


LONDON BOROUGH OF BARKING & DAGENHAM
PLANNING COMMITTEE
24th July 2024
Application for Planning Permission

Case Officer:	Kathryn McAllister	Valid Date:	20.12.2023
Applicant:	Ahlul Istiqamah Trust UK	Expiry Date:	14.02.2024
Application Number:	23/01952/FULL	Ward:	Northbury
Address:	The Jolly Fisherman Public House, 108 North Street, Barking, IG11 8LA		

The purpose of this report is to set out the Officer recommendations to Planning Committee regarding an application for planning permission relating to the proposal below at The Jolly Fisherman Public House.

Proposal:

Change of use from former public house (Sui Generis) to place of worship/community centre (F1) with addition of a rear extension and an extension to the first-floor dormer.

Officer Recommendations:

Planning Committee is asked to resolve to:

1. Agree the reasons for approval as set out in this report,
2. Delegate authority to the Strategic Director of Inclusive Growth in consultation with the Head of Legal Services to grant planning permission subject to the completion of a legal agreement under s106 of the Town and Country Planning Act 1990 (as amended) based on the Heads of Terms identified at Appendix 6 of this report and the Conditions listed in Appendix 5 of this report; and
3. That, if by 24 January 2025 the legal agreement has not been completed, the Strategic Director of Inclusive Growth be delegated authority to refuse planning permission or extend this timeframe to grant approval.

Conditions Summary:

1. Time Limit (compliance)
2. Approved Drawings (compliance)
3. Appearance of the buildings (compliance)
4. Amplified Music (compliance)
5. Delivery/Collection Hours (compliance)
6. Externally Generated Noise (compliance)
7. Security lights and Decorative External Lighting (compliance)
8. Community Use Agreement (detail)
9. Management Plan (detail)
10. External Material (detail)
11. Historic Repair and Retrofit (detail)
12. Construction Environmental Management Plan (detail)
13. Cycle Parking (detail)

14. Refuse and Recycling (detail)
15. Soft and Hard Landscaping (detail)
16. Soft Landscaping Management Plan (detail)
17. Biodiverse Roof (detail)
18. Noise Generating Mechanical Services Plant (detail)

Informative(s):

1. Asbestos
2. Community Safety
3. Contamination

S106 – Summary of Heads of Terms:

Schedule One – Administrative

1. Payment of the Council's professional and legal costs, whether the Section 106 Agreement completes or not the agreement completes and payable on completion of the deed.
2. Payment of £1,500 on signing to monitor the agreement.
3. Indexing – all payments are to be index linked from the date of the decision to grant of the planning permission to the date on which payment is made, using BCIS index.

Schedule Two – Travel Plan

1. The Travel Plan submitted as part of the application, and prepared by Markside Associate (reference TP01, revision A, dated 13/12/2024) must be implemented from the first use of the hereby approved use. The Owner/Developer must comply with the Travel Plan for at least the Travel Plan Monitoring Period of five (5) years.
2. At least three (3) months prior to the First Occupation of the Development the Owner or Developer must appoint and fund a suitable qualified Travel Plan Coordinator and notify the Council in writing of the name, address, telephone number and email address of the person appointed.
3. On the 1st, 3rd, and 5th anniversary of the Travel Plan / commencement of the use, the Owner or Developer must undertake and submit a Travel Plan Monitoring Report to the Council for approval.
4. Payment of £4,500 on first occupation of development for review of the Travel Plan Monitoring Report (£1,500 per review x 3 reviews).

OFFICER REPORT

Planning Constraints:

- Locally Listed Building
- Air Quality Management Area

Site, Situation and relevant background information:

The application site and Current Use

The application site is located on the east side of North Street. The building occupying the site is a locally listed public house and it is constructed over two storeys beneath a pitched slate tiled covered roof above a basement. There is also a trade garden to the side. The public house has ceased trading since March 2019.

The surrounding area

The application site is bounded by residential dwellings and Small World Family Centre to the north, North Street and residential dwellings to the west, North Street and Gurdwara Singh Sabha London to the east and the A124 to the south, and the external amenities serving Northbury Primary School to the east.

Local Environment

The building is located within walking distance to a town centre (Barking). The whole of Barking and Dagenham is designated as an Air Quality Management Area and also falls with an Air Quality Focus Area, where exposure is predicted to be high.

Transport

The site has a Public Transport Accessibility Level (PTAL) score of 6a which is the one of the highest possible. The site is within an acceptable walking distance from a number of bus stops that can be accessed the site's North Street frontage, or on London Road circa 400m south of the site. The PTAL rating is also achieved based on the site's proximity to the rail network, with Barking station located within a 650m walk distance of the site. From Barking Station there is access to the London Underground (District & Hammersmith & City Lines), the London Overground network, and National Rail Services to London Fenchurch Street in central London.

Key issues:

- Principle of the Development - Land Use
- Design and Material Quality
- Heritage
- Biodiversity and Landscaping
- Impacts to Neighbouring Amenity
- Designing out Crime
- Sustainable Transport
- Refuse and Recycling
- Air Quality
- Contamination

Planning Assessment:

Principle of the development:	
<i>Existing use(s) of the site</i>	Public House (Sui Generis)
<i>Proposed use(s) of the site</i>	Place of Worship/ Community Centre (Use Class F1)

Loss of a Public House

1.1 Policy

1.2 There is a clear policy objective at national, regional and local level to protect public houses. This includes protection from development that may harm a public house's ability to operate a viable business.

1.3 Paragraph 97 of the National Planning Policy Framework (NPPF) mentions inter alia that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;

1.4 Part B in Policy HC7 (Protecting public houses) of the London Plan states that applications that propose the loss of public houses with heritage, cultural, economic, or social value should be refused unless there is authoritative marketing evidence that demonstrates that there is no realistic prospect of the building being used as a pub in the foreseeable future. The supporting text at paragraphs 7.7.6 and 7.7.7 provide detail information how the boroughs should assess pubs value and what is expected from marketing evidence that needs to be submitted to justify the loss.

1.5 London Borough of Barking & Dagenham's (LBB) currently adopted Local Plan makes no specific reference to public houses. It does however refer to protection of community facilities which public houses are a part of. Policy CC2 (Social Infrastructure to Meet Community Needs) states that support will be given to proposals which lead to the provision of additional community facilities via protection, retention, and enhancement. The policy requires such facilities to be sustainable and accessible.

1.6 To support the above policy, LBB prepared a Supplementary Planning Document (SPD) called Last Orders? Preserving Public Houses SPD, adopted in June 2014. The SPD specifically supplements the following policies and objectives of the Local Plan: Core Strategy (June 2010) Policies CP1 (Vibrant Culture and Tourism) and CC2 (Social Infrastructure to Meet Community Needs); and Borough Wide Development Policies (2011) DPD Policy BC6 (Loss of Community Facilities).

1.7 Policy DMS 1 (Protecting and enhancing existing facilities) in the draft LBB Local Plan 2037 offers guidance on protecting and enhancing existing facilities. The policy states that development proposal which result in a net loss will be resisted unless the existing facility is being re-provided.

1.8 Policy DMS 3 (Public houses) gives specific protection to public houses in accordance with London Plan policy HC7.

1.9 Assessment

1.10 The proposed development will result in a loss of the existing public house use.

1.11 Paragraph 7.7.7 of the London Plan states that the pub should have been marketed as a pub for at least 24 months at an agreed price following an independent valuation, and in a condition that allows the property to continue functioning as a pub. The business should have been offered for sale locally and London-wide in appropriate publications and through relevant specialised agents.

1.12 Submitted Information

1.13 The application has been accompanied by a marketing assessment prepared by AG&G. The statement details that two marketing campaigns were carried out as follow:

1.14

- a) The first marketing campaign lasted a month from 21/11/2018 to 17/12/2018 with the asking price for the pub being £500,000. Total of 6 offers were received ranging from £460,000 and £600,000. All offers received were from property developers. All but one supplied satisfactory evidence of funds demonstrating their ability to transact swiftly and unconditionally.
- b) The second marketing campaign started from 03/11/2021 and it was instructed by the new owner (who purchased the site during the first marketing) after their planning application to convert the building to residential development was refused. It is not clear how long the marketing campaign was intended for. However, the campaign ended after the current applicant made an offer on the building on 17/01/2022 at £1,090,000.

1.15 AG&G concluded at paragraph 9 a marketing assessment that the outcomes of the marketing exercise showed that there was no interest from other public house landlords and operators. The following reasons were given for not wanting to take this property on:

- The pub lies within a predominantly residential area surrounded by mainly Council housing and lacks passing footfall compared to the town centre.
- The pub is too small to appeal to managed house pub operators.
- A lack of commercial kitchen and no customer car parking.

1.16 Paragraph 6.21 of the submitted planning statement prepared by Be First Consultancy mentions that a third marketing exercise is underway since May 2023 (circa 10 months). A marketing brochure has been attached to the submitted planning statement as appendix 2.

1.17 Analysis of the submitted information.

1.18 The table below detailed the required criteria for the marketing assessment mention in Policy HC7 and paragraph 7.7.7 of the London Plan policy and the application compliance with those requirements.

Item	Required	Provided
Length of overall marketing	Continuous 24 months	Circa 12 months with breaks
Independent valuation	yes	no
Was sale offered locally and nationally	yes	Not clear from the submitted marketing assessment

1.19 It is clear from the submitted documents that the applicant has made some attempt to market the property and that there was a limited interest with no interest from public house owners.

1.20 No independent valuation has been obtained and the significant increase in price (increasing from £500,000 asking price to £1,450,000 asking price in the currently marketing exercise) is not justified especially for the location of the property.

1.21 It is not clear whether the AG&G mailing list contained locally and nationally bases businesses. However, it can be seen from the information provided that the listing was available online and it could be viewed by a range of business if they searched for it.

1.22 *Conclusion on the loss of the public house*

1.23 It is acknowledged that the submitted marketing exercise does not fully comply with policy and lacks some of the detail required by policy HC7 of the London Plan and DMS1 of the Draft Local Plan. In making the decision on whether the change of use and the loss of public house is acceptable, officers have considered the proposed and alternative use, and in this instance, it is considered that the loss of public house is outweighed by the public benefit that that alternative use (worship and community use) will offer to the local community as is discussed in more detail at 1.35 and 1.36 below.

1.24 In addition, it is not considered that the proposal would result in the loss of a service or facility of heritage, economic, social, or cultural value to the local community. Reasonable efforts have been made to preserve the facility and the Public House would appear to be no longer economically viable. The proposed alternative use would not detrimentally affect the vitality of the area and the

character of the street scene.

1.25 **Provision of Community Service with Worship Space**

1.26 Policy

1.27 Paragraph 97 of the NPPF encourages planning policies and decision to plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments.

1.28 Policy S1 (Developing London's social infrastructure) of the London Plan notes that social infrastructure plays an important role in developing strong and inclusive communities. Paragraph 5.1.1 notes that social infrastructure covers a range of services and facilities that meet local and strategic needs and contribute towards a good quality of life. It includes health provision, education, community, play, youth, early years, recreation, sports, faith, criminal justice, and emergency facilities.

1.29 Policy CC2 (Social Infrastructure to Meet Community Needs) of the Core Strategy states that support will be given to proposals which lead to the provision of additional community facilities which should be sustainable and accessible by way of:

- Being located where they can be accessed on foot, bicycle or public transport, rather than only by car;
- Where possible, being developed as part of mixed-use developments so their facilities are better linked to housing, jobs, shopping, leisure and other local services, in order to minimise travel distances;
- Where possible, being located in close proximity to the community that the facility will serve.

1.30 Part 1(d) in Policy SP 4 (Delivering social and cultural infrastructure facilities in the right locations) talks about the Council supporting proposed for enhanced social and cultural infrastructure facilities where they meet an identified need in line with the Council's latest Infrastructure Delivery Plan, contribute to capacity, quality, usability, sustainability, and accessibility of existing and enhances facilities and services particularly where development will increase demand.

1.31 The most recent Infrastructure Delivery Plan has been prepared in September 2020. Paragraph 7.12.14 reads:

The Faith Groups and Meeting Places: Evidence Base Study (2017) suggests a need for circa 38,400m² additional purpose-built principal meeting room floor space by 2050, to meet the additional need generated by anticipated growth. Based on assumptions on faith space requirements outlined in the Faith Groups and Meeting Places Evidence Study, a total of 27,532.7sqm of new faith spaces across the Borough are required over the Plan period. Requirements for faith spaces by sub- area over the Plan period are outlined in Table 20.

1.32 The application site sits within Barking Town Centre. The faith space requirement over the Plan period (sqm) (up to 2037) in this area is 10,030.7sqm. This is information taken from the table 20 linked to the above-mentioned paragraph.

1.33 The Council's Planning Advice Note (PAN) 4 (Religious Meeting Places) was adopted in 2007 it is a material consideration, but limited weight is afforded to advice contained in the document as it has not been carried thought to any adopted or emerging Local Plan policies.

1.34 Assessment

1.35 The proposal would change the use from public house to a mosque with a community centre. The proposed use is considered to remain in a community use.

1.36 The application site is located in an area where there is rising demand for additional Islamic prayer space. Looking at the Census data overall in Barking & Dagenham, there has been extensive growth in the Muslim population in the borough (10.7% growth since 2011 and 20% since 2001). The 2021 Census showed that for Barking Central area, the Middle Layer Super Output Area (MSOA) shows that 33.9% of the inhabitants identified as being of the Muslim faith. When looking at the site more granularly, the Lower Super Output Areas (LSOA's) of "E00000052" and "E000000" show the areas as being 36.3% and 32.7% Muslim.

- 1.37 The Participation Manager (Partnerships) noted that there is currently a lack of Islamic worship spaces to service this growing community in the borough. The proposed application would fill in the identified need in this area.
- 1.38 In addition, it is noted that the application states that the premises will be made available for hire for community use, with a multi-functional space providing capacity. A community use agreement will be secured by planning condition requiring details of this to be submitted. This is a welcomed proposal which aligns to the aspirations of policy SP4 of the Draft Local Plan and policy S1 of the London Plan which support proposals for new social infrastructure facilities that create multi-functional spaces and meet an identified need. This use can be satisfactorily controlled by Planning Condition. A community use agreement condition will be imposed and secured by planning condition.
- 1.39 **Principle of Development – Balancing Exercise**
- 1.40 The existing public house closed in 2019 (nearly 5 years ago). Despite the applicants' efforts to market the building and find another public house operator, none has been found. The proposed development seeks to change the use to a community centre and mosque. The proposed use would be open to the community and there is clear and convincing evidence that there is a need for worship space and community use as the one proposed in the borough. The need for a new facility has been identified above and is therefore supported by policies SP4 of the Draft Local Plan and policy S1 of the London Plan.
- 1.41 The loss of the public house is resisted by policy HC7 of the London Plan, policy DMH3 of the Draft Local Plan. Policy DMS1 of the Draft Local Plan and policy S1 of the London Plan resist the net loss of community facilities unless they are replaced. On this occasion, the loss of the public house is considered acceptable given that it has been demonstrated to an acceptable degree that its continued use as a public house is unlikely and when weighed against the benefit that the proposed scheme will deliver in terms of repairing the locally listed building, bringing the building to use, offering the facility to community use, and creating a new mosque which responds to the identified need for such facilities in the local area. The proposal finely balances the aspirations of policies DMS1 and SP4 of the Draft Local Plan, policy S1 of the London Plan, policy CC2 of the Core Strategy DPD and policy BC6 of the Brough Wide DPD. The site will remain in community use although not a public house the new use will address an identified need in the borough and respond to changing demand.
- 1.42 It is acknowledged that previous planning application reference 19/01766/FUL on this site was refused on the grounds that the change of use of the public house had not been fully justified. Application 19/01766/FUL sought permission for the construction of a mixed-use development comprising of retail on the ground floor with residential units above. The development proposed in this application is substantially different to application 19/01766/FUL in terms of the nature of proposed development, the extent of public benefit provided and the retention of the site in community use. In both scenarios the proposal would result in the loss of public house. However, as discussed in sections 1.35 and 1.36 of this report the current proposal will restore the existing listed building and retain its use as a community facility. The benefits arising from this development are considered to demonstrably outweigh the harm caused by the loss of the pub.
- 1.43 Overall, other principal development is considered to be acceptable and in keeping with the Development Plan.

Heritage, Design and quality of materials:	
<i>Does the proposed development respect the character and appearance of the existing dwelling?</i>	Yes
<i>Does the proposed development respect and accord to the established local character ?</i>	Yes
<i>Is the proposed development acceptable within the street scene or when viewed from public vantage points?</i>	Yes
<i>Is the proposed development acceptable and policy compliant?</i>	Yes

2.0 Policy

- 2.1 Paragraph 131 of the National Planning Policy Framework (NPPF) states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 135 states that planning policy and decision inter alia should ensure that development will function well and add to the overall quality of the area, is

visually attractive as a result of good architecture, layout and appropriate landscaping, is sympathetic to local character and history including surrounding built environment and creates places that are safe, inclusive and accessible.

2.2 The requirements of the NPPF are reflected in Policies D4 (Delivery good design) and D5 (Inclusive Design) of the London Plan, Policy CP3 (High quality built environment) of the Core Strategy, Policy BP11 (Urban design) of the Borough Wide Development Policies DPD, strategic policy SP 2 (Delivering a high quality and resilient built environment) as well as policies DMD 1 (Securing high-quality design) and DMD 6 (Householder extensions and alterations) of the Draft Local Plan 2037 (Reg 19).

2.3 Assessment

2.4 As well as the change of use, the proposed development comprises of a demolition of the existing single storey rear extension, a construction of a replacement extension, and extension to the existing first floor rear extension.

2.5 There is no objection to the demolition of the existing single storey rear extension. The proposed replacement extension would have the same footprint as the existing with the main difference being in height. The increase in height is considered minor in merit consideration. Given that the extension would replace the existing and they would be very similar in massing and scale, there are no concerns with the appearance and size of the extension.

2.6 The proposed first floor rear extension would add further massing and scale to the already existing extension. The additional bulk would not be readily visible from the public domain and the existing building would have similar appearance when viewed from public domain. Given that relative minor scale of the additional bulk and the fact that the extension would not be readily visible there are no concerns with the appearance and size of the extension.

2.7 With regards to the external materials used for the construction of those extension, the applicant mentioned that they intend to use materials that are prevalent throughout the building. To ensure that the building constructed in high quality materials it is considered necessary to add a condition that would require the applicant to submit a material palette that would be used.

2.8 The proposed community centre will be arranged over 3 levels- basement, ground floor and roof level. Each floor will be accessed via staircase only. LBBB Access officer raised concerns over this arrangement. Discussion with the applicant confirmed that the installation of a lift would not be possible without significant internal reconfiguration. It is understood that the applicant has sought to minimise alterations where possible, as any significant alterations would detract from the character and appearance of the building. Notwithstanding, the applicant has confirmed that a disabled WC containing ablution facilities and classrooms have been provided at ground level. Disabled users will therefore have access to equal facilities throughout. There will be level access into the site from the front and the side. Sufficient corridor and lobby space has been proposed to enable disabled access into the site. Whilst it is unfortunate that the development is unable to provide equal access to all areas of the site it is acknowledged that the development has been designed to enable inclusive and equal access to all the facilities and services the proposed development would offer. This aligns with the requirements of policy D5 of the London Plan, policy CP3 of the Core Strategy, policy SP2 and DMD1 of the Draft Local Plan which seeks to ensure all developments are accessible and inclusive.

2.9 **Heritage**

2.10 Policy

2.11 Paragraph 195 of the NPPF states that heritage assets range from sites and buildings of local historic value to those of the highest significance. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Paragraph 200 mentions local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. Paragraph 209 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

2.12 The requirements of the NPPF are reflected in Policy HC1 (Heritage conservation and growth) of the London Plan. Policy CP2 (Protection and Promoting our Historic Environment) of the Core Strategy, Policy BP2 (Conservation areas and Listed Buildings) of the Borough Wide DPD, and Policy DMD 4 (Heritage assets and archaeological remains) of the draft LBBB Local Plan 2037.

2.13 Assessment

- 2.14 The Jolly Fisherman Public House is well over a century old, and it is one of several Edwardian and late Victorian buildings along North Street and across Barking town centre. Although not listed the majority of nearby Northbury School was built in the 1890s, opposite the close by Quaker Cemetery (where Elisabeth Fry was buried) is the Quake/Friends Meeting House (now part of the Gurdwara) of 1908 and Red Lion PH of 1899 (now residential) and former Co-op building (1900) and former Bull Inn (1925). North Street is a historic street in Barking (the former high road from the abbey and marketplace to Ilford). The Jolly Fisherman Public House is locally listed but not a statutory listed building. The proposal will be assessed in line with Chapter 16 of the NPPF, policy HC1 of the London Plan and policy DMD4 of the Draft Local Plan as a non-designated heritage asset. In line with these policies the proposed development should consider the significance of the historical asset and demonstrate how the development will protect and enhances its historical significance.
- 2.15 As detailed in section 2.3 to 2.7 of this report the proposal comprises of the demolition and replacement of a single storey rear extension and extension to the existing first floor rear extension. These extensions are modest in scale and will not significantly impact the overall visual appearance of the building. The proposal will protect the historical character and appearance of the existing building in line with the NPPF, policy HC1 of the London Plan and policy DMD4 of the Draft Local Plan.
- 2.16 The submitted documents mention that all external features of the public house building would be retained with refurbishments made to the façade, roof, and side elevations to preserve and enhance the locally listed heritage asset. There is a benefit to the local community from the applicant repairing the building and bringing some of lost or damage features. In the absence of any drawings and/or document that clearly outlines how the restoration will take place and which features that might have been lost will be brought back, it is considered necessary to condition a detail heritage improvement document which would secure plans for both external and internal improvements that would be carried out before any development starts on site. Subject to the imposition of a planning condition officers consider the proposal to meet the requirements of the NPPF, policy HC1 of the London Plan and policy DMD4 of the Draft Local Plan as it will enhance and protect the visual appearance, character and quality of the historical asset.
- 2.17 Overall, officers consider the proposed extensions and refurbishment works to be acceptable and in keeping with the Development Plan. The retention and refurbishment of the locally listed building is also considered to be a key public benefit of the proposal.

Biodiversity and Landscaping

3.0 Policy

- 3.1 Policy G5 (Urban greening) states that major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls, and nature based sustainable drainage. The policy encourages boroughs to develop an Urban Greening Factor (UGF) to identify an appropriate amount of urban greening required in new developments.
- 3.2 Policy BP11 (Urban Design) of the Borough Wide Development Policies DPD in one of the design principles requires that development provide attractive and high-quality landscaping.
- 3.3 Policy DMNE 2 (Urban greening) of the LBBDD draft Local Plan 2037 stated that development proposal will be supported where they maximise opportunities for urban greening. The policy also states that applicant will be expected to apply UGF in line with Policy G5 (Urban greening) of the London Plan. Part 3 (b) in Policy DMD 1 (Securing high-quality design) specifically states that major and strategic planning proposals should “clearly demonstrate consideration of the individual and cumulative impact on amenity, neighbouring buildings, skyline, infrastructure and the natural and historic environments, provision of public realm, amenity space (private, communal and child play space)”. Biodiversity Net Gain is now a mandatory requirement. However, as this application was submitted prior to the 2 April 2024 these requirement do apply.

3.4 Assessment

- 3.5 The proposed and replacement single storey rear extension would have a biodiverse green roof. Biodiverse roofs help with surface water running off the roof, they provide opportunities for urban greening, and they can provide additional layers of noise mitigation. The proposal to provide a biodiverse green roof is supported. It is noted that the applicant did not submit any information about the type of plants that would be planned on the proposed roof. There is also no maintenance plan and strategy. It is considered that that information can be secured by a planning condition.
- 3.6 In addition to the provision of a biodiverse green roof, the applicant is proposing to improve the landscaping to the side of the application building. The proposed plans show a few new trees being planted as well as some play equipment/benches being provided. As with a biodiverse roof the applicant did not submit any information about the type of trees, shrubs, and plants that would be planned on the ground. There is also no maintenance plan and strategy. It is considered that that information can be secured by a planning condition. This would include any information of the play equipment or any garden furniture.
- 3.7 Overall, the proposal contributes to improving landscaping, urban greening, ecology, and biodiversity on site. The proposal is acceptable and in keeping with the Development Plan.

Impacts on Neighbouring Amenity

4.0 Daylight/Sunlight, Overshadowing, Privacy

4.1 Policy

- 4.2 Paragraph 135(f) of the NPPF states that developments should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 4.3 Part D in Policy D6 (Housing Quality and Standards) of the London Plan, Policies BP8 and BP11 of the Borough Wide DPD, and Policies DMD1 and DMD6 of the Draft Local Plan 2037 (Reg 19) all emphasize that new development must consider the impact on the amenity of neighbouring properties, avoiding significant overlooking (loss of privacy and immediate outlook) and overshadowing (loss of daylight and sunlight).

4.4 Assessment

- 4.5 With regards to loss of daylight, sunlight, overshadowing, privacy it is considered that the proposal would not have a significant impact on adjoining residential properties. The single storey rear extension would have the same footprint as the existing with the main difference being in height. The increase in height is considered minor in merit consideration. The first-floor rear extension would be positioned at an appropriate distance from the shared boundary, and it would be small in scale. The proposal would not have a greater impact on neighbouring properties than existing in keeping with the Development Plan.
- 4.6 LBBD Environmental Protection were consulted who advised that given the proximity to neighbouring properties details of external lighting should be submitted to ensure impact on neighbouring amenity is minimised. It is recommended this is secured by Planning condition.

4.7 Noise and Disturbance

4.8 Policy

- 4.9 Policy D14 (Noise) of the London Plan requires developments to reduce, manage and mitigate noise to improve health and quality of life, residential and other non-aviation development proposal by avoiding significant adverse noise impact on health and quality of life; reflect the Agent of Change principles set in the Policy D13 (Agent of change) of the London Plan; mitigate and minimise the

existing and potential noise on, from, within the site; and improving and enhancing the acoustic environments and promoting appropriate soundscapes.

4.10 Policy BR13 (Noise mitigation) of the Borough Wide Development Policy DPD requires any new development likely to generate harmful levels of noise to be directed away from existing noise sensitive locations, or areas allocated for noise sensitive developments. Where it is not possible to full separate noise sensitive and noise generating land uses, planning permission will only be granted if there will be no exposure to noise above an acceptable level.

4.11 Policy DMSI 3 (Nuisance) of the draft Local Plan states that all major development must submit a noise and vibration assessment to reduce any adverse impacts to an acceptable level using most appropriate layouts, orientation, design and use of the building.

4.12 Assessment

4.13 The application has been accompanied by Noise Assessment prepared by KP Acoustics (reference 26799.NIA.01, revision B, dated 13/12/2023). The submitted report was reviewed by the Environment Protection. No objection to the proposal has been received. The officer advised that the findings are based upon no amplified music or voice occurring at the premises, on the existing structure with some internal alteration and extensions. If the proposal is to deviate from the details on which the report was originally based the situation will need to be reassessed by a suitably qualified person. The officer also suggested several planning conditions which will be imposed to ensure that a suitable noise environmental list maintained to neighbouring occupiers during the construction period as well as the use of the development. It is also recommended that conditions restricting the hours of use and music from the site are added.

4.14 **Neighbour Comments**

4.15 The application was subject to a public consultation exercise in accordance with statutory requirements and Council's policy. On 04/01/2024, 37 neighbouring properties and relevant interest and amenity groups were consulted.

4.16 *Letters of Support*

4.17 14 letters of support were received from 12 local residents raising the following points:

- The proposed community centre and mosque would respond the existing need for such services in the local area given the change in the local demographic.
- The proposed community centre and mosque would strengthen community.
- The provision of varied community offer is supported. The proposed use is not going to be only a place of worship and it would help foster understanding amongst different faiths, the centre has a chance of becoming a symbol of unity, promoting social harmony within our neighbourhood.
- Sustainable location for the proposed use in terms of public transport accessibility
- The proposal would repair the derelict public house.
- The new facility would provide step free access and would be accessible to all especially those with disabilities

4.18 *Letters of Objection*

4.19 4 letters of objection were received from local residents and 1 objection received from the Singh Sabha London East Gurdwara raising the following issues.

No.	Issue Raised	Officer Comment

1	The existing building has a great deal of historical value as a public house	The applicant proposed to repair and retain all historical features of the building which is part of the heritage of the site which would remain. A planning condition has been attached securing this. This is discussed in section 2.9- 2.17 of this report.
2	Barking is in need of more leisure facilities to improve the quality of life for its residents	The proposal would offer a facility which would facilitate and allow for a number of activities that would be available to allow members of the local community. This is discussed in section 1.34 of this report.
3	There are already many other mosques in proximity, including a very big one which is a 5-10-minute walk away	The application site is located in an area where there is rising demand for additional Islamic prayer space. The change in demographic in the local area is also supported by the data collected via census. This is discussed in section 1.31 -1.34 of this report.
4	The proposed use would add to noise and congestion	See Impacts to Neighbouring Amenity and Sustainable Transport section of the report.
5	The rights of all men and women in this community must be considered and not just a select few without discriminating against any of the community	See Principle of Development section of the report specifically section 1.34 of this report.
6	Other public houses in the local area are overcrowded	The concern is noted however this site has been marketed and no public house operator/owner wishes to take the site forward and continue to operate as a public house. This is discussed in section 1.1-1.22 of this report.
7	Traffic congestion, parking, disabled parking and proximity to busy junction.	See Sustainable Transport sections 6.0-6.23 of the report.
8	Unable to demonstrate 24 months marketing to evidence the loss of the public house.	See Principle of Development sections 1.1-1.22 of this report.
9	Pubs and similar venues should be protected to respect the local nighttime economy	This concern is noted; however, the public house has been closed for several years. This is discussed in section 1.1-1.22 of this report.

4.20 The proposal is considered to have an acceptable impact on neighbouring amenity in keeping with the Development Plan.

4.21 Summary

4.22 Overall, subject to the imposition of conditions the proposed development is considered to have an acceptable impact on neighbouring residents in keeping with the Development Plan.

Design out Crime

5.0 Policy

5.1 Policy D11 (Safety, security, and resilience to emergency) of the London Plan states that development proposals should maximise building resilience and minimise potential physical risks, including measures to design out crime. This approach is supported by Policy CP3 (High quality-built environment) of the Core Strategy and Policy BC7 (Crime prevention) of Borough Wide Development Policies DPD.

5.2 Assessment

- 5.3 The proposed development would have a clear and legible access to the building from North Street with no obvious public areas which are obscured from public vantage points. The activation of the building on all elevations will ensure the natural passive surveillance of the public realm and the building surrounds.
- 5.4 No objections to the proposal have been received from the Metropolitan Police: Designing Out Crime Officer and the recommended conditions and informative will be imposed ensuring that the development is designed to Secure by Design standards and achieves accreditation. Subject to the imposition of planning condition the proposal is considered acceptable and in keeping with the Development Plan.

Sustainable Transport:

6.0 General Policy

6.1 Paragraph 108 of the NPPF requires the Council and the applicant to consider transport issues from the earliest stage of plan-making and development proposal, so that the potential impacts on transport networks can be addressed, opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised, opportunities to promote walking, cycling and public transport use are identified and pursued, the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account, patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.

6.2 Trip Generation

6.3 The anticipated attendee over the full day is fewer than the total number of trips across the day that could be generated by the existing use. The trip generation uses information on the anticipated attendees broken down by activity and the previous use's trip generation is generated through TRICS database. The total number of daily trips has been reduced from 315 to 245 based on the busiest proposed day. The proposed scale of development is not likely to have a material impact on the operation of the local highway and local public transport network.

6.4 Cycle Parking

6.5 Policy

6.6 Policy T5 (Cycling) and Table 10.2 of the London Plan states that Development Plans and development proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle. This will be achieved through securing the provision of appropriate levels of cycle parking which should be fit for purpose, secure and well-located.

6.7 Policy BR9 (Parking) of the Borough Wide Policies DPD states that in relation to cycle parking TfL cycle parking standards, will be used as a minimum parking standard of new development.

6.8 Policy DMT 3 (Cycle parking) of the draft Local Plan states that all development must adopt the maximum London Plan cycle parking standards with the design and layout of cycle parking being in accordance with the London Cycling Design Standards.

6.9 Assessment

6.10 The development proposals provide six secure and sheltered cycle parking spaces in accordance with London Plan cycle parking standards. The proposed floor plan (drawing number 786 / JBZ / PP -101, revision A) shows cycle parking to be located on the site of the building and within the confinement of the site. The proposed cycle parking does not appear to be designed to shelter the bikes. This is one of the requirements of the policy. A further detail of the cycle parking will be secured

by a planning condition. Subject to the condition officers consider the development to meet the requirements of the Development Plan.

6.11 Car Parking

6.12 Policy

6.13 Policy T6 (Car parking) together with Table.10.3 of the London Plan provide maximum parking standards for new residential developments. The policy aims to restrict car parking in line with levels of existing and future public transport accessibility and connectivity. Car-free development should be the starting point for all development proposals, if this cannot be achieved a car lite approach should be taken. Car-free development has no general parking but should still provide disabled persons parking in line with Part E in Policy T6. The policy also required that any car parking providing include electrical charging points.

6.14 Policy BR9 (Parking) of the Borough Wide Policies DPD states that car parking standards set out in the London Plan will be used as a maximum parking standard for new development. Policy DMT 2 (Car parking) also adopts the maximum London Plan car parking standards and other aspirations.

6.15 Assessment

6.16 As mentioned earlier in the report, the application site has a PTAL score of 6a which means that the site has excellent access to public transport. The immediate vicinity of the site is under Zone B Controlled Parking Zone covering every day from 8.30am to 9pm. Therefore, it can be assumed that the visitors of the new development will be discouraged from driving to the facility. A Travel Plan has been submitted which sets out the means of promoting the use of sustainable modes of transport to the site. The implementation and monitoring of this document will be secured by s106 obligation. Reflecting the highly accessible location of the site and anticipated local population that it will serve the development proposals are for car-free. This is considered to be acceptable.

6.17 Policy T6.5 of the London Plan requires a minimum of 2 designated disabled spaces. No provision has been proposed on site. It is understood the proposal will be reliant on existing LBBDD controls which allow blue badge holders to park on-street within established CPZs. Be First's Transport Officer confirmed valid blue badge holders are permitted to park for free in residential parking bays providing they have a valid blue badge displayed. The non-provision of disabled parking is acknowledged, however, considering the CPZ, proximity to public transport and proposed use the transport officers are confident that users are unlikely to arrive by car negating the need for a dedicated disabled bay. The proposal does not comply with policy T6.5 which requires at least one on or off-street disabled persons parking bay to be provided. Notwithstanding, the site is located 10-minute walk from Barking Station which has step free access. The number 368 bus stops immediately outside the site and is a 3- minute bus journey from Barking Station. Officers accept the number 368 bus only runs every 13-20 minutes; however, the site is near several other services which run more frequently from London Road and Barking Station. It is clear the proposal is accessible via public transport. Noting the existing CPZ and proposed use, the increased reliance on on-street parking for disabled users is unlikely to have an impact on existing parking amenity or the highway. On this basis the non-provision of disabled parking is acceptable.

6.18 Access

6.19 Policy T2 of the London Plan and policy DMT1 of the Draft Local Plan has regard to healthy streets and seeks to encourage the provision of safe and useable streets which promote the walking, cycling and use of public transport.. Users of the site will be reliant on walking, cycling and public transport to access the site. The site is located in close proximity to the A124 junction Access to the site remains from the front A Management Plan will be secured via Planning Condition requiring details of crowd management and dispersal and travel demand management plan to be submitted. Case officers consider the submission of these details to overcome any concerns regarding pedestrian safety resulting from crowds leaving the site at the same time and the proximity to the junction. This

will ensure the development encourages users to use of more sustainable modes of transport which speaks to the aspirations of Policy T2 of the London Plan and policy DMT1 of the Draft Local Plan.

6.18 Travel Plan

6.19 Policy

6.20 Part B in Policy T4 (Assessing and mitigating transport impacts) of the London Plan aims to reduce the negative impact of development on the transport network and reduce potentially harmful public health impacts. Travel Plans are one way that this impact can be mitigated.

6.21 Part 8 in Policy DMT 1 (Making better connected neighbourhoods) states that any development which is likely to have a significant impact on the borough's transport network will be required to submit a robust Transport Assessment (TA) or Transport Statement (TS) and a Travel Plan 52, in accordance with Policy T4 of the London Plan: assessing and mitigating transport impacts.

6.22 Assessment

6.23 The application has been accompanied by a travel plan prepared by Markside Associates (revision A, dated 13/12/2023). The submitted report was reviewed by the Highway officer. No objection to the proposal has been received. The travel plan will be secured via a Section 106 of the Town and Country Planning Act 1990 (as amended) together with monitoring of the plan for a period of five (5) years. The travel plan shows how people can access the site without harm to amenity, and using methods of transport other than private cars, to reduce disturbance to the local area.

6.24 Construction

6.25 Policy

6.26 Policy T7 (Deliveries, servicing and construction) of the London Plan states that development proposals should facilitate sustainable freight movement by rail, waterways and road. Additionally, the policy requires that construction logistic plans should be development in accordance with TfL guidance.

6.27 Assessment

6.28 The proposed would result in a number of deliveries and given proximity to the junction with Northern Relief Road (A124) and surrounding housing densities in the local area, it is considered necessary to add requirements to provide information about logistics in the already suggested condition relating to Construction Environmental Management Plan (CEMP) as the construction vehicles will be few and far between.

6.29 Summary

6.30 Overall, subject to the imposition of conditions and S106 obligation securing a travel plan. The proposal is considered acceptable and in keeping with the Development Plan.

Refuse and Recycling

7.0 Policy

7.1 Policy BR15 (Sustainable Waste Management) Borough Wide Development Plan DPD outline the need for development in the borough to minimise and work towards a more sustainable approach for waste management.

7.2 Part 3 in Policy DMSI 8 (Demolition, construction and operational waste) of the draft Local Plan requires all new and refurbishment development proposals must submit a strategy for the minimisation and collection of waste and recycling and include sufficient and accessible space in their design and layout for waste storage and collection within developments, in accordance with the London Waste Recycling Board's (LWARB) latest guidance on recycling and storage. As a minimum, appropriate facilities must be provided, both within individual units and for the building as a whole, in order to separate and store dry recyclables (card, paper, mixed plastics, metals, glass), organic and residual waste.

7.3 Further advice on waste and recycling is provided within the LBBB Planning Advice Note on Waste and Recycling Provisions in New and Refurbished Residential Developments (20/05/2021).

7.4 Assessment

7.5 The proposed floor plan (drawing number 786 / JBZ / PP -101, revision A) does not detail any refuse and recycling bins. Given that there is an ample area to the side of the application building this detail can be secured by a planning condition.

7.6 Subject to the imposition of conditions the proposal is considered to be in keeping with the Development Plan.

Air Quality

8.0 Policy

8.1 Policy SI 1 (Improving air quality) of the London Plan requires among other things that development proposals must be at least Air Quality Neutral. The policy is supported by supplementary London Plan Guidance (LPG) documents. The Greater London Authority (GLA) carried out three months consultation of the Draft Air Quality Positive LPG. The consultation ended on 27th February 2022.

8.2 Policy CR1 (Climate change and environmental management) of the Core Strategy and Policy BR14 (Air quality) of the Borough Wide Development Policies DPD states that to contribute towards global, national, regional, and local sustainability the Council will protect water and air quality.

8.3 Policy DMSI 4 (Air quality) of the draft Local Plan support the aims of the London Plan and require proposals to be air quality neutral.

8.4 Assessment

8.5 The Environment Protection officer noted that the application site is in an area designated as an Air Quality Focus Area. Whilst they did not raise an objection to the proposal, they recommended that an air quality neutral assessment is submitted.

8.6 The comments from the Environment Protection officer were shared with the applicant planning agent who said that the requirement of an Air Quality Neutral Assessment is considered to be excessive compared to the proposals. The London Plan Guidance 'Air Quality Neutral LPG' states that a full air quality assessment including an Air Quality Neutral Assessment is not typically required for minor developments. Given that the proposals are car-free with no additional trip generation compared to the existing use as a public house and are seeking minor changes to the existing public house building it is not considered appropriate nor necessary for an Air Quality Neutral Assessment to be prepared.

8.7 Officers have discussed the applicant response with the Environment Protection officer, and it was agreed that they recommended condition can be removed.

8.8 The proposal is considered to be acceptable and in keeping with the Development Plan.

Contamination

9.0 Policy

9.1 Policy CR1 (Climate change and environmental management) of the Core Strategy promotes the remediation of contaminated land. Policy BR5 (Contaminated land) of the Borough Wide Development Policies DPD states that development on or near land that is known to be contaminated or which may be affected by contamination will only be permitted where an appropriate site investigation and risk assessment has been carried out as part of the application to identify any risk to human health. This is supported by Policy DMSI 5 (Land contamination) of the draft Local Plan.

9.2 Assessment

9.3 The Environment Protection officer noted that the proposal includes the demolition of an existing temporary structure, areas of hard-standing/floor and potential made ground. These previous uses could give rise to contamination. They recommended that an air quality neutral assessment is submitted.

9.4 The comments from the Environment Protection officer were shared with the applicant planning agent who said that this condition is not considered to be of the scale or relevant to the proposals. The scheme is made for internal alterations and replacement of the rear extension. The rear extension will be small in scale and therefore will not require any deep piling or digging, and so there is unlikely to be any exposure to contaminated land. In addition, its existing use as a public house is of a similar community use to what is proposed and therefore the scheme is not introducing additional receptors or a more sensitive receptor.

9.5 Officers have discussed the applicant response with the Environment Protection officer, and it was agreed that they recommended condition can be removed from the originally suggested list.

9.6 On this basis the proposal is considered to be acceptable and in keeping with the Development Plan.

Conclusions:

The main issues relating to this application are the loss of public house, the acceptability of the proposed place of worship use, the impact that the proposal would have upon the appearance and character of the host property and the setting of the locally listed building and impact upon residential amenity, and environmental impacts.

Having had regards to the above, and having carefully balanced the harm of the proposed development against the public benefits, the loss of the public house and its replacement with a place of worship that would retain and refurbish the locally listed building are considered acceptable. It is not considered that nearby residents would be unacceptably impacted by the development or that the character and appearance of the surrounding area or the locally listed building would be adversely affected. It is therefore recommended that conditional planning permission be granted.

Appendix 1:

Development Plan Context: The Council has carefully considered the relevant provisions of the Council’s adopted development plan and of all other relevant policies and guidance. Of particular relevance to this decision were the following Framework and Development Plan policies and guidance:	
<i>National Planning Policy Framework (NPPF) (December, 2023)</i>	
<i>London Plan (March 2021)</i>	<ul style="list-style-type: none"> • Policy D4 (Delivery good design) • Policy D6 (Housing Quality and Standards) • Policy D14 (Noise) • Policy D13 (Agent of change) • Policy D11 (Safety, security, and resilience to emergency) • Policy HC1 (Heritage conservation and growth) • Policy HC7 (Protecting public houses) • Policy G1 (Green infrastructure) • Policy G5 (Urban greening) • Policy SI 1 (Improving air quality) • Policy T4 (Assessing and mitigating transport impacts) • Policy T5 (Cycling) • Policy T6 (Car parking) • Policy T7 (Deliveries, servicing and construction)
<i>Local Development Framework (LDF) Core Strategy (July 2010)</i>	<ul style="list-style-type: none"> • Policy CP1 (Vibrant Culture and Tourism) • Policy CP2 (Protecting and Promoting our Historic Environment) • Policy CP3 (High quality built environment) • Policy CC2 (Social Infrastructure to Meet Community Needs) • Policy CR1 (Climate change and environmental management) • Policy CR2 (Preserving and enhancing the natural environment)
<i>Local Development Framework (LDF) Borough Wide Development Plan Document (DPD) (March 2011)</i>	<ul style="list-style-type: none"> • Policy BC6 (Loss of Community Facilities) • Policy BC7 (Crime prevention) • Policy BP2 (Conservation areas and Listed Buildings) • Policy BP3 (Archaeology) • Policy BP8 (Protecting Residential Amenity) • Policy BP11 (Urban design) • Policy BR3 (Greening the Urban Environment) • Policy BR5 (Contaminated land) • Policy BR9 (Parking) • Policy BR13 (Noise mitigation) • Policy BR14 (Air quality) • Policy BR15 (Sustainable Waste Management)
<p>The London Borough of Barking and Dagenham’s Draft Local Plan: (Regulation 19 Submission Version, December 2021) is now at an “advanced” stage of preparation, having gone through Local Plan Examination in Public in November 2023. Having regard to NPPF paragraph 48, the emerging document is now a material consideration and significant weight will be given to the emerging document in decision-making.</p>	
<i>The London Borough of Barking and Dagenham’s Draft Local Plan: (Regulation 19,</i>	<ul style="list-style-type: none"> • Policy DMS 1 (Protecting and enhancing existing facilities)

<p><i>Proposed Main Modification Version, February 2024)</i></p>	<ul style="list-style-type: none"> • Policy SP 2 (Delivering a high quality and resilient built environment) • Policy DMD 1 (Securing high-quality design) • Policy DMD 4 (Heritage Assets and Archaeological remains) • Policy DMS 3 (Public houses) • Policy DMNE 2 (Urban greening) • Policy DMNE 3 (Nature conservation and biodiversity) • Policy DMSI 3 (Nuisance) • Policy DMSI 4 (Air quality) • Policy DMSI 5 (Land contamination) • Policy DMSI 8 (Demolition, construction and operational waste) • Policy DMT 1 (Making better connected neighbourhoods) • Policy DMT 2 (Car parking) • Policy DMT 3 (Cycle parking)
<p><i>Other Relevant Documents</i></p>	<ul style="list-style-type: none"> • Last Orders? Preserving Public Houses Supplementary Planning Documents (SPD) • LBBD Green Roofs Planning Advice Note 1 (2003) • LBBD Planning Advise Note on Waste and Recycling Provisions in New and Refurbished Residential Developments (20/05/2021) • LBBD Planning Advice Note 4 (Religious Meeting Places) (2007) • The Faith Groups and Meeting Places: Evidence Base Study (2017).

<p>Additional Reference:</p>
<p><i>Human Rights Act</i></p> <p>The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.</p> <p><i>Equalities</i></p> <p>In determining this planning application, the BeFirst on behalf of the London Borough of Barking & Dagenham has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010 (as amended).</p> <p>For the purposes of this application there are no adverse equalities issues.</p>

Appendix 2:

Relevant Planning History:			
<i>Application Number:</i>	68/00211/TP	<i>Status:</i>	Approved on 08/07/1968
<i>Description:</i>	<i>Erection of a single storey extension to provide additional toilet accommodation</i>		
<i>Application Number:</i>	81/00429/TP	<i>Status:</i>	Approved on 08/12/1981
<i>Description:</i>	<i>Erection of single storey rear extension to food preparation room</i>		
<i>Application Number:</i>	19/01766/FUL	<i>Status:</i>	Refused on 14/02/2020 and Dismissed at Appeal
<i>Description:</i>	<p><i>Redevelopment of existing public house to provide retail unit at ground floor and residential at first floor, with additional residential accommodation at roof level. The existing beer garden is to be developed to provide storage, bike parking, bins area and 7 apartments.</i></p> <p><u>Reason for Refusal:</u></p> <ol style="list-style-type: none"> 1. The change of use of the public house has not been fully justified, as such, the proposal fails to conform with policy BP2 of the Local Plan, the Boroughs SPD Last Orders Preserving Public Houses 2014 and policy HC7 of the draft New London Plan. 2. The proposed development, due to its form, massing, siting, design and layout would be dominant, poorly designed and out of character in its location. As such, the proposal would represent an overdevelopment of the site and would result in an overly dominant and visually intrusive addition to the street scene. Furthermore, the proposed developments would overlook the neighbouring primary school, as such it would be contrary to policies BP8 and BP11 of the LDF Borough Wide DPD and policy CP3 of the LDF Core Strategy DPD. 3. The proposed development fails to provide adequate private outdoor amenity space for two flats, which would be detrimental to the standard of living of future residents, as such, it would be contrary to policy BP5 of the LDF Borough Wide DPD. <p><u>Reason/Conclusion for Appeal being Dismissed:</u></p> <ul style="list-style-type: none"> • Paragraph 23 of the Appeal Letter/Decision read: <i>Whilst I have not found harm to the living conditions of the future occupiers of the proposed development, this does not outweigh the harm I have found in relation to the loss of the public house and the effect on the character and appearance of the area.</i> 		

Appendix 3:

The following consultations have been undertaken:

- Northbury Ward Councillors
- LBBB Inclusive Growth
- LBBB Community Groups
- LBBB Heritage and Culture
- LBBB Refuse Services
- LBBB Access Officer
- Be First Transport
- Design out Crime.
- LBBB Environmental Protection

Summary of Consultation responses:		
Consultee and date received	Summary of Comments	Officer Comments
<p>Metropolitan Police- Design out Crime</p> <p>Dated 04.01.2024</p>	<p>In light of the information within the report prepared by Police, its's requested the following condition and informative be added, if the local authority are mined to support this application. The request of such a condition/s is to mitigate the impact of the proposed development on local residents and deliver a safer environment in line with the boroughs Local Development Framework policies. Police would also like to draw your attention to Section 17 CDA 1988 and the NPPF in support of such recommendations. (See appendix 1)</p> <p>Security condition:</p> <p style="padding-left: 40px;">The proposed development shall achieve a Certificate of Compliance in respect of the Secured by Design scheme, or alternatively achieve security standards (based on Secured by Design principles) to the satisfaction of the local authority & Metropolitan Police, details of which shall be provided to the Local Planning Authority for its written approval prior to the first occupation of the approved development. All security measures applied to the approved development shall be permanently retained thereafter.</p> <p>Reason: To ensure safe and secure development and reduce crime.</p>	<p>Comments are assessed in Section 5.0 of the report.</p>
<p>Be First, Heritage Engagement Officer</p> <p>Dated 04/01/2024</p>	<ul style="list-style-type: none"> • I support the Change of Use of the former Jolly Fisherman from Public House (vacant for several years) to an Islamic Place of Worship/Community Centre, for all the reasons outlined in the Planning Statement, including changing demographics in the surrounding area and current community needs. • This would be caveated with the preservation and ideally restoration of the locally listed building which pleasingly forms a crucial part of the planning statement. • I would just like to emphasise that the welcome planned 'refurbishment' and 'repairs' to the facade, of the Edwardian exterior to this 1906 	<p>Comments are assessed in section 1.0 and 2.0 of the report.</p>

building, should be good quality *restorations*, due to planning commitments to 'protect' and 'enhance' our limited number of heritage assets within the borough.

- It is also noted that the internal alterations are necessary and will hopefully be carried out with sympathy to the internal fabric of the building and will retain original features.
- Although not designated I think it would be wise to follow the guidance of Historic England and The National Lottery Heritage Fund in recommending that any timber framed windows (on the North Street facade) which may need replacing should be repaired by experts or replaced with new timber sash windows and that attention be paid to the quality of materials used on the facade 'repairs', to help to restore it to its former glory by matching any other damaged materials such as the first floor exterior tiles. Ideally these particular works would preferably be undertaken by skilled craftspeople - are we allowed to recommend such specialists, like those used for restoration works on the Barking heritage Project?
- They may wish to investigate whether they can obtain funding for their heritage restorations: [Fundraising Tips | Historic England](#)
- I support the replacement of the inferior extension at the rear of the property with an improved/accessible one, as it is low level and should not detract from the original building or be of concern to the neighbouring school. Hopefully this will be substantial enough to house any future growth, so they will not require further planning apps at a later date. [Not for publication: but a relevant comparison - the owners of the former Hope PH on Gascoigne Road (Al Noor Islamic Centre) are researching a pre-app for a request to now remove the locally listed building.] The loss of a heritage asset is of far greater heritage concern than a change of use is, so I hope we can prevent the former from happening at a later date.
- It is pleasing that the garden will be kept for children to use.
- The inspector's reference to a lack of 'historical/local interest in the building' belies its historical significance to the borough and particularly Barking Town - we have very few designated assets and therefore there is a greater desire to preserve undesignated heritage assets retained as evidence of an illustrious history, emanating from its Saxon origins and abbey. The former Jolly Fisherman is well over a century old, and it is one of several Edwardian and late Victorian buildings along North Street and across Barking town centre. Although not listed the majority of nearby Northbury School was built in the 1890s, opposite the close by Quaker

	<p>Cemetery (where Elisabeth Fry was buried) is the Quake/Friends Meeting House (now part of the Gurdwara) of 1908 and Red Lion PH of 1899 (now residential) and former Co-op building (1900) and former Bull Inn (1925). These buildings stand on the site of far older buildings (the Bull has existed since at least the fourteenth century) as North Street is a historic street in Barking (the former high road from the abbey and marketplace to Ilford) . Frogley a local historian from the Edwardian era remarked on the relevance of 'Jolly Fisherman' moniker as representing a bygone era of the fishing industry and Barking characters (including the fish-wives) even then, but local people today still find it fascinating that Barking had such a significant fishing heritage - the Gurdwara pays homage in an engraving of a fishing smack on their new marble building.</p> <ul style="list-style-type: none"> • Will there be an effort to commemorate the fishing heritage associated with the name of this former PH - some would see that more important than the PH heritage. • Will the 'Jolly Fisherman' sign on the exterior of the building be retained? • Does the original door exist beneath the shutter and will there be an effort to retain it? Likewise the boarded ground floor feature windows - Heritage of London Trust may be able to help fund restoration of original windows). • I hope these comments/questions will be useful to consider before and during the construction phase. I am very pleased that the planners and owners are valuing this heritage asset and hope that the works uphold this sentiment. I am aware that some local construction firms lack knowledge and experience in this field and that the client may need further support/advice on quality of work and materials for the restorations to the facade of the building. 	
<p>Participation Manager (Partnerships) Dated 04.01.2024</p>	<ul style="list-style-type: none"> • The applicants have stated that their current site (Medite House) is not fit for purpose and their activities are limited by the floorspace and lack of appropriate specialist facilities. • The current site offers a range of services to the local community, alongside the primary function of operating as a Place of Worship. • The organisation also goes on to state that they would like to offer a wider range of services, from a newly developed space, including a range of traditional support services, which many other faith organisations in B&D offer. Within this wider offer, the applicant has specifically stated that they would have an “Interfaith” element, which is welcome in an area where several other faith organisations operate, including; 	<p>Comments are assessed in Section 1.0 of the report.</p>

	<ul style="list-style-type: none"> ○ Al Madina Mosque ○ Singh Sabha Gurdwara ○ RCCG Hall of Mercy ○ City of Faith Ministry ○ Ahmadiyah Community (who hire space locally) ○ St Margaret's Parish Church ○ Catholic Church of St Mary and St Ethelburga <ul style="list-style-type: none"> ● In our experience, smaller facilities rapidly begin to exceed reasonable capacity levels. Therefore, it is favourable that a group would look to develop a larger site, which has the capacity to accommodate a larger worshipping community. ● The application specifically addresses the issue of the provision of separate worship space for women/girls to pray, which is increasingly in demand in the borough. ● The space operates in an area where there is rising demand for additional Islamic prayer space. In the 2021 Census, the MSOA (Middle Layer Super Output Area) of Barking Central where the site sits, 33.9% of the inhabitants identified as being of the Muslim faith. When looking more granularly, the LSOA's (Lower Super Output Areas) of "E00000052" and "E000000" show the areas as being 36.3% and 32.7% Muslim. ● When looking at the Census data overall in Barking & Dagenham, there has been extensive growth in the Muslim population in the borough (10.7% growth since 2011 and 20% since 2001). ● There is currently a lack of Islamic worship spaces to service this growing community in the borough. ● The application states that the premises will be made available for hire for community use, with a multifunctional space providing capacity. ● We note that another Mosque, Al Madina, is approximately 0.4 miles from the proposed development. We also note the proximity of other possible sites which could potentially be explored as offering additional capacity e.g. on Fridays, including; <ul style="list-style-type: none"> ○ Northbury Primary School ○ Abbey Community Centre ● We note that local, informal consultation on the development of the space has taken place with Northbury Primary School and other neighbouring properties, inviting them to comment on the planning application. ● It would be advantageous to the organisations application if they can show further evidence of how they will encourage the use of the facility by a wider demographic. ● We also note that generally the organisations users are more likely to "walk to pray", and it is more likely they will be from the immediate surrounding residential area. 	
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	<ul style="list-style-type: none"> • Whilst we recognise that there is guidance in place to protect and retain Public Houses and other spaces of cultural significance to the community, this proposal, alongside the lack of interest from landlords in operating the space as a pub, indicates that it would service a clear additional community need as an Islamic Place of Worship/Community Facility. • We would have no objections to the proposal. 	
<p>LBBB Access dated 04.01.2024</p>	<p>I would like to make the following comments.</p> <ol style="list-style-type: none"> 1. Accessible WC door needs to open outwards. 2. Ambulant disabled WC is required within basement WC's. 3. Some Disabled females cannot access the classrooms as there's no lift provided. 	<p>Comments are assessed in Section 2.0 of the report.</p>
<p>LBBB Environmental Protection dated 04.01.2024</p>	<p><u>Original Comments issued on 19/01/2024</u></p> <p>Noise</p> <p>I have reviewed the Noise Impact Assessment report reference 26799.NIA.01.REVB by KP Acoustics . The findings are based upon no amplified music or voice occurring at the premises, on the existing structure with some internal alteration and extensions. If the proposal is to deviate from the details on which the report was originally based the situation will need to be reassessed by a suitably qualified person. Based on the findings of the report the following conditions are recommended:</p> <ul style="list-style-type: none"> • Delivery/Collection Hours • Externally Generated Noise • Noise Generating Mechanical Services Plant <p>Air Quality</p> <p>The development lies within an Air Quality Focus Area and the following condition is recommended:</p> <ul style="list-style-type: none"> • Air Quality Neutral Assessment <p>Construction Phase</p> <p>The development is in close proximity to existing residential uses, a school and within an Air Quality Focus Area, therefore the following condition is recommended:</p> <ul style="list-style-type: none"> • Construction Environmental Management Plan <p>Contaminated Land</p> <p>The proposal includes the demolition of an existing "temporary" structure, areas of hardstanding/floor and</p>	<p>Comments are assessed in Section 4.0, 8.0 ad 9,0 of the report.</p>

	<p>potential made ground. These previous uses could give rise to contamination and the following condition is recommended:</p> <ul style="list-style-type: none"> • Site Contamination <p>Lighting</p> <p>The proposal is in close proximity to existing residential property and the following condition is recommended:</p> <ul style="list-style-type: none"> • Security lights and Decorative External Lighting <p>Informative</p> <p>In addition, the following informative is proposed:</p> <ul style="list-style-type: none"> • Asbestos Informative <p><u>Additional Comments issued on 06/02/2024</u></p> <p>Following discussion with the applicant and the case officer it was agreed that the suggested conditions relating to site contamination and air quality neutral assessment can be removed from the suggested list of conditions.</p>	
<p>Be First Highway dated 04.01.2024</p>	<p>Introduction</p> <p>This is an application for the Change of use from former public house (Sui Generis) to place of worship/community centre (F1) with addition of a rear extension and an extension to the first-floor dormer. Site Access No new access to the property is proposed. The existing pedestrian access is maintained.</p> <p>Car Parking</p> <p>The site is in PTAL 6a meaning it has excellent access to public transport. The immediate vicinity of the site is under B controlled parking zone covering every day from 8.30am to 9pm. Therefore, it can be assumed that the visitors of the new development will be set back from driving to the facility. Reflecting the highly accessible location of the site and anticipated local population that it will serve the development proposals are for car-free. This is acceptable.</p> <p>Cycle Parking</p> <p>The development proposals provide six secure and sheltered cycle parking spaces in accordance with London Plan cycle parking standards. The plans show cycle parking location; however, it doesn't show a</p>	<p>Comments are assessed in Section 6.0 Sustainable Transport.</p>

sheltered space. This must be secured via condition to be installed prior to occupation of the development.

Trip Generation

The anticipated attendees over the full day is fewer than the total number of trips across the day that could be generated by the existing use. The trip generation uses information on the anticipated attendees broken down by activity and the previous use's trip generation is generated through TRICS database. The proposed scale of development is not likely to have a material impact on the operation of the local highway and local public transport network. It is recommended that a condition on the operational times as per the activities suggested and conditions on the type of activities should be considered.

Travel Plan Statement

Applicant has submitted a Travel Plan Statement for review and I'm satisfied with the content and the review system.

Doors

It is noted from the plans that the front door of the development is opening outwards. It is recommended that the doors, windows, gates or other openings should open inwards.

Appendix 4:

Neighbour Notification:	
Date Neighbour Consultation:	04.01.2024
Number of neighbouring properties consulted:	23
Number of responses:	12 support and 5 objections
Address:	Summary of response:
<i>14 Arundel Gardens, IG3 9SX on behalf of Southwest Essex Campaign for Real Ale and Dagenham Heritage Conservation Area</i>	<ul style="list-style-type: none"> • Object to the conversion of the public house to a form of non-public house usage. • Existing building has historical value as a pub. • LBBD has policies which protect the demolition and alteration of pubs. • Town needs more leisure facilities. • Enough traffic congestion and car use. • No consultation with met office during construction or design phase.
<i>119 Westrow Drive</i>	<ul style="list-style-type: none"> • Support for the development. • Big benefit to the community and the location is perfect. • This will allow people to worship especially as alternative venues have transport and parking issues. • Demographic change means people are in need of something like this and the building will be pit usage by locals.
<i>Anonymous</i>	<ul style="list-style-type: none"> • Growing number of peoples who need placed of worship. • This is the best outcome and should be accepted.

<p><i>Anonymous</i></p>	<ul style="list-style-type: none"> • Please reject the application • The pub has been part of the heritage and history of this local area for decades. • It should be used to serve all the community not just a section. • There are many other mosques in proximity. • Barking is already very congested. • There is a school, residential area and another religious centre. • The main road is very busy, and this will add noise and congestion in the area.
<p><i>Cllr Ashraf</i></p>	<p>Responding to the above planning proposal, I am fully in favour of it.</p>
<p><i>Anonymous</i></p>	<ul style="list-style-type: none"> • Object to the proposal. • Unclear who the applicant is. • The rights of all men and women in this community should be considered not just a select few. • Changes would result in the loss of historical status as a pub. • Pubs should be protected due to their contribution to the nighttime economy. • Diminishes the choice of venue for locals to attend. • Traffic congestions • Proximity of several places of worship • Security of place of worship • Refused on cultural and heritage reasons.

<p><i>Anonymous</i></p>	<ul style="list-style-type: none"> • Support this application to strengthen the community. • Concerns regarding traffic, historic heritage and crime are baseless. • Kindly request that this application is accepted.
<p><i>Anonymous</i></p>	<ul style="list-style-type: none"> • Establishing community centre and place of worship is crucial for building a cohesive and integrated community. • Opportunities for educational initiatives, cultural events and charitable endeavours • Aligns with values of creating welcoming environment and ensuring individuals from diverse backgrounds are valued and respected. • This will address communal need and enhance the quality of life of resident.
<p><i>Anonymous</i></p>	<ul style="list-style-type: none"> • Institution has helped the community in many ways by raising charity events, strengthening community ties, educating children and giving the youth a safe space. • Transforming the derelict pub to a place of communal gathering and worship will do good for the area. • This will help strengthen communities and give youth a safe space.
<p><i>Anonymous</i></p>	<ul style="list-style-type: none"> • Support for the proposed change of use and extension. • The transformation aligns with the evolving needs of the community and enhances safety particularly for children. • Change of use will foster a positive environment that contributes to community well-being. • Additional extensions amplify the potential positive impact on safety and communal engagement. • The proposal will create a safe and inclusive space for everyone. • This is supported.

<p><i>Anonymous</i></p>	<ul style="list-style-type: none"> • Local mosque have contributed to the betterment of the LBBB community • Proposal will lead to further improvement to the local area. • Jolly Fisherman has been closed since 2019 so claims to historical prevalence are simply reactionary. • Time to turn a derelict, unused building into a beacon for the community.
<p><i>Anonymous</i></p>	<ul style="list-style-type: none"> • Support the proposal. • This will create a new community use for resident. • It will respond to the changing demographic of Northbury Ward. • Community of Northbury ward have evolved. • The proposal will reflect this.
<p><i>Anonymous</i></p>	<ul style="list-style-type: none"> • Will be a great place for worship and public community
<p><i>Anonymous</i></p>	<ul style="list-style-type: none"> • Important to provide our youth a place to worship and grow. • Existing facilities are not accessible and usually on top floors of old buildings with no lift access. • Important proposal which will address several community needs.
<p><i>Anonymous</i></p>	<ul style="list-style-type: none"> • Support the community centre. • Provide a space for community-based activities and for people to meet. • It can be used as an effective vehicle for social change such as reducing crime. • Support community projects, promote healthy living, encourage creativity and culture, shares valuable information and offers education opportunities.

<p>5 Shirley Gardens</p>	<ul style="list-style-type: none"> • Planning application should be refused. • There is already no parking and the flats nearby have little parking. • The building is locally listed • Borough needs more housing for people there are plenty of mosques.
<p>Singh Sabha London East (SSLE)</p>	<ul style="list-style-type: none"> • We object to the proposal. • There is already alternative and established places of worship with community facilities within close proximity to the site. • The proposal would result in significant usage and visitor numbers during peak hours. • No parking or disabled parking have been provided. • Site is next to an extremely busy junction and the site won't be able to accommodate large groups crossing during peak times. • Bus service is very infrequent and will not be able to accommodate large groups. • The proposal is unable to demonstrate 24 months of marketing required by policy.

Officer Summary:

Officers note receipt of the objections listed above. The material planning considerations are addressed within the planning assessment.

Appendix 5:

Conditions & Informatives:

Conditions:

1. Time Limit (compliance)

The development hereby permitted must be commenced before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. Approved Drawings (compliance)

The development hereby approved must only be carried out in accordance with the following approved drawings unless it has been otherwise agreed in writing with the Local Planning Authority:

- Site Location Plan (drawing number 786 / JBZ / SU - 010)
- Existing Floor Plans (drawing number 786 / JBZ / SU - 101)
- Proposed Floor Plan (drawing number 786 / JBZ / PP - 101, revision A)
- Existing Elevations and Sections (drawing number 786 / JBZ / SU - 102)
- Proposed Elevations and Sections (drawing number 786 / JBZ / PP - 102, revision A)

Reason: To ensure that the development is undertaken in accordance with the approved plans and documents.

3. Appearance of the buildings (compliance)

Other than those shown on the approved drawings, no soil stacks, soil vent pipes, flues, ductwork or any other pipework shall be fixed to the elevations of the building hereby approved.

Reason: To ensure that the development is carried out to the highest standards of architecture and materials.

4. Amplified Music (compliance)

No amplified or other music shall be played in the external areas to the approved use at any time.

Reason: To prevent any undue disturbance to residential occupiers and occupants of neighbouring properties at unreasonable hours.

5. Delivery/Collection Hours (compliance)

Deliveries and service operations associated with the community use hereby permitted shall only be permitted to take place between the hours of 07:00 hrs and 21:00 hrs on any day. Unless otherwise agreed in written by the Local Planning Authority.

Reason: To prevent any undue disturbance to residential occupiers and occupants of neighbouring properties at unreasonable hours.

6. Externally Generated Noise (compliance)

a. Prior to first occupation a Noise Management plan as recommended in section 6 of the Noise Impact Assessment Report (reference 26799.NIA.01, revision B) prepared by KP Acoustics shall be submitted to and approved in writing by the Local Planning Authority.

b. The approved plan shall be implemented in full and always maintained.

Reason: To prevent any undue disturbance to residential occupiers and occupants of neighbouring properties at unreasonable hours.

7. Security lights and Decorative External Lighting (compliance)

External artificial lighting at the development shall not exceed the lux levels of vertical illumination at neighbouring premises that are recommended by the CIE guidance 2003 & 2017 and the ILP Guidance Notes for the Reduction of Obtrusive Light (2021). Lighting should be minimised, and glare and sky glow should be prevented by correctly using, locating, aiming, and shielding luminaires, in accordance with the Guidance Notes.

Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by lighting.

8. Community Use Agreement (detail)

a. Use of the development shall not commence until a community use agreement has been submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to application building and include details of pricing policy, hours of use, access by non-educational establishment, management responsibilities and a mechanism for review.

b. The development shall not be used otherwise than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the community facility to ensure sufficient benefit to the development of local community.

9. Management Plan (detail)

Prior to the first occupation of the hereby approved use, a management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan must include the following information:

- a. crowd management and dispersal.
- b. travel Demand Management Plan in line with the Travel Plan which promotes travel by sustainable modes of transport to reducing travel by car and local car parking demand.
- c. information of who to contact in case of any issues.

Reason: To enable visitors to consider sustainable transport options, as part of the measures to limit any net increase in travel movements by car.

10. External Material (detail)

a. No development shall take place until external material schedule for all facing materials used for the construction of new and old parts of the building is submitted to and approved in writing by the Local Planning Authority.

b. The development shall be carried out in accordance with the approved details and maintained as such thereafter.

Reason: To safeguard the visual amenities of the area and to satisfy.

11. Historic Repair and Retrofit (detail)

- a. No development shall commence until heritage scheme that details how the locally listed building would be repaired and developed both internally and externally must be submitted to and approved by the Local Planning Authority in consultation with Heritage Engagement.
- b. The development shall be carried out strictly in accordance with the details so approved.

Reason: The planning authority wishes to secure public benefit from the promotion of the history of the site and area.

12. Construction Environmental Management Plan (detail)

- a. No development shall commence, including any works of demolition, until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. This Plan shall incorporate details of:

1.

- a. number and size of construction vehicles coming/leaving the site;
- b. information on traffic management;
- c. the parking of site operatives' vehicles
- d. loading and unloading of plant and materials;
- e. storage of plant and materials used in constructing the development;
- f. measures to control the emission of dust, dirt and emissions to air during construction;
- g. noise and vibration control;
- h. a waste management plan for recycling/disposing of waste resulting from demolition and construction works.

Demolition and construction work and associated activities, other than internal works inaudible outside the site boundary, are only to be carried out between the hours of 08:00 and 18:00 Monday to Friday and 08:00 and 13:00 Saturday, with no work on Sundays or public holidays without the prior written permission of the Local Planning Authority. Any works which are associated with the generation of ground borne vibration are only to be carried out between the hours of 08:00 and 18:00 Monday to Friday.

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.

- b. Once approved the CEMP shall be adhered to throughout the construction period for the development.

Reason: The CEMP 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 Development Plan Document.

13. Cycle Parking (detail)

- a. Notwithstanding any details of cycle parking shown on the approved drawings, no above ground works shall take place until details of the provision to be made for cycle parking are submitted to and approved in writing by the Local Planning Authority in line with the requirements of Policy T5 of the London Plan and London Cycling Design Standards.
- b. Prior to the first occupation of the development, the approved cycle parking shall be provided in accordance with the approved details and thereafter be retained.

Reason: To ensure that secure cycle spaces are provided.

14. Refuse and Recycling (detail)

- a. No above ground works shall take place until details of refuse and recycling storage/enclosure is submitted to and approved in writing by the London Planning Authority. The detail must include the location, number, and design of the enclosure including the proposed materials.
- b. Prior to the first occupation of the development, the approved cycle parking shall be provided in accordance with the approved details and thereafter be retained.

Reason: In the interest of good design and to ensure that the Local Planning Authority may be satisfied that the storage facilities do not have a harmful impact on the appearance of the surrounding area.

15. Soft and Hard Landscaping (detail)

- a. No above ground works shall take place until details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. The detailed landscaping scheme shall include:

1.
 - i. soft planting: including any grass and turf areas, trees, planters, shrub and herbaceous areas including details of species, sizes, numbers/densities and sections of landscaped areas;
 - ii. 'Tree Planting Statement' providing full details, locations, specifications and construction methods for all purpose-built tree pits and associated above ground features, including specifications for tree protection and a stated volume of suitable growing medium to facilitate and promote the healthy development of the proposed trees, ensuring each tree has a soil volume equivalent of 0.6 times its canopy area at maturity;
 - iii. hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible paving, furniture, steps, refuse disposal points and if applicable synthetic surfaces for ground level
 - iv. play spaces and play equipment;
 - v. an external lighting strategy; and
 - vi. any other landscaping feature(s) forming part of the scheme.

- b. All landscaping approved under part a shall be carried out prior to first occupation and/or during the first planting and seeding seasons following completion of construction works.

- c. Any trees or shrubs planted (including any such replacements) which die within five years from the date of planting shall be replaced in the next planting season with the same species, and of comparable maturity.

Reason: To ensure a satisfactory appearance of the site and to provide for suitable areas of amenity.

16. Soft Landscaping Management Plan (detail)

- a. Prior to first occupation of the development, a management programme for the lifetime of the development, which shall include: long term design objectives, management responsibilities and maintenance schedules for all soft landscape areas including the biodiverse roof, and details of any temporary landscaping (including boundary treatment) to be provided and management thereof.

- b. The development shall be carried out strictly in accordance with the details so approved and shall be maintained in accordance with the approved management programme.

Reason: To ensure a satisfactory appearance of the site and to provide for suitable areas of amenity.

17. Biodiverse Roof (detail)

- a. No above ground works shall take place until details of the biodiverse green roof is submitted and approved in writing by the Local Planning Authority. The green roofs detail must include information about any grass and turf areas, trees, planters, shrub and herbaceous areas including details of species, sizes, numbers/densities and sections of landscaped areas.
- b. The development shall be carried out strictly in accordance with the details so approved and shall be maintained in accordance with the approved management programme.

Reason: To ensure a satisfactory appearance of the site and to provide for suitable areas of amenity.

18. Noise Generating Mechanical Services Plant (detail)

- a. Before any mechanical services plant including heating, ventilation, and air conditioning (HVAC), refrigeration and kitchen extraction plant to which the application refers, is used at the premises, a scheme shall be submitted to and approved in writing by the Local Planning Authority which demonstrates that the following noise design requirements can be complied with.
 - i. The cumulative measured or calculated rating level of noise emitted from the mechanical services plant to which the application refers, shall be lower than the existing background noise level by 5dB at all times when the plant is in operation.
 - ii. Measurements shall be made at a height of 1.2 – 1.5 metres above the adjacent ground level and at least 3.5 metres from any sound reflecting surfaces other than the ground or 1 metre from the
 - iii. facade of the nearest first floor (or higher) noise sensitive premises, and in accordance with the latest British Standard BS4142:2014, and the measurement value adjusted to remove the additional
 - iv. sound energy contribution from reflected surfaces other than from the ground.
 - v. A commissioning acoustic test and report shall be undertaken within 7 Days of mechanical services commissioning in order to demonstrate that condition a) above has been achieved.
- b. The results of the test shall be submitted to and approved in writing by the Local Planning Authority and the scheme shall thereafter be retained as approved.

Reason: To ensure that residential premises are adequately protected from noise.

Informative(s):

1. Asbestos

There is a legal requirement to remove most asbestos containing materials (ACMs) from buildings and structures before demolition and you should ensure that this is done, where reasonably practicable. Asbestos cement sheet and textured coating (artex) materials may be removed by non-licensed contractors, but should be done in accordance with the Health and Safety Executive guidance, [a14.pdf \(hse.gov.uk\)](#). Most other ACMs must be removed by a contractor licensed by the Health and Safety Executive. If at any stage during a construction or demolition process asbestos is suspected, the work should stop immediately, and the material should be investigated.

2. Community Safety

In aiming to satisfy any Secured by Design condition, the applicant must seek advice of the Metropolitan Police Service Designing out Crime Officers (DOCOs) to achieve accreditation. The

services of MPS DOCOs are available free of charge and can be contacted via docomailbox.ne@met.police.uk

3. Contamination

Pursuant to the provisions of the National Planning Policy Framework responsibility for securing a safe development rests with the developer and/or landowner. It is recommended that a watching brief is implemented for the presence of unexpected land contamination throughout the construction works (if during any groundwork contaminated land or suspected contaminated land is discovered or identified, this should be reported to the below email). In the event that contamination is found at any time when carrying out the development it should be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must then be undertaken and where remediation is necessary a remediation scheme must be prepared, implemented and verified with copies of all relevant records being provided to the Local Planning Authority. In the first instance contact environmentalprotection@lbbd.gov.uk.

Appendix 6:

s.106 Proposed Heads of Terms:

The proposed heads of terms to be secured through a Section 106 Legal Agreement (agreed between the Council and the Applicant) are set out below:

Schedule One – Administrative

1. Payment of the Council's professional and legal costs, whether the Section 106 Agreement completes or not the agreement completes and payable on completion of the deed.
2. Payment of £1,500 on signing to monitor the agreement.
3. Indexing – all payments are to be index linked from the date of the decision to grant of the planning permission to the date on which payment is made, using BCIS index.

Schedule Two – Travel Plan

1. The Travel Plan submitted as part of the application, and prepared by Markside Associate (reference TP01, revision A, dated 13/12/2024) must be implemented from the first use of the hereby approved use. The Owner/Developer must comply with the Travel Plan for at least the Travel Plan Monitoring Period of five (5) years.
2. At least three (3) months prior to the First Occupation of the Development the Owner or Developer must appoint and fund a suitable qualified Travel Plan Coordinator and notify the Council in writing of the name, address, telephone number and email address of the person appointed.
3. On the 1st, 3rd, and 5th anniversary of the Travel Plan / commencement of the use, the Owner or Developer must undertake and submit a Travel Plan Monitoring Report to the Council for approval.
4. Payment of £4,500 on first occupation of development for review of the Travel Plan Monitoring Report (£1,500 per review x 3 reviews).