking doorways to a lost luccam. There is a folding jib crane adjacent to the third floor opening. Directly beneath this pair of openings are two doorways which have been modified. The first floor doorway has been widened and then blocked up, while the ground floor doorway has been partly blocked and a newer, smaller doorway has been inserted.

6.2.14 The western elevation of the building is similar in pattern to the eastern elevation. All of the windows at ground floor level, two at first floor level and two at third floor level have been blocked up. In the centre of the gable is a circular louvered opening to ventilate the roofspace.

6.2.15 Internally the existing building incorporates a goods lift. A modern concrete staircase rises from the ground floor to the office directly above in an enclosure formed of blockwork. There is also a modern enclosed staircase on the northern side of the building, which rises all the way to the third floor. At its lower-most landing there is an exit onto Highbridge Road through a narrow doorway. The building is currently used as a storage warehouse by a card/stationery company and so the interior is largely open plan.

6.2.16 Very little work has been carried out to the building in recent years. Looking at the condition of the existing building, it is clear that some movement (historical or otherwise) is present and vegetation growing up the river fronting facade has allowed some water into the building/mortar and some localised rot has occurred. There are also a number of blocked up windows as described above. Missing roof tiles have lead to pigeons in the roof space and rainwater ingress. The structural timber beams have been reinforced and the timber windows, sarking boards (covering the rafters), barge boards and doors are all in need of repair/replacement.

**Proposed Alterations to the Building’s Exterior and Interior**

6.2.17 The brickwork and joinery would be repaired where necessary and the existing folding jib cranes would be retained and conserved. All of the existing windows would be replaced by conservation-grade, timber-framed casements painted in white with insulated double glazing. The roof would be restored and new natural slates to match the existing would be provided where necessary.

6.2.18 On the southern elevation, the openings at second and third floor levels, where the luccam was removed, would be modified. The upper opening would be unblocked and the lower opening widened and deepened to give it the same dimensions. Both would then be fitted with timber stable doors with glazed upper sections. The openings at ground and first floor levels directly beneath would be turned back into doorways and also fitted with stable doors with glazed upper sections. In total, three windows at ground floor level would be converted to doors in order to provide access onto the proposed deck/pontoon. The existing roof lights in the southern roof slope would be modified and three more openings made to give a total of five, all uniform in size and aligned in a row. These would be fitted with conservation-type, low profile skylights.
6.2.19 A deck would be constructed over the Mill Pool on the southern side of the building to provide an outdoor seating area and access to a mooring pontoon for pleasure-craft. This would rest on Y-shaped supports rising out of the water. It would have a balustrade constructed of steel rods with a timber handrail, and a floor of timber decking.

6.2.20 On the northern elevation of the building, a new internal staircase providing access to the upper floor flats would be constructed in the central bay of the four-storey section of the building. This would have an entrance to Highbridge Road fitted with a timber door painted a neutral colour. A new, curtain-glazed opening fitted with steel-framed glazing would be created to light the proposed staircase, along with two new doorways at ground level to provide access to the internal bin stores. These would be fitted with timber double doors painted a neutral colour. Soil vent pipes would exit through the north roof slope near the eaves, with slate vents for the third floor kitchen and bathroom. Six boiler flues would also be routed out through this elevation – four through the wall and two through the roof. All would be finished in a neutral colour to minimise their visual impact.

6.2.21 On the eastern and western elevations of the building, the blocked up windows would be reopened and timber-framed glazing reinstated to match the timber-framed casements to be installed elsewhere. Those to the eastern elevation at ground level would be fitted with shutters. The existing main entrance to the building would be fitted with stable doors. The opening above it would be returned to its original dimensions and fitted with stable doors with glazed upper sections.

6.2.22 The existing internal partitions, linings, false ceilings and staircases that post-date the original fabric of the building would all be removed.

6.2.23 Cast iron columns, marked with the installation date and similar to those at second-floor level, would be installed on the ground and first floors to reinforce the structure.

6.2.24 The existing floor boards would be retained, but new floor boards would be laid on top of them above timber battens to provide a level base and a layer of acoustic insulation. Galvanised wall straps, concealed in the floor build up and covering a minimum of three joists, would be inserted. The existing ceiling structure would be retained and restored.

6.2.25 The existing brickwork would be cleaned and exposed, including the chamfered window jambs. The accommodation on the third floor would be open to the roof, which would be insulated. Lined insulation would be fitted to the walls on the north side in the kitchens and bathrooms and to the north wall of the fourth floor bedroom.

6.2.26 New partition walls would be introduced to provide for the proposed new functions. A new staircase would be constructed to provide access from the third floor to the fourth floor living room and bedroom in the tower.

6.2.27 It is considered that the application proposes a sensitive restoration of the building envelope, including reinstating original openings that have been blocked up over time. The restoration of the building is welcomed and will help ensure the long-term protection of this important heritage asset.
Proposed Deck and Pontoon

6.2.28 The proposed deck and pontoon additions would be sited 500mm away from the existing building. The proposal minimises the impact of the new construction on the original building and offers the opportunity to showcase the foundation of the building. The proposed deck would be reached via bridges (the same width as the proposed doors on the rear elevation of the building) of lightweight construction that cantilever over the gap to the door. This design means that there is a minimal (if any) physical fixing into the building to support the deck therefore marking the distinction between the old and the new. The proposed pontoon would be reached via the deck. The deck and pontoon designs are considered to be sympathetic to their surroundings.

6.2.29 Provision for water and electricity would be provided on the pontoon. Sewage facilities are excluded as the mooring is not proposed to be an overnight mooring because the only access to land is through the restaurant/bar which will be securely locked when the restaurant/bar or deck area closes.

6.2.30 The proposed pontoon would be 17.5 metres long. Visiting boats of a compatible length and draft would be welcome and encouraged to moor while the deck area is open.

6.2.31 The detailed design of the deck and pontoon would specify measures such as board spacing and toe rails to ensure that any dropped items of litter cannot enter the water. Innovative solutions (e.g. ‘Seabin’) could also be installed that would actively improve the condition of the general Mill Pool area by collecting rubbish and floating debris.

6.2.32 The exact piling requirements associated with the installation of the proposed deck and pontoon would be identified during the detailed design stage of the development, once the ground investigations and surveys have been completed. To minimise impacts on ecology during installation there are a number of different methodologies and solutions that could be promoted. The timing of the works would also be managed to take place during set tidal windows, such as during high or low water period, or to avoid sensitive periods.

Heritage Assessment

6.2.33 The application was accompanied by a Heritage Assessment which provides an assessment of the impacts of the proposed development on the listed building itself and the two Conservation Areas and surrounding heritage assets.

6.2.34 Historic England and the six amenity societies were consulted as part of the application process however no comments or letters of objection have been received.

6.2.35 The proposed works to the interior and exterior of the listed building, including the new deck and pontoon, are considered to result in less than substantial harm and any detriment is outweighed by the re-use of the building as a restaurant/bar and residential accommodation. Furthermore, the proposed development is not considered to significantly affect the setting of nearby heritage assets, comprising the Barking Abbey Scheduled Ancient Monument, the Grade I Listed Parish Church
of St Margaret, the Grade II Listed Tomb of Captain John Bennett at St Margaret’s Church, the Grade II Listed remains of Barking Abbey and the old churchyard walls, the Grade II* Listed Fire Bell Gate (Curfew Tower) and the Grade II Listed bridge over the River Roding. In reaching these conclusions, 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.

6.2.36 Officers have paid special attention to the desirability of preserving or enhancing the character or appearance of the two Conservation Areas in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Officers conclude that the proposed development would result in less than substantial harm to the two Conservation Areas. It is considered that the public benefits of the scheme, comprising a restaurant/bar use, new residential accommodation and the long-term protection of a heritage asset, outweigh any harm to the Abbey and Barking Town Centre Conservation Area and the Abbey Road Riverside Conservation Area. The proposal is therefore aligned with paragraph 134 of the NPPF.

6.2.37 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.

Internal Space Standards

6.2.38 The proposed flats have been designed where reasonably possible to meet the nationally described space standards and the minimum space standards set out in the London Plan. Given that the building is Grade II listed and also has a fixed envelope, it is acknowledged that there are limitations to the overall internal space and its layout.

6.2.39 Flat 2 which is a 2-bedroom/3-person unit falls short of the required gross internal floor area by 0.7 square metres. All of the other flats meet the policy requirement with respect to gross internal floor area.

6.2.40 All 6 flats fail to meet the general storage cupboard space requirements set out in policy. Despite this shortfall, the combined built-in general storage cupboard space and bedroom storage space in each flat is over 2 square metres. This is considered to be a reasonable level of storage in the circumstances.

6.2.41 Having regard to the constraints of the site arising from its listed status and considering the nature of the shortfalls in internal space referred to above, officers do not consider that the shortfalls amount to a reason for refusal in this case. It is considered that future occupiers of the proposed development would still enjoy a satisfactory standard of accommodation.

6.3 External Amenity Space

6.3.1 Officers accept that there is no potential to provide any on-site external amenity space in this case given the listed status of the building which prevents the addition of balconies/terraces. The development is in short walking distance to Abbey
Green providing occupiers of the residential units with easy access to outdoor space.

6.4 Amenity Issues

6.4.1 The proposed development is not considered to pose any issues of overlooking from the proposed flats or restaurant/bar use to surrounding residential units. There are also not considered to be any impacts on sunlight/daylight to surrounding residential units.

6.4.2 It is noted that neighbouring residents have raised concerns about the proposed hours of use sought by the developer and associated noise/disturbance, namely:

Sunday to Wednesday - 1100 to 0100; and
Thursday to Saturday - 1100 to 0300.

6.4.3 Officers, including the Environmental Health Officer, have given due consideration to the proposed hours of use of the restaurant/bar as set out in the ‘Consultation’ section of this report. It is considered that the hours of use proposed by the developer are currently not justified having regard to the fact that the area is relatively quiet at present, albeit expected to become more mixed-use in the future. Officers have proposed a balanced restriction on the hours of use that take into account the concerns of neighbouring residential occupiers, whilst not restricting the night-time economy. Furthermore, officers have allowed for earlier opening hours to potentially allow for the future operator of the restaurant to open for breakfast. As set out in the attached conditions, officers propose the following hours of use be secured on any planning permission granted:

Sunday to Thursday - 0800 to midnight; and
Friday and Saturday - 0800 to 0100.

6.4.4 The matter of alcohol licensing for the restaurant/bar would be dealt with by the Council’s Licensing Team in due course.

6.5 Transport / Parking

6.5.1 The application site has a poor Public Transport Accessibility Level (PTAL) of 2.

6.5.2 Policy BR9 of the Borough Wide Development Policies DPD states that the car parking standards set out in the London Plan will be used as maximum parking standards for new development. For example, the maximum parking standards set out in Policy 6.13 of the London Plan are less than 1 space for a unit with 1-2 beds.

6.5.3 Two out of three existing car parking spaces at the front of the building are to be retained in association with the restaurant/bar use. The third space is to be converted to a blue badge parking bay in association with the restaurant/bar use.

6.5.4 The residential element of the proposed development is considered to be acceptable as car-free given the constraints of the site. Despite the poor PTAL, it is considered that the site is within reasonable walking distance of the town centre amenities and Barking Station. A S106 clause to be secured would prevent the
occupiers of the proposed flats from obtaining parking permits for any Controlled Parking Zone (CPZ) given the existing high demand for car parking in the area.

6.5.5 Six new cycle stands are to be installed adjacent to the car parking spaces. These are most likely to be used in association with the restaurant/bar use. Given the constraints of the site, officers accept that it is not possible to provide secure covered cycle parking for the residential occupiers in this case.

6.6 Ecology

6.6.1 The River Roding is a Grade I site of Borough importance for nature conservation.

6.6.2 The applications were accompanied by an Ecology Report which considers, amongst other things, the impacts on the ecology of the river arising from the proposed deck and pontoon. A site survey and internal bat roost inspection were undertaken as part of the assessment in order to review the ecology of the site and its potential for protected species.

6.6.3 The Ecology Report states that as the site is located directly next to the River Roding, there is likely to be some impact on it during construction works in terms of noise and pollution. It is understood that high level background ecological checks have not identified any specific protected species or ecological markers that would be impacted by the pontoon and vessel grounding. Overall, the Ecological Report considers that the development would have a negligible long-term effect on the River Roding’s biodiversity. It is suggested that the proposals may in fact improve the quality of the area of the River Roding immediately next to the site, as the rubbish items that are currently there will likely be removed and the general area cleaned, improving the water quality. The report recommends that all standard operating procedures for working in, or near, water be implemented, which should include measures to protect the river and prevent any pollution or contamination of the watercourse, either directly or indirectly. Furthermore, it is recommended that any work that will create visual and acoustic disturbance within the aquatic river habitat be undertaken outside the key time for fish spawning in the River Roding (April - May) in order to avoid disturbance of fish species during that key time.

6.6.4 The Ecology Report states that the installation of the deck and pontoon will likely increase suspended sediment loads and remobilise pollutants in the River Roding due to bed disturbance. Whilst this has the potential to impact on the river habitat, the report concludes that due to the tidal nature of the Roding, suspended sediment loads are naturally high and the biotic communities that are present are adapted to these conditions.

6.7 S106 Planning Obligations

6.7.1 A Section 106 Agreement would secure the following planning obligations:

Riverside Events

The developer shall commit to hosting at least four events a year that clearly attract people to the riverside.

Financial Contribution for Dredging Costs
Secure a financial contribution of £10,000 (index linked) for dredging costs to help unlock the Town Quay community mooring project and make these moorings more accessible.

**Restriction on Obtaining a Permit for any Controlled Parking Zone**

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

**S106 Legal Fees**

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

### 7.0 Conclusion

7.1 The proposed development would result in the welcome protection, enhancement and re-use of a Grade II listed building. The proposed restaurant/bar use would help stimulate the night-time economy which is currently poor in the Barking Town Centre AAP Area and the proposed flats would offer a satisfactory standard of accommodation for future occupiers. The proposed deck and pontoon associated with the restaurant/bar use would help to encourage more active use of the river/riverside.

7.2 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 internal space standards and external amenity space provision as discussed and justified in Sections 6.2 and 6.3 above.

7.3 It is recommended that planning permission and listed building consent be granted subject to a S106 Agreement to secure the matters set out in Section 6.7 of this report and the conditions listed in this report (with any amendments that might be necessary up to the issue of the decisions).

**Background Papers**

- **Planning Application Files:**
  - [http://paplan.lbbd.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=ONZG3LBLGQY00](http://paplan.lbbd.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=ONZG3LBLGQY00)
  - [http://paplan.lbbd.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=ONZG5SBLGR000](http://paplan.lbbd.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=ONZG5SBLGR000)

- **Local Plan Policy**

  *Borough Wide Development Policies Development Plan Document (March 2011):*

  Policy BR3 – Greening the Urban Environment
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 BC2 – Accessible and Adaptable Housing
Policy BC7 – Crime Prevention
Policy BC8 – Mixed Use Development
Policy BE4 – Managing the Evening Economy
Policy BP1 – Culture and Tourism
Policy BP2 – Conservation Areas and Listed Buildings
Policy BP3 – Archaeology
Policy BP5 – External Amenity Space
Policy BP8 – Protecting Residential Amenity
Policy BP9 – Riverside Development
Policy BP10 – Housing Density
Policy BP11 – Urban Design

Core Strategy (July 2010):

Policy CM2 – Managing Housing Growth
Policy CM5 – Town Centre Hierarchy
Policy CR2 – Preserving and Enhancing the Natural Environment
Policy CR4 – Flood Management
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 BTC5 – Leisure Uses and the Evening Economy
Policy BTC6 – Barking as a Visitor Destination
Policy BTC11 – Cycling Facilities
Policy BTC13 – Housing Supply
Policy BTC16 – Urban Design
Policy BTC19 – Heritage and Historic Environment
Policy BTC21 – Riverside Development and Informal Leisure

Other Guidance:


London Riverside Opportunity Area Planning Framework (September 2015)

• The London Plan (March 2016):

Policy 3.5 – Quality and Design of Housing Developments
Policy 3.8 – Housing Choice
Policy 5.12 – Flood Risk Management
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 7.6 - Architecture
Policy 7.8 – Heritage Assets and Archaeology
Policy 7.14 – Improving Air Quality
Policy 7.15 – Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes
Policy 7.19 – Biodiversity and Access to Nature
Policy 7.24 – Blue Ribbon Network
Policy 7.30 – London’s Canals and Other Rivers and Waterspaces
Policy 8.3 – Community Infrastructure Levy

‘Housing’ Supplementary Planning Guidance (March 2016)

- National Planning Policy Guidance

National Planning Policy Framework (March 2012)
Planning Practice Guidance
Technical Housing Standards – Nationally Described Space Standard (March 2015)