**Barking and Dagenham Council**  
**Planning Committee**  
**Date:** 10 July 2018

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<tr>
<th><strong>Application No:</strong></th>
<th>18/00239/FUL</th>
<th><strong>Ward:</strong></th>
<th>Thames</th>
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**Reason for Referral to Planning Committee as set out in Part 2, Chapter 9 of the Council Constitution:**  
In view of the likely level of public or Councillor interest.

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<th><strong>Address:</strong></th>
<th>Former site of garages, Wivenhoe Road, Barking IG11 0RB</th>
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<th><strong>Development:</strong></th>
<th>Erection of 7 two storey houses (5 x 2 bedroom and 2 x 3 bedroom units) with associated landscaping, parking, refuse and cycle storage.</th>
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<th><strong>Applicant:</strong></th>
<th>BeFirst - Mr T Taylor</th>
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**Summary:**

The application site was formerly a garage block which has been demolished and the site lain vacant for some years. The hard surfaced area is hoarded off. The site also includes a small part of the greensward areas to either side. This application seeks planning permission for the erection of 7 two storey houses (5 x 2 bedroom and 2 x 3 bedroom units) with associated landscaping, parking, refuse and cycle storage.

The layout and external design of the development would be consistent with the character of the local area. The dwellings would be arranged in a short terrace of three, two-bed dwellings in the middle section addressing the houses opposite and a pair of semi-detached dwellings at either end, each comprising a two bed and three bed dwelling. The three bed dwellings would face down Wivenhoe Road, creating a ‘bookend’ to the development. The proportions of dwellings and detailed sizes of windows and doors respond to the character of the surrounding houses. The dwellings will be of traditional brick wall and pitched, tiled roof construction with solar roof panels and window surrounds defined in varying colours.

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

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

The Arboricultural Officer is satisfied with the proposed landscaping subject to conditions including a tree protection scheme during construction and a replacement planting regime. Two trees in the west of the site are proposed to be removed and this is acceptable as they are in poor health. Conditions are imposed to protect the adjoining Mayesbrook designated Site of Importance for Nature Conservation, the important habitat and wildlife corridor, during construction so that its ecological contribution to the Borough’s overall network is maintained.
The site has a low public transport accessibility level (PTAL) rating of 1b which means that new residents would be more dependent on private motor vehicles and bicycles for transport. As a result the development provides for one car parking space and two cycle spaces for each dwelling. The Highway Officer is satisfied with the proposal and this aspect is considered to be acceptable. The concerns of the one objector are responded to in the report below.

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

The Environment Agency has submitted a holding objection pending the receipt of a revised Flood Risk Assessment. This has now been sent to the Agency and it is hoped that a response will be received prior to the date of the Committee. If no response is received in time it will not be possible to make a decision on the application.

Any impacts on the amenity of adjacent properties are considered to be minimal.

The proposed development is considered to comply with the relevant policies set out in the London Plan and the Local Plan.

**Recommendation:**

That the Planning Committee grant planning permission subject to the following conditions:

1. **Time Limit**

   The development permitted shall be begun before the expiration of three years from the date of this permission.

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

2. **Approved Drawings**

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

   - WR-D01_Location Plan
   - WR-D02_Site Plan as Proposed Rev. B
   - WR-D03_Floor Plan as Proposed
   - WR-D04_Elevations as Proposed
   - WR-D05_3D Image
   - 16-191_WR-D06_Rev A_Site Section as Proposed
   - 16-191_Wivenhoe Road_D+A Part 1 of 2
   - 16-191_Wivenhoe Road_D+A Part 2 of 2
   - 9027_Wivenhoe Road_Energy Statement_171215
   - Wivenhoe Road Arboricultural Survey
   - Wivenhoe Road Arboricultural Impact Assessment
   - Flood Risk Assessment
   - 2018-02-06 Environmental Noise Impact Assessment
   - Preliminary Ecological Appraisal_Wivenhoe Road_FINAL
Reason: For the avoidance of doubt and in the interests of proper planning.

3. Details of External Materials

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

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

4. Accessible Housing - M4 (2)

Before occupation all of the dwellings shall comply with Building Regulations Optional Requirement Approved Document M4(2) Category 2: Accessible and adaptable dwellings (2015 edition). Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.

Reason: To ensure that accessible housing is provided in accordance with policy 3.8 of the London Plan.

5. Water Efficiency

Before occupation the proposed dwellings shall comply with the water efficiency optional requirement in paragraphs 2.8 to 2.12 of the Building Regulations Approved Document G. Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.

Reason: To minimise the use of mains water in accordance with policy 5.15 of the London Plan (March 2016).

6. Lighting

Any security and other lighting installed on the site, whether permanent, during residential occupation or temporary during construction, must be directed down and away from the rear, northern, boundary of the site which comprises the designated Mayesbrook Site of Importance for Nature Conservation and must avoid light spill onto adjacent green areas, trees and bird and bat boxes. All lighting must avoid using spectrums that attract insects and affect birds and bats. Lighting should be designed in accordance with Bats and Lighting in the UK (http://www.bats.org.uk/pages/bats_and_lighting.html) or the latest advice from the Bat Conservation Trust.

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

7. Ecological Protection
No vegetation or site clearance shall take place between March and September without the submission of a breeding birds survey and subsequent written approval of the Local Planning Authority. The survey shall include a programme for implementation and mitigation measures where necessary and shall ensure a subsequent inspection is undertaken 2 days prior to commencement. The results of the survey should be submitted to the Local Planning Authority before works commence. If nesting birds are found i) works should be delayed until the nesting season is over and the fledglings have left the area and ii) 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. The survey and inspections shall only be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved details.

Reason: The ecological protection survey is required prior to commencement of the development to protect the ecology of the area as nesting birds may be present on the site and in accordance with policy CR2 of the Core Strategy (2010), policy BR3 of the Borough Wide Development Policies Development Plan Document (2011) and policy 7.19 of the London Plan (2016).

8. Bird and Bat Boxes

No development above ground level shall take place until details have submitted to and approved in writing by the Local Planning Authority of a scheme of bird nesting and bat roosting boxes, showing how these can be incorporated into the structures e.g. the brickwork of the new buildings or roof spaces. The scheme shall in particular provide for two House sparrow terraces on the north facing facade of each house.

The development shall not be occupied until bird nesting and bat roosting boxes have been installed on the building or in any trees on the site in accordance with the submitted and approved details. The details shall accord with the advice set out in "Biodiversity for Low and Zero Carbon Buildings: A Technical Guide for New Build" (Published by RIBA, March 2010) or similar advice from the RSPB and the Bat Conservation Trust.

Reason: In order to make space for nature, thereby preserving and enhancing the Borough’s natural environment and to comply with policy CR2 of the Core Strategy, policy BR3 of the Borough Wide Development Policies Development Plan Document and policy 7.19 of the London Plan

9. Boundary Treatment

No development above ground level shall take place until there shall be submitted to and approved in writing by the Local Planning Authority a plan indicating the position, design, materials and type of boundary treatment to be erected around the dwellings. Measures shall include fences that are wildlife friendly with hedgehog gravel boards at the bottom.

No part of the development shall be occupied until the approved boundary treatment has been constructed. The approved boundary treatment shall be retained unless the Local Planning Authority gives prior written approval for its removal.

Reason: To ensure the boundary treatment protects or enhances the character and amenity of the area to preserve and enhance the Borough’s natural environment in accordance with policy CR2 of the Core Strategy, policy BP11 of the Borough Wide
10. Hard and Soft Landscaping

No development above ground level shall take place until a scheme of hard and soft landscaping for the site, including details of materials, species and a planting schedule shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall comprise 100% native plants and trees, of local provenance, in order to protect the biodiversity of the Mayesbrook SINC and incorporate the recommendations in the Preliminary Ecological Assessment.

The approved hard landscaping shall be carried out prior to the occupation of the development and thereafter permanently retained. The approved soft landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or completion of the development, whichever is the sooner. Any trees which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.


11. Surface Water Drainage (Flooding and Conservation)

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

Reason: The Drainage Scheme is required prior to commencement of development in order to reduce the risk of flooding and to protect the habitat of the adjoining Mayesbrook Site of Importance for Nature Conservation in accordance with policy CR2 of the Core Strategy, policies BR3 and BR4 of the Borough Wide Development Policies Development Plan Document and policies 5.13 and 7.19 of the London Plan.

12. Root Protection

Prior to commencement of development a method statement identifying the root protection areas of all trees and including the scrub/ hedge along the northern boundary on and around the site and giving details of any works to be carried out within the root protection areas of the trees and the method to avoid damage to the trees during these works has been submitted to and approved in writing by the Local Planning Authority.

Reason: A root protection scheme is required in order to ensure that retained trees and scrub/hedges are adequately protected during the construction phase to preserve and enhance the Borough’s natural environment in accordance with Policy CR2 of the Core

13 Tree and Scrub/Hedge Protection

Prior to commencement of development and until all such works are completed:

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

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

c) the linear belt of dense and continuous scrub/hedge along the northern site boundary (immediately north of the erected hoarded fencing) shall be retained and protected from construction.

Reason: A tree and scrub/hedge protection scheme is required prior to commencement of development in order to ensure that retained trees and scrub/hedges are identified prior to the commencement of development and adequately protected during the construction phase to preserve and enhance the Borough’s natural environment in accordance with Policy CR2 of the Core Strategy and policies BR3 and BP11 of the Borough Wide Development Policies Development Plan Document, policy 7.19 of the London Plan and Section 197 of the Town and Country Planning Act 1990.

14. Site Investigation (Potential contaminants)

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

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

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

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

16. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

17. Risk Assessment

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 14, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 15, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 16.

18. Monitoring and Maintenance Scheme

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

Reason for conditions 14-18: Contamination must be identified prior to commencement of development to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy BR5 of the Borough Wide Development Policies Development Plan Document and policy 5.21 of the London Plan.

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

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

20. Control of Noise and Vibration

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

21. Control of Dust.

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


22. Construction Works (Conservation)

Vehicle and plant movement and storage of construction materials shall be confined to the existing hardstanding with no construction works, access and storage permitted on the soft-estate within 5 metres of the Mayesbrook SINC.

Reason: In order to protect the ecology of the area and in accordance with policy CR2 of the Core Strategy (2010), policy BR3 of the Borough Wide Development Policies Development Plan Document (2011) and policy 7.19 of the London Plan (2016).

23 Construction Method Statement

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

i. the parking of vehicles of site operatives and visitors;
ii. details of access to the site;
iii. loading and unloading and the storage of plant and materials used in constructing the development; that should be confined wherever possible to the existing hardstanding (as per condition 22) and showing no construction works, access or storage within the designated Mayesbrook Site of Importance for Nature Conservation (SINC).
iv. the erection and maintenance of security hoardings including decorative displays;
v. wheel washing facilities;
vi. measures to control the emission of noise, dust and dirt generally during construction particularly to ensure that dust and particulate pollution of the designated (SINC) and other semi-natural habitats is avoided;
vii. a scheme for recycling/disposing of waste resulting from demolition and construction works; and
viii. details of a nominated developer/resident liaison representative with an address and contact telephone number to be circulated to those residents consulted on the application by the developer’s representatives. This person will act as first point of contact for residents who have any problems or questions related to the ongoing development.

ix. A strict pollution prevention protocol to be adhered to during the vegetation clearance and construction phase of the proposed development,

x. Any lighting must be directed down and away from the rear, northern, boundary of the site, avoid light spill onto adjacent areas and avoid using spectrums that attract insects and affect birds and bats (as per condition 6)

xi. Specification of the method of protecting the SINC during construction

xii. Specification of the method of monitoring of the SINC during construction to ensure there is no encroachment onto the SINC or pollution.

xiii. Specification of the strategy for the protection of nesting black redstarts during construction

xiv. Measures to ensure compliance with the Wild Mammals Act 1996 must be used throughout the site clearance and construction phase These measures should include:

i. Any excavations created during the construction to be covered or ramps provided each evening to prevent any mammals becoming trapped or injured.

ii. Any liquids stored on site should be stored in a secure lock-up.

xv. Specification of the strategy to avoid harm to reptiles during the clearance of the mound of earth and rubble colonised by plants towards the north-east corner of the site. This clearance should be undertaken outside of the reptile hibernation period (between November and February). The clearance should be supervised by an ecologist and a strategy for potential relocation of reptiles provided. A report should submitted to the Local Planning Authority on the presence or absence of reptiles and any relocations that take place.

Reason: The construction method statement is required prior to commencement of development in order to reduce the environmental impact of the construction and the impact on the amenities of neighbouring residents, and to preserve and enhance the Borough’s natural environment and wildlife in accordance with policy CR2 of the Core Strategy, policies BR3 and BP8 of the Borough Wide Development Policies Development Plan Document, policy 7.19 of the London Plan and to ensure compliance with the Wild Mammals Act 1996

24. Foundation Design (High Speed 1)

Prior to the commencement of development details of the design of the foundations and other works proposed below existing ground level shall be submitted in writing and approved by the Local Planning Authority in consultation with HS1. Construction activity shall then be carried out in compliance with the approved details unless previously agreed...
in writing by the Local Planning Authority in consultation with HS1.

Reason: The Foundation Design is required prior to commencement of development in order to ensure that loads on, and settlement of, HighSpeed1 tunnels, structures, track and other infrastructure do not prejudice the safety or operation of HighSpeed1 in accordance with Policy 6.2 of the London Plan.

25 Site Investigations near to HighSpeed1 (in tunnel)

Prior to the start of site investigations involving a borehole or trial pit deeper than one metre, details of the location and depth of site investigations including a method statement shall be submitted in writing and approved by the Local Planning Authority in consultation with HS1. This activity shall then be carried out only in compliance with the approved details unless previously agreed in writing by the Local Planning Authority in consultation with HS1.

Reason: Site investigations are required prior to commencement of development in order that the borehole or trial pit is at an acceptable vertical and horizontal distance from the tunnel such that it does not compromise the integrity, safety or operation of HighSpeed1 in accordance with Policy 6.2 of the London Plan.

26. Excavations (High Speed 1)

Prior to the start of construction activity engineering details of the size, depth and proximity to HighSpeed1 of any excavations shall be submitted in writing to and approved by the Local Planning Authority in consultation with HS1. Excavations shall then be carried out in accordance with the approved details unless the Local Planning Authority in consultation with HS1 has previously agreed in writing to any change.

Reason: Excavation details are required prior to the construction of development in order to ensure that the stability HighSpeed1 tunnels, structures, track and other infrastructure is not prejudiced in accordance with Policy 6.2 of the London Plan.

27. Imposed Loads (High Speed 1)

Prior to the commencement of development, details of the size, loading and proximity to HighSpeed1 of additional ground loads such as stockpiles shall be submitted in writing and approved by the Local Planning Authority in consultation with HS1. Works shall be carried out in conformity with the approved details unless the Local Planning Authority in consultation with HS1 has previously agreed in writing to any change.

Reason: Details of the imposed loads are required prior to the commencement of development because of the presence of HS1 tunnels below this development raising the requirement to ensure that the stability of HighSpeed1 tunnels, structures, track and other infrastructure is not prejudiced in accordance with Policy 6.2 of the London Plan.

28. Vibration (High Speed 1)

Prior to the commencement of development details of the plant and equipment proposed which are likely to give rise to vibration (such as pile driving, demolition and vibro-compaction of the ground) together with predicted vibration levels, shall be submitted in writing and approved by the Local Planning Authority in consultation with HS1. Activities likely to cause vibration in the vicinity of HighSpeed1 infrastructure such that a peak particle velocity (PPV) of 5mm/s may be exceeded at the railway boundary will be subject to agreement in advance.
Where activities could give rise to PPV of 5mm/s or greater, a vibration and settlement monitoring regime shall be submitted in writing to for approval by the Local Planning Authority in consultation with HS1. The approved regime shall be put in place prior to the start of works. HS1 shall be provided reasonable access to the results of monitoring.

Reason: Details of the plant and equipment proposed which are likely to give rise to vibration are required prior to commencement of development in order to ensure that vibration does not prejudice safety, operation and structural integrity of HighSpeed1 in accordance with Policy 6.2 of the London Plan.

| Contact Officer | Title: Development Management Officer | Contact Details: Tel: 020 8227 3294 E-mail: clare.wright@befirst.london |

1. Introduction and Description of Development

1.1 The application site comprises a 0.2 hectare rectangular shape that is bounded by Wivenhoe Road to the front and rail lines to the rear, including HS.1.

1.2 The applicant seeks planning permission for the erection of 7 two storey houses (5 x 2 bedroom and 2 x 3 bedroom units) with associated landscaping, parking, refuse and cycle storage.

2. Background

2.1 No relevant planning application history.

3. Consultations

3.1 Publicity

Neighbour consultation letters were sent to the occupants of 37 nearby properties. Objection comments were received from the occupants of No. 40 Wivenhoe Road for the following reasons:

- Proposal seems to be for 10 dwellings
- No provision for existing residents’ cars that will be displaced from parking on the current pavement edge and that have parked here for many years. Residents park here as they receive parking tickets when parking on the ditch side of the road.
- Already problems with parking in Wivenhoe Road
- Insufficient parking for new development
- Will acoustic protection for the new build also be available for the existing homes?

Case officer: These concerns are addressed below.

3.2 Transport Development Management Officer

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

This council-owned site has previously been used as parking garages but has been boarded up for some time and therefore not used for parking.
The proposal for the construction of 7 2-storey houses will entail the loss of the parking spaces but there is available parking on-street along Wivenhoe Road, including 2 accessible parking bays.

The preferred layout is one with individual off-street parking with a 1:1 parking ratio. We do not foresee any adverse highway implications resulting from this proposal and therefore have no objections.

Further response from Transport Development Management

Further to our earlier response and the concern raised about parking in Wivenhoe Road, I can confirm our colleagues in My Place have looked into this matter.

My Place have advised that at this present time there are no plans to install any additional unrestricted parking bays in this street as other parking schemes currently being delivered throughout the borough take priority. Some residents have enquired about converting some of the amenity green areas to create additional parking. Obviously, parking is a Borough wide issue however the scale of this residential scheme meets the requirements of the London Plan and therefore, would’nt require any specific parking restrictions or necessitate a controlled parking zone.

Case officer: This response is discussed in the officer report.

3.3 Arboricultural Officer

I am happy with the proposal. The significant trees are remaining to retain the presence and character of the greens. The removals are lower quality.

In terms of additional planting (replacements and / or augmentation of the site to improve greenery) I would be satisfied with the addition of hedging on the back boundary to the railway. It looks in the diagram to be included and it would be satisfactory mitigation. I would recommend hawthorn for wildlife and as screen to the railway.

Finally there should be a tree protection plan for the retained trees. This should show fixed fencing to protect the trees during construction. This should extend outwards to the end of the canopy of the trees to prevent soil compaction and crown damage.

When the boundaries to the properties are fixed care then must be taken not to damage roots during work, with no trench excavations within the canopy area (Root Protection Area)

Case officer: These conditions are imposed

3.4 Environmental Health Officer

The environmental protection issues raised by this application are railway noise, possible land contamination and construction phase impacts – noise and dust.

Railway Noise

The applicant has submitted a noise assessment, dated February 2018. The report notes the primary noise source affecting the site to be the railway line adjoining the northern boundary. Based on a combination of measurement and prediction the consultant identifies the day/night noise levels affecting the most exposed rear facades of the proposed dwellings.
These levels are less than noise exposure category (NEC) D as set out in the now withdrawn planning policy guidance note (PPG)24 and so there is no objection on noise grounds to the principle of development.

The consultant also identifies that if windows to rear facing rooms are open then the internal noise levels recommended in BS 8233:2014 will not be achieved and recommends that suitable acoustic treatment would be the provision of standard thermal double glazing coupled with two acoustic trickle ventilators per room. I concur with this conclusion. I note that the rooms facing the railway are north facing and so in this case I do not think that there is an imperative to provide some form of acoustically treated mechanical ventilation to address the need for increased ventilation during warm summer periods.

Possible land contamination

The site’s proximity to the railway and its previous use as a car park raise the potential for land contamination and so I recommend that any permission that might be granted be subject to the standard land contamination conditions.

Construction phase impacts

There is potential for adverse impact from construction phase dust and other emissions to air as well as noise. Therefore, I recommend that any approval that might be granted be subject to conditions limiting the hours of construction work and requiring the mitigation of noise, dust and other emissions to air in accordance with current best practice.

In summary, I do not wish to object to the application but recommend that any permission that might be granted be subject to the following conditions.

Case officer: These conditions are added

3.5 Network Rail (High Speed) Asset Protection

No objections subject to conditions.

Case officer: These conditions are added.

3.6 Essex & Suffolk Water

Our records show that we do not have any apparatus located at the site. We have no objection to this development. Consent is given to the development on the condition that a water connection is made onto our Company network for the new dwelling for revenue purposes.

3.7 Thames Water

No objection regarding waste water network and waste water process infrastructure capacity. Regarding surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like an informative attached to the planning permission.

Case officer: The informative will be added.
3.8. Environment Agency

The Environment Agency has submitted a holding objection pending the receipt of a revised Flood Risk Assessment. This has now been sent to the Agency and it is hoped that a response will be received prior to the date of the Committee. If no response is received in time it will not be possible to make a decision on the application.

4. Local Finance Considerations

4.1. The application is not subject to the Mayor of London and Council’s Community Infrastructure Levy as the applicant has made a claim for social housing relief due to including affordable housing which qualifies for mandatory or discretionary Social Housing Relief.

5. 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, seven adaptable dwellings (to M4(2): will be provided in the development which will ensure the dwellings are well suited for elderly people and those with disabilities.

6. Analysis

6.1 Principle of Development

6.1.1 The principle of development is acceptable, subject to conditions, as the site is within an established residential area, on previously developed land and its impacts can be managed by condition.

6.2 Housing

Housing Mix

6.2.1 This development is not classified as a major development as it is below the 10 unit threshold and as such there is no policy requirement to consider the mix. However the development provides for a mix of two and three bedroomeed dwellings.

Sub Market Housing

6.2.3. The applicant is Be First who are proposing that the houses will be let at sub-market rents. They are currently intended to be offered at 80% of market rent. This is not a planning policy requirement as the proposal is for below the 11 unit threshold and therefore it is not necessary to require this as part of the granting of permission.

6.3. Design

6.3.1. Policies BP8 and BP11 of the Borough Wide Development Policies DPD set out the principles which should be applied to the design and layout of new development in order to avoid harm to the character of the local area.
6.3.2. Alternative designs and layouts were considered prior to this current proposal which would have resulted in more housing but would have entailed the loss of some of the greenspace either side of the garage compound.

6.3.3. This 7 unit proposal largely retains the greens at each end of the site. It is a more compact form of development that more closely corresponds to the surrounding densities. The scale, roof design and architectural detailing of the proposed dwellings would be sympathetic to the surroundings whilst meeting current environmental requirements and facilitating on plot parking spaces. The scheme introduces low key contemporary elements, such as square bay windows, contrasting coloured window surrounds and solar panels which would complement neighbouring properties.

6.4. **Amenity of Nearby and Proposed Properties**

6.4.1. Policies BP8 and BP11 of the Borough Wide Development Policies DPD seek to protect the residential amenity of adjacent properties.

**Privacy**

6.4.2. The proposed dwellings are over 21 metres away from the dwellings on the other side of Wivenhoe Road to avoid any significant loss of light, outlook or overlooking.

6.4.3. No residential properties are directly behind as the application site backs onto the railway line and therefore will not overlook or be overlooked in turn.

**Internal Design**

6.5.1. Policy 3.5 of the London Plan (March 2016) seeks to ensure that internal design is of high quality through applying the internal space minimum standards of Table 3.3 and other liveability measures in its Housing SPG.

6.5.2. The 70m² minimum gross internal area (GIA) standard for a 2 bedroom, 4 person dwelling is applicable to the 5 proposed 2 bedroomed units. The GIA of these units will exceed these standards at 84m² (2 units) and 87m² (3 units) and in all other respects the dwellings are considered to be satisfactorily laid out.

6.5.2. The 93m² minimum gross internal area (GIA) standard for a 3 bedroom, 5 person dwelling is applicable to the two proposed 3 bedroomed units. The GIA of these units will exceed these standards at 98.6m² and in all other respects the dwellings are considered to be satisfactorily laid out.

6.5.2. The proposed built-in storage for all units will comply with the 2.0m² and 2.5m² minimums for 2 and 3 bedroom dwellings respectively. The ceiling heights of the proposed dwellings will be at least 2.5 metres for more than 75% of the GIA. Overall, the proposed development meets and exceeds internal space minimum standards.

6.5.3. Noise pollution from the railway line could potentially harm the amenity of habitable rooms in the rear, north, north west elevation openings in the proposed dwellings. However the Environmental Health Officer is satisfied that modern glazing with trickle vents for ventilation would shut out the noise to a satisfactory degree and
therefore no scheme of noise mitigation is required. No additional soundproofing would be required to the existing dwellings opposite, as raised in the neighbour representation: in itself the proposed 7 houses would not create additional noise to warrant this measure, nor do the current noise levels in the area exceed recommended levels. The proposal therefore accords with DPD Policy BR13 Noise Mitigation.

6.5.4. Policy 3.8 of the London Plan (March 2016) states that 90 percent of new housing should meet Building Regulation requirement M4 (2) ‘accessible and adaptable dwellings’ and 10 per cent of new housing should meet Building Regulation requirement M4 (3) ‘wheelchair user dwellings’. The proposal accords with this policy as all the proposed dwellings will meet requirement M4 (2) and is secured by condition.

6.6. External Amenity Space

6.6.1. Policy BP5 of the Borough Wide Development Policies DPD seeks to ensure that appropriate external private amenity space is provided to meet the needs of future occupants through minimum area standards.

6.6.2. The minimum area amenity standard for a 2 bedroom dwelling is 50m². The proposed rear gardens for the two bed dwellings would exceed the minimum, at between 72 and 76m². The minimum area standard for a 3 bedroom dwelling is 60m². The proposed rear gardens for the three bed dwellings would exceed the minimum, at between 91 and 96m².

6.6.3. The depth of the rear gardens would be significantly less than the required 12m depth of Policy BP5, at 4m (3 bed dwellings) and 7m (2 bed dwellings). However it is considered that this is acceptable due to the generous overall sizes that exceed the minimum standards and all garden space would be private, usable, functional, safe and easily accessible from living areas. Were the proposed dwellings to be moved closer to Wivenhoe Road by the 5m to meet this standard several benefits of this proposal would be removed: namely the front garden area and on plot parking provision for each dwelling, amount of physical separation between existing and proposed dwellings, and a devaluing of the open nature of the proposed street scene. Moreover no significant benefit would be gained in terms of useability nor reducing noise disturbance from the main rail line behind. For these reasons the garden space as proposed is considered to be acceptable.

6.7. Transport and parking

6.7.1. The application site has a poor Public Transport Accessibility Level rating of 1b. This means that the access to public transport is relatively low compared with other areas of the Borough: Upney underground station on the District line is the nearest railway station and that is a 32 minute walk to the north. There are EL1 and EL2 bus services operating along Bastable Avenue a 3 minute walk to the south. EL1 – Barking Reach to Ilford. EL2 – Dagenham Dock to Becontree Heath. The Thames View schools complex is a 6 minute walk away and Newlands Park recreational area is immediately to the south, which has an all-weather pitch and a toddler play area.
6.7.2. The Transport Development Management Officer understands there are already parking issues in the area, however, whilst important, these are not considered to be so unusual compared to many other areas in the Borough. Whilst the proposal would result in some displacement of existing vehicle parking as cars park against the unused pavement of the site, this effect is considered to be insufficient to refuse the application when the proposal provides for its own on plot parking that meets the London Plan standards.

6.7.3. The current scheme proposes dedicated on-plot parking at a ratio of 1:1 and two cycle spaces per dwelling. The applicable maximum residential parking standard in Tables 6.2 and 6.3 in the Parking Addendum of the London Plan (March 2016) for a two bedroomed unit is less than 1 space and, for a 3 bedroomed unit, is up to 1.5 per unit. The parking provision of 1 on plot space per unit is therefore at the upper end of the permitted range. Policy BR9 of the Borough Wide Development Policies DPD follows the guidance set out in the London Plan with respect to parking. The proposed provision of cycle and car parking is therefore considered to be acceptable.

6.7.4. The wider issue of parking in this area and the potential benefit of nearby spaces being formally marked out, as in other parts of the estate, and the greater utilisation this could bring, is a matter for My Place and would need to be taken forward separately from consideration of this application.

6.7.5. For the reasons above, the parking provision and consequential effects of the proposal is considered consistent with Policy 6.13 of the London Plan (March 2016) and Policy BR9 of the Borough Wide Development Policies DPD.

6.8. Sustainability

Energy

6.8.1 Policy BR1 of the Borough Wide Development Policies DPD states that all developments are expected to meet high standards of sustainable design and construction. Policy CR1 of the Core Strategy requires all new developments to meet high environmental building standards and encourages low and zero carbon developments.

6.8.2 The submitted Energy Strategy is set out in accordance with Policy 5.2 of the London Plan. Proposed ‘be lean’ measures, including levels of insulation beyond Building Regulation requirements, air tightness, natural ventilation, reduced thermal bridging and energy efficient lighting, are expected to result in a reduction of 1.2% (0.2 tonnes per annum) of the 2013 Building Regulations (Part L) baseline. No provision is made for ‘be clean’ measures as the application site is located in an area where district heating is not expected to be implemented in the future. The proposed ‘be green’ measure identified photovoltaics as a suitable technology for the development. The photovoltaic panels are expected to result in a reduction of 21.6% regulated CO2 (4.0 tonnes per annum across the whole site).

6.8.3. The total CO2 reduction achieved on-site is expected to be 20.4% of the baseline emissions (3.8 tonnes regulated CO2) below the Part L Baseline. Whilst there are no specific policy requirements relating to energy savings for non-major developments, the proposed CO2 savings are welcomed.
6.8.5. The proposed development is considered to meet the relevant policies.

Environment

6.8.6. Due to the presence of the Mayesbrook behind the site it could potentially be subject to localised flooding. The Environment Agency has submitted a holding objection pending the receipt of a revised Flood Risk Assessment Plan. This has now been sent to the Agency and it is hoped that a response will be received prior to the date of the Committee. If no response is received in time it will not be possible to make a decision on the application.

6.8.7. The Preliminary Ecological Appraisal identified no further need to produce further assessments of the site and surroundings. The Appraisal recommends conditions that would protect any potential wildlife in the Mayesbrook and associated watercourses, which are designated as a Site of Importance for Nature Conservation, both during and post construction. These conditions are added.

Water Usage

6.8.6. Policy 5.15B (b) of the London Plan states that residential development should be designed so that mains water consumption would meet a target of 105 litres or less per head per day. A condition stipulating that before occupation the proposed dwellings shall comply with the water efficiency optional requirement of the Building Regulations Approved Document G is recommended to ensure the proposal accords with this policy.

6.9. Contamination

6.9.1. The submitted site investigation report and Environmental Health Officer consider there may be potential for land contamination from the proximity to the railway and previous use for garaging and car parking. Conditions are therefore recommended and would ensure compliance with Policy BR5 of the Local Plan.

7. Conclusion

7.1. The development will result in the development of unused brownfield land with 7 good quality two and three bedroom dwellings. The external appearance is sympathetic to the local character and any adverse effects on the amenity of the adjacent properties would be minimal. The design of the dwellings will result in good quality internal and external amenity for future occupants which reflect London Plan space standards. The level of proposed on-site provision of cycle storage and car parking is acceptable. For the reasons set out above, the proposal accords with the relevant Development Plan.

Background Papers

- Planning Application File

Search 18/00239/FUL via http://paplan.lbbd.gov.uk/online-applications/
• **Local Plan Policy**

Core Strategy (2010):

Policy CR1 Climate Change and Environmental Management
Policy CR2 Preserving and Enhancing the Natural Environment
Policy CR4 Flood Management
Policy CP3 High Quality Built Environment
Policy CC1 Family Housing


Policy BR1 Environmental Building Standards
Policy BR5 Contaminated Land
Policy BR9 Parking
Policy BR10 Sustainable Transport
Policy BR11 Walking and Cycling
Policy BR13 Noise Mitigation
Policy BP5 External Amenity Space
Policy BP8 Protecting Residential Amenity
Policy BP10 Housing Density
Policy BP11 Urban Design

The London Plan (March 2016):

Policy 3.4 Optimising Housing Potential
Policy 3.5 Quality and Design of Housing Developments
Policy 3.8 Housing Choice
Policy 3.13 Affordable Housing Thresholds
Policy 5.2 Minimising Carbon Dioxide Emissions
Policy 5.21 Contaminated Land
Policy 5.3 Sustainable Design and Construction
Policy 5.7 Renewable Energy
Policy 5.15 Water Use and Supplies
Policy 6.13 Parking
Policy 6.2 Providing public transport capacity and safeguarding land for transport
Policy 7.15 Reducing and Managing Noise
Policy 7.19 Biodiversity and Access to Nature
Supplementary Planning Guidance ‘Housing’ (March 2016)

**National Guidance and Policy**

Technical Housing Standards – Nationally Described Space Standard (March 2015)
Planning Policy Guidance