

Barking and Dagenham Council Planning Committee		Date: 12th February 2024
Application No:	23/01560/VAR	Ward: Village
Reason for Referral to Planning Committee as set out in Part 2, Chapter 9 of the Council Constitution	The application is a strategic development which is of a scale and importance that should be determined at Planning Committee.	
Address:	131 Church Elm Lane, Dagenham, RM10 9RR	
Development:	Variation of conditions Condition 2 (approved plans), Condition 3 (contamination), Condition 4 (CEMP and SWMP), Condition 5 (Construction Logistics Plan), Condition 6 (Air Quality), Condition 7 (Acoustic Protection), Condition 8 (Plant), Condition 9 (hours of use), Condition 10 (Lighting and CCTV), Condition 11 (Piling), Condition 12 (Flood Risk Assessment), Condition 13 (Materials), Condition 14 (landscaping), Condition 15 (Travel Plan), Condition 16 (Waste), Condition 17 (Car Parking Design and Management Plan), Condition 18 (Cycle Parking), Condition 19 (Delivery and Servicing Plan), Condition 20 (Energy), Condition 21 (Accessible dwellings), Condition 23 (Water efficiency), Condition 24 (Non-residential units), Condition 25 (Fire) and Condition 26 (balustrades, screening and boundary treatments) attached to planning consent 19/00865/FUL (as amended by non-material amendment 23/01795/NONMAT, dated 17.12.2023) dated 10/01/2020 to allow for minor material amendments including an amended number of units, amended affordable housing provision, amendment from flexible B1/D1 uses at ground floor to 2no. Class E and 1no. Class F2 units, a reconfigured site and internal layout changes; redesigned play space and landscaping; the relocation of balconies; the provision of one additional core; changes to materiality; and internal alterations on upper floors.	
Applicant:	Major Commercial Property Ltd.	
<p>ADDENDUM</p> <p>1. <u>Member of Public Consultation Response</u></p> <p>An additional neighbour comment was received post the publication of the Planning Committee report.</p> <p>The comment is summarised as follows:</p> <ul style="list-style-type: none"> - Concern in relation to windows and balconies which would overlook property and impact the current level of privacy. - Purchased house in 2016 due to privacy in garden and paid over asking price to benefit from this. The development might reduce the sale price of the house in future. - Essential for religious reasons that privacy be maintained. - Think the initiative looks beneficial in some respects. Pleased to see a play area and community hub. 		

- The neighbour sets out that the needs of the new residents for fresh air and light should not take precedence over his family's concerns. Would like to see amendments to the of the balconies, additional screening, frosted windows or relocation.

Officer Comment

- The matters raised in this comment are considered in the committee report. The contents of this comment do not make a material difference to the officer recommendation. Nonetheless, a response is provided as follows:
- In relation to the playspace and community provision, officers are also supportive of this element of the scheme.
- Officers also note the concerns raised and address them in turn:
 - o Impact on property values is not a material planning consideration.
 - o Planning permission has already been granted for development in this location and this set the parameters in terms of height and massing.
 - o There have been slight alterations to the proposed footprint. However, these would take the proposed building line, windows and nearest balcony further away from the neighbour's property than under the extant planning permission. Officers therefore consider that the impacts on neighbouring amenity would be less than under the consented scheme, and not at an unacceptable level.
 - o A separation distance of approximately 35 metres would be maintained between the rear windows of 2 Harrison Road and the nearest windows on the proposed development, and none of these would directly face each other, thereby ensuring that internal privacy would be maintained.
 - o The balcony design is secured by condition. The balcony nearest 2 Harrison Road will feature a dense metal patterned design detail, which will provide for less transparency than under the extant scheme, thereby reducing any sense of overlooking when users are seated compared with the extant permission.
- Planning Committee should refer to the main officer report for the full assessment of neighbouring amenity matters. It is considered that the scheme has been well resolved with regards to matters of neighbouring amenity and the recommendations remain unchanged. The proposals have been considered with regard to the Equalities Act.

2. Transport for London Spatial Planning Response

- Transport for London's Spatial Planning division provided their comments after the publication of the planning committee report. These are summarised as follows:
 - o No concerns raised with the delivery and servicing arrangements.
 - o A Construction Logistics Plan should be secured by condition.
 - o A Travel Plan should be secured.
 - o The Cycle Parking layout requires updating to fully comply with the London Cycling Design Standards (LCDS) in order to ensure sufficient provision for adapted and cargo bikes.
 - o Car Parking provision should provide at least 20% active vehicle charging in the car park, parking spaces should be leased rather than sold and a Parking Design and Management Plan should be secured.

Officer Comment

- Transport matters have been assessed in the officer report and the proposals have been reviewed in full by Be First and LBBD Highways Officers.
- A construction logistics plan, delivery and servicing plan and travel plan have all been secured.
- A car parking design and management plan is also secured by condition. This requires all spaces to have active electric vehicle charging and will cover matters such as the leasing of parking spaces.
- The proposed wording of the condition 18 (cycle parking) is proposed to be updated following TfL's comments to allow design changes and ensure full compliance with the London Cycle Design standards. The existing condition wording is as follows:

"The development hereby permitted shall not be occupied until the cycle parking spaces within and outside of the building as indicated on drawing number 1118-100 Rev PO have been fully implemented. All cycle parking must comply with the London Cycle Parking Design Standards (LCDS). Thereafter, the cycle parking facilities shall be permanently retained."

- The newly proposed condition wording is as follows:

"Notwithstanding the details submitted with the application, the development hereby permitted shall not be occupied until full details of cycle parking have been submitted to and approved in writing by the Local Planning Authority. All cycle parking must comply with the London Cycle Parking Design Standards (LCDS). Thereafter, the cycle parking facilities shall be permanently retained."

- Aside from the slight amends proposed to the wording of condition 18, TfL's comments are not considered to have a material impact on the assessment or recommendation of the officer report.

3. Update to Planning Committee Report

- The summary of the committee report set out that there would be an additional 4no. affordable units. This was a drafting error and there will be an additional 6no. units, as set out in the relevant section of the officer report on unit mix and tenure.

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