| **Barking and Dagenham Council**  
| Planning Committee | **Date:** 10 July 2018 |
| **Application No:** | 18/00555/FUL |
| **Ward:** | Abbey |
| **Reason for Referral to Planning Committee as set out in Part 2, Chapter 9 of the Council Constitution** | This application is a major Council/Be First scheme |
| **Address:** | Land to rear of Barking Enterprise Centre, Linton Road, Barking |
| **Development:** | Erection of a 5 storey building to provide ground floor community space and artists workspace and 12 dwellings above dedicated for artists. |
| **Applicant:** | Mr Peter Moore, The Mayor and Burgesses of the London Borough of Barking and Dagenham |

**Summary:**

This application seeks planning permission for the erection of a 5 storey building to provide ground floor community space and artists' workspace and 12 dwellings above dedicated for artists' live/work spaces. It is anticipated that the community space would host a range of public events including arts workshops, film screenings and community meetings.

The project is backed by the Mayor of London and would provide long-term affordable housing provision for artists, while facilitating sustainable public access to artistic activity in the local community. The design has been prepared following an invited competition, on behalf of London Borough of Barking and Dagenham, supported by the Greater London Authority and arts charity Create London.

The application site is a currently cleared and fenced off site to the rear of the Barking Enterprise Centre (BEC) and Anne Mews, where the William Street Quarter begins. The proposed development would fill approximately half of the site with a building of a regular, nearly rectangular footprint. The remainder of the site comprising a courtyard to the rear of the BEC and side of the Hapag Lloyd building will be relandscaped and shared with the BEC. The proposed five storey building would sit between the heights of the William Street development and the BEC.

The design of the building, its workspace, community space and accommodation has been informed through an intensive public engagement programme, as reported in the Design and Access Statement. The engagement included local residents, artists and leaders in the cultural and creative industries whose collective advice has culminated in the submitted scheme.

The building is currently proposed to be constructed of an insitu concrete façade with a relief pattern and the concrete will be sealed with a ‘fluorinated acrylic’ in order to manage any weathering. However, alternative finishes are being explored to find the most effective finish for the building whilst remaining within budget. As such this aspect is conditioned.
The building is described by CABE as having a ‘monumentality’ to its design. A potentially austere frontage to Linton Road has its tone lifted at ground floor level by the use of a glazed frontage set behind a wall perforated with concrete geometric shapes beneath a substantial overhanging canopy. At the sides facing onto Anne Mews and into the courtyard the canopies are smaller. The canopies have dual functions of shielding ground floor activities from unwanted solar gain and signifying the presence of the building in the streetscape.

Landscaping to the courtyard between the proposed building and the BEC has been provided in a sketch form. However, as these details have yet to be finalised between the two parties, the detailed design and provision of car and cycle parking, refuse, boundary treatments and open space will be sought via the imposition of a condition.

In terms of the residential element of the scheme, all accommodation will be accessible and affordable, which is secured by condition and legal agreement. Ten of the flats will be two-bedroomed. Two flats will have one-bedroom, one of which will comprise the wheelchair accessible flat. This flat incorporates a double height studio/extra bedroom leading onto its own courtyard which has been created from a cut out design and circular window in the top of the façade onto Anne Mews. All the flats will have balcony space. Internal and external spaces meet national and London Plan standards. A key aspect of the strategy is to provide ‘raw’ finishes in the interior spaces. This is considered advantageous not only in budget terms but also in terms of the quality of spaces provided to tenants. Exposed structure can also add a positive sculptural character to a building without impeding flexibility. Tenants would be free to complete the apartments as they wish or to leave the finishes raw.

The scheme is a well-connected town centre site, with a high Public transport Accessibility Rate (PTAL) of 6 and therefore will be car-free, secured via legal agreement. 25 cycle spaces are to be provided on site and the area is very accessible to people arriving on foot.

Pedestrian access for the community space is via Linton Road and Anne Mews whilst access to the residential floors is via the courtyard between the proposed House for Artists and the Barking Enterprise Centre.

The quality of the proposed scheme so far, process of design development and the prior experience of the designers of the building, give sufficient confidence in the quality of the scheme for detailed aspects to be provided by condition.

Development of this site for the mixed artists’ studio spaces, community space and residential accommodation would satisfy a number of the Borough’s and London Plan strategic objectives and policies: Strategic Objectives SO.1, SO.2, SO.3, SO.7, SO.8 and SO.11, Policies CC2, CE1, CP1 and CP3 of the Core Strategy; policies BC1, BC2, of the Borough Wide Development Plan; and policies 3.1, 3.5, 3.8, 4.6 and 7.4 of the London Plan.

Permission is recommended subject to conditions and the Unilateral Undertaking detailed below.
Recommendation:

That the Planning Committee grant planning permission subject to:

1. A Unilateral Undertaking to secure:
   
i. **Affordable housing**
   
   All 12 residential units that will be constructed will be rented out on an intermediate rent basis at 65% of market rent
   
   ii. **No Permits for Controlled Parking Zones (CPZ)**
   
   To ensure that all head leases 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.
   
   iii. **Carbon Offset**
   
   The development shall achieve a minimum 35% reduction in carbon emissions over Part L of the Building Regulations 2013 through on-site provisions and the remaining carbon emissions to zero carbon should be offset through a monetary contribution to the Local Authority’s carbon offset fund calculated on the basis of £60 per tonne over 30 years.
   
   iv. **S106 Legal Fees**
   
   Pay the Council’s professional fees associated with the preparation and completion of the S106 Agreement.

2. The following conditions

**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:

Site Location Plan drwg no. HAB-PLN-P-LO dated 27 March 2018
Existing Site Plan drwg no. HAB-PLN-P-SI-EX dated 25 April 2018
Proposed Ground floor GIA and GEA drwg no. HAB-PLN-P-00-AREA, dated 6 April 2018
Proposed site Plan drwg no. HAB-PLN-P-SI-PR rev. 1 dated 25 April 2018
Proposed Ground Floor Plan drwg no. HAB-PLN-P-00 rev. 1 dated 25 April 2018
3. Creative and cultural industries tenure

All of the artists’ dwellings hereby approved shall accommodate at least one person employed in the creative and cultural industry unless otherwise agreed in writing by the Local Planning Authority.

Reason: The dwellings have been designed to provide specific accommodation for a specifically identified group of workers within the cultural and creative industry, particularly geared towards artists who are being displaced from elsewhere in London. The loss of the units to general use would be harmful to this objective and to the wider regeneration aims of the Borough and to London. This occupancy condition will ensure compliance of the development with Strategic Objectives SO.1, SO.2, SO.3, SO.7, SO.8 and SO.11, Policies CC2, CE1, CP1 and CP3 of the Core Strategy; policies BC1, BC2, of the Borough Wide Development Plan; policy BTCSSA4 of the Barking Town Centre Action Plan and policies 3.1, 3.5, 3.8, 4.6 and 7.4 of the London Plan.

4. Details of External Materials

Prior to commencement of development details/samples of all materials to be used in the construction of the external surfaces, their finish and any resulting treatment of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved materials.

Reason: Details of external materials, their finish and treatment are required prior to commencement of development because these have not been supplied already. These...
5. Details of bird management and rainwater runoff

Prior to the commencement of development details of the bird management and rainwater run-off strategy for the building and any resulting treatment of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved materials.

Reason: Providing a bird strategy will ensure that the building does not encourage nesting or roosting birds and that rainwater issuing from the building, especially its canopies, is managed so as not to cause a problem at the entrances to the site and adjacent road and footways. These details are required prior to commencement of development because they may impact on the design and construction of the building where retrofitting could be unsightly and these details have not been supplied already. These details are required in order 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.

6. Accessible Housing - M4 (2)

Before occupation 11 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.

7. Accessible Housing - M4 (3)

The one wheelchair unit identified on the approved drawings shall be constructed to Building Regulations Optional Requirement Approved Document M4(3) Category 3: (Wheelchair user 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 sufficient accessible housing is provided in accordance with policy 3.8 of the London Plan.

8. 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.
9. Courtyard treatment

No development above ground level shall take place until a scheme of hard and soft landscaping for the courtyard, including details of any boundary treatment, materials, bin storage, any seating etc. areas and a planting schedule shall be submitted to and approved in writing by the Local Planning Authority.

The approved hard landscaping, boundary treatments, bin store and any seating etc areas 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 planting which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: In order to safeguard and improve the appearance of the area through providing a comprehensive scheme for the redevelopment of the courtyard between the Artists Accommodation and the Barking Enterprise Centre in accordance with policy CM1 of the Core Strategy, policy BP11 of the Borough Wide Development Policies Development Plan Document.

10. Parking (Details)

No development above ground level shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for the provision of safe and secure parking for a minimum of 25 cycles and accessible car parking facilities in line with the minimum standards of the London Plan. The approved scheme shall be implemented prior to the occupation of the development and thereafter retained permanently for the accommodation of bicycles of occupiers and visitors to the premises and not used for any other purpose.


11. Access for Services

No development above ground level shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority for provision of a Service Delivery Plan to ensure satisfactory operational parking for maintenance, servicing and deliveries of the proposed uses of the building and for the maintenance access to the energy centre located at the rear of the site.

Reason: In order to ensure waiting and loading restrictions already adjacent to the site would not affect the operational parking for maintenance, servicing and deliveries of the
proposed uses of the building and that the maintenance access to the energy centre located at the rear of the site for the electricity substation and district heating component would not be blocked to prevent any maintenance operations from taking place, in accordance with Policy 6.13 of the London Plan.

12. Construction and Logistics Plan

Prior to the commencement of the development a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall be designed to minimise deliveries of materials and export of any waste materials within the times of peak traffic congestion on the local road network. The Plan shall be implemented in accordance with the approved details and thereafter maintained.

Reason: The Construction Logistics Plan is required prior to commencement of development in order to minimise the impact of construction on the free flow of traffic on the local highway network and in the interests of highway safety, and in accordance with policy BR10 of the Borough Wide Development Policies Development Plan Document and policy 6.3 of the London Plan.

13. Surface Water Drainage (Aquifer)

Prior to commencement of development a Surface Water Drainage Scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, 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 damaging the Aquifer and in order to ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution and to prevent further deterioration and promote recovery of groundwater with a groundwater body in accordance with policy CR1 of the Core Strategy, policies BR1, BR4 and BR5 of the Borough Wide Development Policies Development Plan Document, policies 5.21, 5.13 and 5.15 of the London Plan and in line with paragraph 109 of the National Planning Policy Framework.

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,
archaological 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 13, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 14, 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 15.

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 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. a strict pollution prevention protocol to be adhered to during the clearance and construction phase of the proposed development to protect the aquifer;
ii. the parking of vehicles of site operatives and visitors;
iii. details of access to the site;
iv. loading and unloading and the storage of plant and materials used in constructing the development;
v. the erection and maintenance of security hoardings including decorative displays;
vi. wheel washing facilities;
vii. measures to control the emission of noise, dust and dirt during construction;
viii. a scheme for recycling/disposing of waste resulting from demolition and construction works;
ix. details of a nominated developer/resident liaison representative with an address and contact telephone number to be circulated to those residents consulted on the application by the developer’s representatives. This person will act as first point of contact for residents who have any problems or questions related to the ongoing development;

Reason: The construction method statement is required prior to commencement of development in order to reduce the environmental impact of the construction as the site is above an Aquifer and close to neighbouring dwellings, in accordance with policy CR2 of the Core Strategy, policy BP8 of the Borough Wide Development Policies Development Plan Document and policy 5.13 of the London Plan.

23. SUDS Infiltration of surface water into ground (Environment Agency)

No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority.

Reason: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution caused by mobilised contaminants and to prevent further deterioration and promote recovery of groundwater with a groundwater body because infiltration of surface water has the potential to mobilise contamination present within the soil. Where the proposal involves the discharge of anything other than clean roof water via sealed drainage, within sensitive groundwater locations, a risk assessment and suitable level of treatment may be required. To ensure the development is in accordance with policy CR1 of the Core Strategy, policies BR4 and BR5 of the Borough Wide Development Policies Development Plan Document, policies 5.21, 5.13 and 5.15 of the London Plan and in line with paragraph 109 of the National Planning Policy Framework.

24. Piling / boreholes /tunnel shafts / ground source heating and cooling systems (Environment Agency).

Piling, deep foundations and other groundworks (investigation boreholes, tunnel shafts, ground source heating and cooling systems) using penetrative methods shall not be carried out other than with the written consent of the Local Planning Authority. If piling is required a piling risk assessment and appropriate mitigation measures should be submitted in accordance with Environment Agency guidance.

Reason: To ensure that any proposed piling, deep foundations and other groundworks (investigation boreholes, tunnel shafts, ground source heating and cooling systems) using penetrative methods, does not harm groundwater resources and to prevent further deterioration and promote recovery of groundwater with a groundwater body because some piling techniques can cause preferential pathways for contaminants to migrate to groundwater and cause pollution. During piling works (especially if the piles extend to the chalk within Source Protection Zone (SPZ)1 - saturated zone), due to the proximity of nearby potable abstractions, the weekly groundwater monitoring for in situ parameters and turbidity should be considered. To ensure the development in accordance with policy CR1 of the Core Strategy, policies BR4 and BR5 of the Borough Wide Development Policies Development Plan Document, policies 5.21, 5.13 and 5.15 of the London Plan and in line with paragraph 109 of the National Planning Policy Framework.

25. Decommission of investigative boreholes. (Environment Agency)
A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of any part of the permitted development.

Reason: To prevent further deterioration and promote recovery of groundwater with a groundwater body and to ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in accordance with policy CR1 of the Core Strategy, policies BR4 and BR5 of the Borough Wide Development Policies Development Plan Document, policies 5.21, 5.13 and 5.15 of the London Plan and in line with paragraph 109 of the National Planning Policy Framework.

1. Introduction and Description of Development

1.1 This application seeks planning permission for the erection of a 5 storey building to provide ground floor community space and artists' workspace and 12 dwellings above dedicated for artists' living spaces.

1.2 The proposal has been developed in collaboration with local people, artists and leaders in the cultural and creative industries and been subject to a CABE review.

1.3 The application site is a currently cleared and fenced off site to the rear of the Barking Enterprise Centre (BEC) and Anne Mews, where the William Street Quarter begins.

1.4 The proposed development would fill approximately half of the site with a building of a regular, nearly rectangular footprint. The remainder of the site comprising a courtyard to the rear of the BEC and side of the Hapag Lloyd building will be relandscape and shared with the BEC.

2. Background

2.1 No relevant planning application history.

3. Consultations

3.1 Publicity

14 neighbouring occupiers were consulted by individual letter; emails were sent to the William Street Tenants Association and the BEC. Site notices were posted at five locations on and in the vicinity of the application site, and a press notice published in the Barking and Dagenham Post. To date, two objections have been received:

| Contact Officer | Title: Development Management Officer | Contact Details: Tel: 020 8227 3294 E-mail: clare.wright@befirst.london |
Response one: Colin Newman – local cycling representative

- There is no mention of cycle parking for visitors either to the residences or the public facility
  Case officer: a condition is imposed
- Whilst mention is made of improving the streetscape around the development no proposal is made for cycle access to the site from the wider surroundings
  Case officer: this is outside the scope of the planning application
- If the development is made cycling friendly especially at certain junctions the borough can make a small step in being a place where sustainable transport is a good and effective choice to make for most people.

Response two: Hapag Lloyd

- No assessment undertaken on potential daylight/sunlight impact or overshadowing;
  Case officer: this has been undertaken and is responded to in the report below
- No information provided on the courtyard treatment;
  Case officer: this is secured by condition
- Insufficient detail provided on the management of the public indoor and outdoor spaces
- No details of the delivery and servicing arrangements
  Case officer: the Transport Development Management Team are satisfied with the arrangements subject to imposition of conditions
- No information on the management of the construction period
  Case officer: this is secured by condition

3.2 Transport Development Management

The proposed development is located within the town centre and the site has a Public Transport Accessibility Level rating of 6 (excellent), determined using the standard methodology issued by Transport for London and therefore it would be reasonable to consider it as a car free development. To ensure this would become and remain a car free development CPZ on-street parking permits will not be permitted to residents or business uses and this should be conditioned. However, it is worth noting LBBD have a scheme for local residents and businesses to use the nearby London Road Car Park and any future occupiers of this building may be able to apply for the necessary permits to use this car park depending on the level of demand.

In terms of other sustainable modes of travel which will be available to any prospective occupiers of the development, the site is surrounded by a comprehensive network of footways and adjacent to local and London cycle networks. It is stated in the design and access statement that the scheme will provide cycle parking for 24 cycles in accordance with the London Plan; the site would also benefit from a car club bay.

Pedestrian access for the public space is via Linton Road and Anne Mews whilst access to the residential floors is via the courtyard between the proposed House for Artists and the Barking Enterprise Centre. It is also stated there will be common interests between the occupants of the new build with its existing neighbouring building Barking Enterprise Centre as both form part of the Barking Culture and
Enterprise Zone and as such will share the existing entrance from Linton Road to access the proposed courtyard, bike racks and refuse bins. However, we understand the shared courtyard strategy is still being developed in close collaboration with the Barking Enterprise Centre.

The information provided shows no changes to the existing highway but, as there are waiting and loading restrictions already adjacent to the site, we would require a Service Delivery Plan. This is to ensure that these restrictions do not affect the operational parking for maintenance, servicing and deliveries of the proposed uses of the building. Also, to confirm the maintenance access to the energy centre located at the rear of the site, which includes both an electricity substation and a district heating component, would not be blocked to prevent any maintenance operations from taking place.

We recommend, prior to any construction commencing on site, a drawing showing the location and type of secure cycle parking as well as a plan indicating accessible car parking facilities in line with the minimum standards of the London Plan and a Construction Logistics Plan be provided; these should all be secured by condition.

Accordingly, there are no apparent adverse highway implications and, subject to the above conditions, we would not object.

Case officer: The required conditions are added and the CPZ restrictions secured through a Unilateral Undertaking

3.3 Environment Agency (EA)

Initially EA required a risk management framework to be submitted and objected on this basis.

Having reviewed the submitted risk management framework we are able to remove our objection subject conditions being included within any decision notice. We believe that these conditions are a necessity because contamination from land immediately adjacent to this site could be mobilised during construction and potentially pollute controlled waters. Controlled waters are particularly sensitive in this location as the site is within: - A Source Protection Zone 1 for the East Ham potable water supply and upon a Secondary aquifer A within the Taplow Gravel Formation.

Without these conditions we would object to the proposal in line with paragraph 109 of the National Planning Policy Framework (NPPF) because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution. In addition to the requirements of the NPPF, the Thames River Basin Management Plan (RBMP) requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. Without these conditions, the impact of contamination potentially present and mobilised by the proposed development limits the Thames RBMP’s ability to meet these objectives.

Case officer: The EA is now satisfied subject to imposition of conditions which are recommended above.
3.4 Thames Water

No objections subject to an informative advising of the potential for piping crossing the site.
Case officer: This informative will be added.

3.5 Cadent Gas

No objections subject to an informative note which is recommended to be added to the Decision Notice regarding potential presence of gas apparatus.
Case officer: This informative will be added

3.6 Essex and Suffolk Water Company

No response

3.7 Environmental Health

No response received

3.8 Access Officer

Response provided and the scheme has been amended accordingly.

3.9 Fire Officer: London Fire Brigade.

The Commissioner is satisfied with the proposals on the ground floor. In respect of the residential parts; there should be access for a pump appliance to within 45m of all points in each dwelling measured along a route suitable for the laying of hose. If the above cannot be achieved, a fire main should be installed and access provided for a pump appliance to within 18m of the inlet to the main which should be visible from the appliance. There should be a fire hydrant within 90m of the inlet to the main. Access roads should be a minimum of 3.7m wide measured between kerbs and capable of supporting a vehicle with a minimum carrying capacity of 14 tonnes. Any dead end access road in excess of 20m in length should be provided with suitably sized turning facilities.

Case officer: The applicant has responded and provided a fire safety strategy within the revised Design and Access Statement that incorporates more fire safety considerations. This aspect is, however, controlled by Building Regulations.

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, 11 adaptable dwellings (to M4(2) will be
provided in the development which will ensure the dwellings are well suited for people with disabilities. The 12th dwelling will be fully adaptable (to M4(3) standard) and have an additional outdoor courtyard space recognising the possibility of more time might being spent inside the building.

6. **Analysis**

6.1 **The site context**

6.1.1 The application site comprises a cleared and fenced off area that previously accommodated four 19th century terraced dwellings, part of a much longer terrace fronting Linton Road and shown as a cleared area on the 1970’s Ordnance Survey map series. The primary frontage of the proposal would be onto Linton Road, facing a south, south westerly direction.

6.1.2 The site is to the rear of the Barking Enterprise Centre (the BEC), between which will be a shared courtyard. Abutting the rear of the site, to the north, north east, is the single storey Energy Centre, incorporating both an electricity substation and district heating facility and the Hapag Lloyd office building. Between the adjacent BEC and Hapag Lloyd buildings and the town centre is the ‘360 Degrees’ development comprising four octagonal blocks of between 10-28 storeys, currently under construction.

6.1.3 The north, north westerly flank of the proposed building would face onto Anne Mews, where the William Street Quarter begins. The Quarter has been recently completed, with its successful mix of accommodation, interaction with the street, materials and form blending brick built two and three storey dwellings and six storey maisonettes having a white/grey subtly patterned finish.

6.1.4 Across the road is the Presbytery which is a locally listed building.

6.2 **Principle of the use**

6.2.1 Development in Barking is led by the Barking Town Centre Area Action Plan (2011) which incorporates the application site. The application site forms part of site allocation BTCSSA4 (The King William Street Quarter) which has now been built out other than the application site. The site allocation states that proposed uses should include, inter alia, new homes and a community facility and it is considered that the scheme accords with this.

6.2.4 It is anticipated that the community space would host a range of public events including arts workshops, film screenings and community meetings. Development of this site for the mixed artists’ studio spaces, community space and residential accommodation would satisfy a number of the Borough’s and London Plan strategic objectives and policies: Strategic Objectives SO.1, SO.2, SO.3, SO.7, SO.8 and SO.11, Policies CC2, CE1, CP1 and CP3 of the Core Strategy; policies BC1, BC2, of the Borough Wide Development Plan; and policies 3.1, 3.5, 3.8, 4.6 and 7.4 of the London Plan.

6.3 **Design**

6.3.1 **Appearance and function**
6.3.2 Policies CM1 and CP3 of the Core Strategy and policy 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.

6.3.3 A particular feature of the design is the use of a canopy or wide ‘porches’ over the ground floor of the building that project 1.7m at the front and 0.8m to the sides and which provide shading. This element will also highlight the presence of the building within the streetscene so that it can be viewed from further along Linton Road, when approaching from the town direction. Underneath the canopy will be a minimalist, geometric concrete façade.

6.3.4 The application indicates that the materials used will be primarily concrete. It will have a pattern that will be either raised or indented. The concrete finish will be sealed in order to manage rainwater and environmental factors. However, the colour and finish of the building has not yet been finalised. The colour and finish of the proposed building is to be controlled by condition, seeking submission of details later.

6.3.5 The structure of the building provides the flexibility to make future internal alterations to take place if required, such as moving walls. This will enable flexibility in the internal layouts of the ground floor and living accommodation. Further, the living rooms of each of the flats have the option of being interconnected to permit collaboration on work or to share child care with neighbours.

6.3.6 The designers were sourced via architectural competition and have worked with local people, artists and leaders in the cultural and creative industries to develop the scheme. The design was reviewed by CABE who supported the approach but required more details at the time. It is considered that the proposed development is of a good standard and has the potential to be a striking addition to the variety of buildings in the Town Centre.

6.3.7 The Presbytery is a locally listed building that is located opposite the site. The integrity of this building, which is set back from the street behind a garden is considered to not be adversely affected by the proposal. The scheme will in fact liven up the street and provide another building of individual quality in the area.

6.3.4 Internal space standards

6.3.5 On the ground floor the public and work areas of the building would incorporate a community space of 78m²; four dedicated studios with storage space of varying sizes ranging from 45m² to 29m² which can be interconnected; a kitchen; and accessible toilets.

6.3.6 Taking a vertical section through the building, the floor to ceiling heights vary between the floors, with the greatest at present being 3.3m for the ground floor spaces and exceeding the required 2.5m minimums across the residential accommodation.
6.3.7 The internal finishes for the entire building, flats and ground floor spaces, are designed to be robust where walls and floors can withstand the active working processes and the hanging/exhibition space associated with creative industries.

6.3.8 All the four floors of the residential accommodation above would be accessed from the courtyard via lift and stairs. Fire refuges are also provided and a fire escape/rear access from the flats to the same stairs.

6.3.9 The first and second floors will accommodate four flats of varying sizes from 74m² to 82m², comprising 2 bedroom four person units. On the third floor and fourth floors will accommodate three flats of varying sizes comprising one, 1 bedroomed flat for up to two people and two, 2 bedroomed units. The one bedroomed flat on the third floor will be configured as a fully accessible dwelling to M4 (3) standard. All flats meet and exceed the Nationally Described Space Standard (2015) and London Plan standards.

6.3.10 All flats would be accessed via a 2m wide main deck at the front, facing into the courtyard.

6.3.11 External Space Standards

6.3.12 External amenity space for each unit comprises a balcony space and the shared courtyard below. No roof garden is proposed due to issues of access and safety and the overriding requirement for roof mounted solar panels.

6.3.13 The shared balcony space would provide between 20m² and 13m² in front of each flat, allowing for the wedge shape of the building where it follows the line of Linton Road. These sizes comfortably exceed the Mayor’s Housing SPG requirements of 5m² baseline for a 1-2 bedroomed unit plus 1m² for each additional person, making a requirement of between 5m² and 7m² for each unit. The qualitative further requirement of requiring dwellings on upper floors to all have level access to a terrace, roof garden, winter garden, courtyard garden or balcony is also met.

6.3.14 This arrangement is acceptable and meets the requirements of Policy BP5 of the Borough Wide Development Policies Development Plan Document and Policy 3.8 of the London Plan thereby ensuring a satisfactory standard of accommodation.

6.4 Amenity

6.4.1 The closest neighbouring residential buildings to the site are the six storey maisonettes within the William Street Quarter, dwellings to the rear in Anne Mews and the Presbytery opposite.

6.4.2 The maisonettes have secondary windows on the Anne Mews elevation that provide light into rooms either already lit from the front, main elevation, or rear or are into circulation areas. The proposed Artists House would create some shading to these windows in the earlier part of the day, however as these are secondary windows there is considered to be little material adverse impact. Similarly there would be no significant overlooking or loss of privacy to the rooms on this elevation. The nearest houses are situated behind the Energy Centre, in Anne Mews. They would receive very limited shadowing from the proposal and is considered to cause little material adverse impact. As the main outlook of the proposal is onto Linton Road at the front.
and at either side into Anne Mews or the internal courtyard, it is considered that there would be little loss of privacy to the housing in Anne Mews behind the development to the north.

6.4.3 Across the road, to the front of the proposed development, the Presbytery is considered sufficiently far removed to not be affected by loss of privacy from the flats due to the positioning of only two windows at second floor level facing onto Linton Road. The remainder of this front façade would be blank.

6.4.4 In terms of the impact of the proposed ground floor public and studio use on the surrounding area, the Presbytery and church related uses opposite are themselves public uses and the public are expected in this part of the street, and to a lesser degree for the BEC. Fewer people would be expected to come via Anne Mews to visit the new facility and whilst some might arrive via William Street, it is considered that this is already used as a cut through from North Street and the use would have little additional impact.

6.4.5 The office buildings abutting the courtyard comprise the BEC that would share the courtyard with the Artists’ accommodation and the Hapag Lloyd building. The latter has objected on a number of grounds which are responded to in this report. Here the matter of the level of daylighting, privacy and overshadowing is responded to. Whilst the requirements for commercial uses may not be as great as for residential accommodation, these matters still carry some importance. The front and rear of the new flats would be set behind balconies: they would thereby provide some shading and privacy for the new occupants and correspondingly for the existing office buildings when occupied. In terms of impact upon daylighting and overshadowing, both the BEC and Hapag Lloyd buildings would receive some additional shading from the proposed building particularly from the afternoon onwards. However it is noted that the Hapag Lloyd building already has a high fence on the elevation facing the courtyard and the office blinds are often closed against the daylight. Furthermore these are side and rear elevations respectively of the Hapag Lloyd building and the BEC, their primary frontages are onto Cambridge Road, which are not impacted upon by this development.

6.4.6 It is considered that the relationships between the proposed development and neighbouring buildings would result in an acceptable standard of residential and commercial amenity, privacy, daylighting and outlook for both existing neighbours and future occupiers in accordance with BP5 and BP11 of the Borough Wide Development Policies DPD.

6.5 Transport

6.5.1 The proposed development is located within Barking Town Centre and the site has a Public Transport Accessibility Level rating of 6 (excellent) and as such no car parking, other than for blue badge users, is provided. To ensure this would become and remain a car free development a Unilateral Undertaking will ensure that CPZ on-street parking permits will not be permitted to residents or business uses unless they hold a blue badge.

6.5.2 In terms of other sustainable modes of travel which will be available to any prospective occupiers of the development, the site is surrounded by a comprehensive network of footways and adjacent to local and London cycle
networks. The scheme will provide 24 cycle parking spaces and one further visitor space in accordance with the London Plan and also benefits from a nearby car club bay.

6.5.3 A Service Delivery Plan will be required, via imposition of planning condition, to ensure the occupied property and adjacent energy centre can be serviced and maintained. Other conditions will secure the location and type of secure cycle parking, a plan indicating accessible car parking facilities and a Construction Logistics Plan. The Transport Development Management Officer does not object subject to the imposition of these conditions and the conclusion of the proposed Unilateral Undertaking.

7. **Sub-Market Housing**

All 12 residential units that will be constructed will be rented out on an intermediate rent basis at 65% of market rent.

8 **Environmental Sustainability**

8.1 A carbon reduction strategy has been submitted with the application in the form of an Energy and Sustainability Statement.

8.2 The statement demonstrates the proposals are capable of meeting the necessary requirements to minimise carbon dioxide emissions (London Plan Policy 5.2) and the wider requirements of the Mayor of London’s Supplementary Planning Guidance (SPG) for Sustainable Design and Housing for at least 35% reduction over Part L of the 2013 Building Regulations for domestic new build (it achieves 39%) and for non-domestic 35% (it achieves 42%). This is achieved through the structure of the building, shading, connection to the local heat network/CHP and use of photovoltaic panels on the roof. The residential elements of the development are required to be ‘zero-carbon’ for regulated energy carbon emissions. A predicted annual shortfall of 7.7 tonnes CO2 per annum is expected, resulting in a 30 year cumulative emissions of 286 tonnes CO2 which is liable for a Carbon Off-set Contribution. It is estimated that this would result in a £17,160 payment in lieu contribution, to be secured via the Unilateral Undertaking, that would allow the Council/BeFirst to secure delivery of CO2 savings elsewhere (at a current rate of £60/tonne CO2 over the 30 year period).

8.3 Payment of these monies will ensure compliance with London Plan Policy 5.2 and Core Strategy Policy CM1. Payment will be secured via a unilateral agreement.

9 **Conclusion**

9.1 The proposal provides much needed secure-tenure artists’ accommodation, with commercial studio facilities and the ability to work at home, within their accommodation. The ground floor public space has the potential to provide a convivial meeting place which will be further encouraged by the proposed quality of the building and the space it will create and its contribution to the wider neighbourhood.

9.2 The building is intended to accommodate artists at all stages in their lives including recent graduates, families and older artists, locally and from wider afield.
9.3 The public programme will be created by the residents of the building and involve the community. The new public space will provide an artist-led public programme of events, lectures, performances and social gatherings – from youth clubs to lunches for over 70’s - reflecting and responding to local knowledge and need. This programme will be developed with the resident artists themselves and supported initially by Create and other formal partnerships with organisations in the borough.

9.3 The development offers a sustainable model for integrated community programmes and delivers affordable homes. It will make a major contribution to the regeneration aims of the area in signifying a quality of approach and quality of the finished product resulting in a quirky, attractive building and courtyard that contributes to the streetscene and is welcoming to artistic and community life.

Background Papers

- Planning Application File
  
  Search 18/00555/FUL via [http://paplan.lbbd.gov.uk/online-applications/](http://paplan.lbbd.gov.uk/online-applications/)

- Local Plan Policy

  Core Strategy (2010):

  Strategic Objectives SO.1, SO.2, SO.3, SO.7, SO.8, SO.11, Policy CM1 General Principles for Development Policy CR1 Climate Change and Environmental Management Policy CC2 Social Infrastructure to Meet Community Needs Policy CE1 Vibrant and Prosperous Town Centres Policy CP1 Vibrant Culture and Tourism Policy CP3 High Quality Built Environment


London Borough of Barking and Dagenham: Community Infrastructure Levy Charging Schedule, October 2014

The London Plan 2016
Policy 3.1 Ensuring equal life chances for all
Policy 3.5 Quality and design of housing developments
Policy 3.8 Housing Choice
Policy 3.10 Definition of affordable housing
Policy 3.13 Affordable Housing Thresholds
Policy 4.12 Improving opportunities for all
Policy 4.6 Support for and enhancement of arts, culture, sport and entertainment
Policy 5.13 Sustainable drainage
Policy 5.14 Water quality and wastewater infrastructure
Policy 5.15 Water use and supplies
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 6.9 Cycling
Policy 6.13 Parking
Policy 7.4 Lifetime Neighbourhoods

Supplementary Planning Guidance ‘Housing’ (March 2016)
Supplementary Planning Guidance ‘Sustainable Design and Construction’ (April 2014)

National Guidance and Policy

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