MINUTES OF PLANNING COMMITTEE

Monday, 11 November 2019
(7:00 - 8:41 pm)

Present: Cllr Muhammad Saleem (Chair), Cllr John Dulwich (Deputy Chair), Cllr Faruk Choudhury, Cllr Edna Fergus, Cllr Cameron Geddes, Cllr Simon Perry and Cllr Dominic Twomey

Apologies: Cllr Andrew Achilleos, Cllr Mick McCarthy and Cllr Foyzur Rahman

25. Declaration of Members' Interests

There were no declarations of interest.

26. Minutes (16 October 2019)

The minutes of the meeting held on 16 October 2019 were confirmed as correct.

27. Southern part of Tesco Car Park, Highbridge Road, Barking - 18/02131/FUL

The Development Management Team Leader (DMTL) introduced a report on an application from Ecoworld London Development Company Ltd in relation to the southern part of Tesco Car Park, Highbridge Road, Barking for:

- the demolition of the existing car park and substation;
- construction of five buildings ranging in height from 9 to 23 storeys to provide 514 residential units (Use Class C3) together with 90 square metres (GIA) of flexible retail/commercial floorspace (Use Classes A1-A3);
- ancillary management and resident facilities;
- pedestrian and cycle footbridge;
- public realm enhancements including hard and soft landscaping and associated access; and
- servicing, car parking and cycle parking.

Given the scale and strategic nature of the application it was referable to the Mayor of London for direction.

The DMTL explained that seven responses to the consultation were received, of which six were to object to the application, on the basis of the layout, scale, height and massing of the development, its effects on sunlight and daylight and the outlook of adjoining residential properties as well as traffic and highway matters. Other concerns centred on the impacts on conservation, heritage, construction, anti-social behaviour, health and safety and valuations of property.

Having assessed the various considerations of the application, the officers concluded that the proposal generally complied with the relevant policies set out in the National Planning Policy Framework, the London Plan and the Local Plan. It was felt, therefore, that the proposed residential-led development would bring an under-utilised car parking area within Barking Town Centre into beneficial use by providing:
significant regeneration benefits for the Borough in the form of new affordable and private housing;
• a non-residential unit for retail, financial/professional services and/or food and beverage use; and
• new high-quality public realm, including a riverside walk and new pedestrian/cycle bridge across the River Roding.

The Committee heard from three registered speakers, two of whom were residents of Benedicts Wharf who expressed concerns that the proposed heights of the buildings would overshadow their properties, resulting in a loss of light and impacting on their quality of life. Additionally, the entrance to the site at West Bank was restrictive and would lead to an unacceptable build-up of traffic in the area. It was also claimed that at a promotional event held at the Broadway Theatre, the designers of the development had suggested that the taller storey buildings could be relocated on the site further away from adjoining residential properties so as to minimise the effects for residents at Benedicts Wharf.

The third speaker also raised concerns relating to health, safety and environmental matters and did not believe that sufficient affordable housing was being delivered.

The applicant stated that the site was a large under-utilised area on the edge of Barking Town Centre and that the planned development was entirely consistent with national and local plans and policies. The proposed layout of the site had due regard to existing local residents on adjoining sites including those at Benedicts Wharf.

Whilst acknowledging there would be some impact on existing buildings the applicant stated that they had worked hard with officers and Historic England to mitigate those impacts. The application, if granted, would achieve a high-quality development of exemplary design which included 35% affordable housing, the provision of a new bridge across the River Roding with a riverside walk, the creation of a high quality public realm space, the provision of commercial space creating new employment opportunities and contributions towards both a new bus service and the Community Infrastructure Levy (CIL).

In response to the presentation and in the light of the objections and comments, Members made a number of observations. These included a suggestion that condition no. 12 detailing measures to reduce crime be reworded, making it a requirement to achieve Secured by Design principles, accredited to at least silver standard, which the applicant agreed to.

Taking all of the issues into account, the Committee resolved to grant planning permission subject to any direction from the Mayor of London, the completion of a S106 Agreement securing the obligations set out in full at section 7.10 of the report (and summarised below) and the conditions set out in full at section 10 of the report (and summarised below), with any amendments that might be necessary up to the issue of the decision, including any other conditions that may be required as a result of referral to the Mayor of London:
Summary of S106 Obligations

- Secure 35% affordable housing (on a habitable room basis) on site comprising 30% London Affordable Rent, 35% Shared Ownership and 35% Discount Market Sale at 80% of open market value; and an early stage viability review mechanism.
- Secure submission of a marketing strategy for the residential units.
- Secure that anyone purchasing more than one residential unit shall use a Managing Agent.
- Secure that if the developer does not intend to manage the development itself that a Management Company is appointed for the day to day management of the development.
- Secure enhancements to the public realm and highway in the vicinity of the site, including improvements to the existing segregated cycle/footway adjacent to the site; any traffic management measures (scheme to be agreed); implement all off-site highway works prior to first occupation of the development; 24-hour access to be provided to public realm areas, riverside walk and bridge; delivery of bridge prior to first occupation of the second phase of the development, including maintenance of bridge and associated lifts; fund repair of public roads damaged during construction.
- Secure a financial contribution of £100,000 (index linked) towards two bus stops on Highbridge Road to improve the site’s connectivity.
- Secure an Employment, Skills and Suppliers Plan ensuring that a minimum of 25% of labour and suppliers required for the construction of the development are drawn from within the Borough.
- Secure restrictions preventing residents from obtaining parking permits for any controlled parking zone (CPZ).
- Secure three on-site parking spaces designated as car club spaces. These shall be fitted with active electric vehicle charging points. An agreement with ZipCar or any other suitable alternative to be formalised and signed prior to occupation of the development.
- Secure a commitment to provide two years’ membership to the local car club scheme per residential unit (on their request).
- Secure the submission, implementation and monitoring of a Travel Plan for the development.
- Secure a commitment to connect the development to the Barking Town Centre District Heating Network via Barking Wharf Phase 1 or other suitable connection as discussed and agreed with the Local Planning Authority, subject to the infrastructure being in place to enable connection to the District Heating Network. It must also be demonstrated that connection to the District Heating Network represents a viable cost effective and reliable energy supply to residents.
- Secure a minimum 35% reduction in carbon dioxide emissions over Part L of the Building Regulations 2013 through on-site provisions for the residential and non-residential uses and the remaining carbon emissions to zero-carbon for the residential uses to be subject to a carbon offset payment.
- Developer to pay the Council’s reasonable professional fees associated with the preparation and completion of the S106 Agreement.
Summary of Conditions

1. Commencement of development within three years;
2. In accordance with approved plans;
3. Submission of contamination risk assessment and remediation scheme;
4. Submission of Construction Environmental Management and Site Waste Management Plans;
5. Submission of Construction Logistics Plan;
6. Submission of surface water drainage scheme;
7. Submission of strategy for maintaining and improving flood defences;
8. Submission of external materials;
9. Submission of fire statement;
10. Submission of scheme of wind mitigation measures;
11. Submission of hard and soft landscaping details;
12. Submission of measures to reduce the risk of crime and external lighting details;
13. Submission of refuse strategy;
14. Submission of scheme of acoustic protection;
15. Submission of scheme of noise insulation of party construction;
16. Control of noise from non-residential uses and plant and structure borne noise emissions;
17. Submission of any commercial kitchen extract ventilation system;
18. Submission of Car Parking Design and Management Plan, including securing blue badge car parking and electric vehicle charging points;
19. Submission of cycle parking details;
20. In accordance with submitted energy strategy and submission of details of photovoltaics;
21. Submission of bird nesting and bat roosting bricks/boxes;
22. London City Airport Safeguarding – submission of details of cranes and scaffolding;
23. Submission of plan showing location of wheelchair adaptable dwellings and secure compliance with Building Regulations M4 (3) and M4 (2) – wheelchair adaptable dwellings and accessible and adaptable dwellings;
24. Submission of details of communal television and satellite system;
25. Submission of Delivery and Servicing Plan;
26. Scheme for managing boreholes and no piling, deep foundations and other intrusive groundworks using penetrative methods without consent;
27. Secure compliance with Building Regulations water efficiency optional requirement;
28. Submission of details of inclusive and unhindered access across the development;
29. Flexible uses – changes between uses allowed for a period of 10 years;
30. Hours of use of non-residential uses and delivery/collection hours;
31. No vegetation clearance and tree work during bird breeding season;
32. Protection of archaeological remains;
33. Thames Water – network upgrades;
34. Installation of internal blinds.

28. 1A Hainault Gore, Romford - 19/01285/FUL

The Graduate Development Management Officer (GDMO) introduced a report on an application for the demolition of an existing bungalow and garage and erection
of a two-storey, 3-bedroom detached dwelling house and associated facilities, amenity space and parking spaces (Class C3) on the site of 1A Hainault Gore, Romford.

27 neighbouring occupiers were consulted on the application and five objections were received. A number of the objectors were present at the meeting and made representations. The issues raised by the objectors included:

- The Use Class designation of the development (C2- Residential Institution, or C3(b) – Six people living together with some level of care), and the potential negative impact this would have on the residential amenity, character and safety of the area;
- Handling of hazardous materials and the existing garages;
- Disturbance caused by construction activities including damage to the access road as well as impacts on access and rights of way;
- Safety implications associated with the removal of the garage, allowing direct pedestrian access into the garden;
- Insufficient parking provision; and
- Impact on local biodiversity.

One of the objectors stated that although only five formal objections were submitted, collectively all the residents of Hainault Gore were opposed to the development and that given its proximity to a nearby school and the restrictions of the access road, it was suggested that the Committee should make a site visit before determining the application.

The GDMO explained that the application had identified the proposed development as a single dwelling house. The GDMO also clarified that a condition had been proposed requiring that any use within Class C3 for purposes other than that of a single dwelling house - C3(a), although not normally requiring permission, would still be subject to a further planning permission including more consultation.

Given the small-scale nature of the proposed development there was not considered to be any adverse impact on local biodiversity. The other objections, should they materialise, would be mitigated through the imposition of appropriate conditions.

The agent stated that the applicant had acknowledged that the private access road was already in a poor state of repair but that they would be prepared to fund necessary repairs and provide an undertaking to make good any damage caused by the construction works, albeit that as the building was a modular design, this would minimise any damage caused during construction.

It was noted that as the road did not form part of the application any undertaking would not be enforceable through planning conditions.

The Committee **resolved to grant** planning permission subject to the conditions set out in full at section 10 of the report and summarised below (with any amendments that might be necessary up to the issue of the decision):
Summary of Conditions

1. Commencement of development within three years;
2. In accordance with approved plans;
3. Submission of details of materials;
4. Submission of landscaping and boundary treatment details;
5. Parking spaces - implementation;
6. Refuse storage - implementation;
7. M4(2) ‘Accessible and adaptable dwellings’ compliance;
8. Water efficiency standards;
9. Land contamination and remediation;
10. Construction Management Plan;
11. Removal of permitted development rights for future extensions/alterations;
12. Restrict use to that of single dwelling house (Class C3(a)) only.

29. Gascoigne Estate West, Abbey Road, Barking - 19/01320/OUT

The Principal Development Management Officer (PDMO) introduced a report on an application from the London Borough of Barking & Dagenham proposing a variation of condition 5 of planning permission (17/00977/OUT) which granted an extant outline consent for the redevelopment of Gascoigne Estate West. The amendment related to Phase 1 of the development and concerned matters such as an increase in maximum building heights and their redistribution, alteration to street widths and traffic circulation routes.

The PDMO explained that the detailed design work had also demonstrated opportunities to improve public realm and on-street parking as well as creating a small park behind Block A fronting The Shaftesburys which would help integrate the proposals within the local context. As an outline application, associated matters of access, appearance, landscaping, layout and scale were reserved matters, and would require the submission of separate planning applications for approval.

The Committee heard from a registered speaker who opposed the application, commenting that the development would replace former Council flats with a mix of unaffordable properties and there should be a better mix of tenures. In response to those points, it was explained that the indicative tenure mix of the proposed development, and specifically that relating to affordable housing, would be more diverse in support of the local community.

In response to a request from Members the applicant confirmed that should the Committee be mindful to grant the application, they were prepared to accept an additional condition covering Secured by Design principles to reduce the risk of crime to which they intended to achieve ‘silver’ accreditation.

The Committee resolved to grant outline planning permission, subject to the completion of a S106 Deed of Variation securing the obligations set out in full at section 7.9.1 of the report (and summarised below) and the conditions set out in full at section 10 of the report (and summarised below), with any amendments that might be necessary up to the issue of the decision, including any other conditions that may be required:
Summary of S106 Obligations

- Pay the Council’s legal fees in respect of the legal agreement;
- Secure 42% affordable housing (subject to grant funding) with early and late stage reviews (minimum 30% Social Rent, minimum 30% Shared Ownership and the remaining at London Affordable Rent);
- Housing strategy for marketing of shared ownership units and private for sale housing;
- Permit restriction for future residents in controlled parking zones;
- Local labour and supply commitment so residents and businesses benefit from proposed development;
- Secure the submission, implementation and monitoring of a Travel Plan for the development;
- 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;
- Secure one-year free membership to a local car club for residents and the provision of two new car club spaces in the town centre;
- Secure the safeguarding of land and funding to deliver a two-way bus route along The Shaftesburys;
- Secure the cost of traffic management orders;
- Secure a CCTV Management Strategy;
- Carry out monitoring of local public transport capacity;
- Secure the delivery of additional bus stops and the relocation of existing bus stops (as necessary);
- Secure any Private Rented Sector (PRS) units for a minimum of 15 years from first occupation;
- Secure a PRS Marketing Strategy prioritising residents who live and or work in the Borough; and not to occupy any PRS unit until a management plan has been implemented.

Summary of Conditions

1. Definition of Development Parcels;
2. Reserved Matters to be Submitted;
3. Approved Parameter Plans;
4. Phasing Plan;
5. Construction Environmental Management Plan (CEMP);
6. Construction Logistics Plan;
7. Access to Phases;
8. Contaminated Land;
9. Archaeology – Written Scheme of Investigation;
10. London City Airport;
11. Building Regulations M4 (1), M4 (2) and M4 (3);
12. Accessibility and Management Plan - Residential;
13. Security Management Scheme;
14. External Lighting;
15. Communal Television and Satellite System;
16. Boundary Treatment;
17. Arboricultural, Trees and Vegetation Clearance;
30. **Gascoigne Estate West, Abbey Road, Barking - 19/01321/REM**

The Principal Development Management Officer (PDMO) introduced a report concerning an application submitted by the London Borough of Barking & Dagenham which, following outline consent (ref 17/00977/OUT), sought approval of reserved matters for Phase 1 of Gascoigne Estate West, Abbey Road, Barking, proposing 201 residential dwellings. This involved:

- the demolition of existing buildings and structures and construction of a maximum of 850 residential dwellings (Use Class C3 – dwelling houses);
- up to 350 square metres of flexible commercial/community floorspace (Use Classes A1, A2, A3, D1, D2) (GEA);
- associated means of access, car parking, landscaping, service infrastructure including an energy centre, and
- associated works.

The Committee had approved a Section 73 application (ref 19/01320/OUT) seeking minor material amendments to the outline consent prior to consideration of
this application. This included matters such as an increase in maximum building heights and the redistribution of building heights.

The PDMO explained that the purpose of this application was to assess and secure the details of the reserved matters such as design, external materials, landscaping and access. In summary, the proposed development had refined and enhanced the originally consented masterplan for Phase 1 of the development, providing a well-designed and attractive living environment for future residents compliant with the Development Plan.

A registered speaker objected to the high-rise nature of the proposed development, particularly in the context of its proximity to the Abbey Green and St Margaret’s Church, which he felt should be preserved for heritage. He also commented that the proposed development would add to the already stretched local health and education facilities and that the additional population generated by the development would contribute to congestion, adversely affecting the local quality of life.

Members raised several issues which were responded to by the agent for the applicant including:

- the affordability for local residents with respect to the proposed mix of tenure specifically in relation to London affordable rents and target rents;
- details and locations within the development of both informal and formal play space; and
- the need for a parking management plan which the applicant was willing to abide by.

The Committee resolved to grant reserved matters planning permission for Phase 1 of the development, subject to the conditions set out in full at section 10 of the report (and summarised below), with any amendments that might be necessary up to the issue of the decision, including any other conditions and the informative as set out at section 7.7.1 of the report:

**Summary of Conditions**

1. In accordance with approved drawings;
2. External materials - submission of details for approval;
3. Hard landscaping - in accordance with approved drawings;
4. Soft landscaping - in accordance with approved drawings;
5. Tree protection measures during construction for retained trees;
6. External lighting scheme - in accordance with approved details;
7. Cycle and refuse storage areas - in accordance with approved drawings;
8. Electric vehicle charging points to be installed;
9. Accessible parking provision;
10. London City Airport safeguarding.

31. Building Nos. D37 and D35B, Aventis Pharma, Rainham Road South, Dagenham - 19/01369/FUL and 19/01373/LBC

The Principal Development Management Officer (PDMO) presented a report on an application from UCL for planning permission and listed building consent for:
• the demolition of existing on-site buildings;
• the erection of a new purpose-built laboratory (Class B19 (c)) (5,904 sqm GIA) together with some 600 sqm of storage space; yard space;
• the body of a decommissioned plane; and
• associated work on the site of Aventis Pharma, Rainham Road South, Dagenham.

The PDMO explained that UCL’s current laboratory facility located in Tufnell Park was no longer fit-for-purpose. The new facility to be known as PEARL, (which stood for Person-Environment-Activity Research Laboratory), would allow the UCL to create full size environments and control different variables such as lighting, sound and construction materials, to test how people used infrastructure and cities.

In response to a question it was confirmed that if the application was approved, construction would be expected to finish in January 2021 and that following a short period for fitting out, the development should be completed by March 2021.

The Committee resolved to grant planning permission and listed building consent subject to the completion of a S106 Agreement securing the obligations set out in full at section 7.7 of the report (and summarised below) and the conditions set out in full at section 10 of the report (and summarised below), with any amendments that might be necessary up to the issue of the decision, including any other conditions:

Summary of S106 Obligations

• Secure an Employment, Skills and Suppliers Plan ensuring that a minimum of 25% of labour and suppliers required for the construction of the development are drawn from within the Borough.
• Secure a minimum 35% reduction in carbon dioxide emissions over Part L of the Building Regulations 2013 through on-site provisions, any shortfall in carbon emissions to 35% to be subject to a carbon offset payment.
• Developer to pay the Council’s professional fees associated with the preparation and completion of the S106 Agreement.

Summary of Conditions (for Planning Application)

1. Commencement of development within three years;
2. In accordance with approved plans;
3. Details of external materials;
4. Details of measures to make good the Canteen Building;
5. Submission of risk assessment and remediation strategy;
6. Submission of soft and hard landscaping scheme and cycle parking;
7. Submission of construction environmental management plan and site waste management plan;
8. Submission of security management scheme and external lighting;
9. Refuse strategy (compliance);
10. Submission of car parking design and management plan;
11. Delivery and servicing plan (compliance);
12. Constraints and logistics plan (compliance);
13. Submission of Travel Plan;
14. Energy strategy (compliance);
15. No vegetation clearance or tree works during bird breeding season;
16. Details of bat roosting bricks/boxes;
17. Submission of archaeological written scheme of investigation;
18. Submission of written scheme of historic building investigation;
19. Submission of wayfinding strategy;
20. Thame Water: submission of infrastructure plan;
21. SUDs strategy and submission of management and maintenance plan (part compliance).

Summary of Conditions (for Listed Building Consent)

1. Commencement of works within three years;
2. In accordance with approved plans.