<table>
<thead>
<tr>
<th>Application No:</th>
<th>13/00001/FUL</th>
<th>Ward: Eastbury</th>
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<tbody>
<tr>
<td>Reason for Referral to DCB as set out in Section I of the Council Constitution:</td>
<td>The application is a major development which is of a scale and importance that should be determined at DCB.</td>
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<tr>
<td>Address:</td>
<td>The Harrow Public House, Ripple Road, Barking</td>
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<tr>
<td>Development:</td>
<td>Demolition of former public house and erection of 5 two storey three-bedroom houses and 3 storey block comprising 3 one-bedroom flats and 5 two-bedroom flats with associated landscaping and parking.</td>
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<td>Applicant:</td>
<td>Chand Investments</td>
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<td>Summary:</td>
<td>The proposal is for the demolition of the Harrow Public House which has been closed since 2010 and has been extensively vandalised. In its place and facing south onto Ripple Road a terrace of five three-bedroom houses would be erected. Behind the new terrace and facing west onto John Burns Drive, a part 3 part 4 storey block comprising 3 one-bedroom flats and 5 two-bedroom flats would be erected featuring a communal roof garden. The proposal also involves the provision of 12 car parking spaces, cycle storage, refuse storage and landscaping. This is a revised scheme following two similar recent applications. The initial application was approved at DCB in December 2011. Following financial assessment of the approved scheme the applicants submitted a revised proposal in August 2012. This application was refused at DCB in November 2012 on four grounds: the inadequate S106 contribution which would fail to mitigate the increased pressure on local schools, inadequate internal space, inadequate car parking, and a shortfall in family housing provision. The current application remedies two of these four issues. The applicant has agreed to a contribution of £6000 per dwelling and changes have been made to the scheme so it is now fully compliant with the Council’s internal space standards. In relation to the car parking provision this meets London Plan standards and whilst the amount of family housing provided at 38.5% falls slightly short of the LDF 40% target, officers consider the provision of some flats in this location is not unacceptable. Accordingly, the application is recommended for approval subject to conditions and a Section 106 Agreement which will also ensure that the existing buildings are demolished within four months of the date of approval.</td>
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<tr>
<td>Recommendation</td>
<td>That the Development Control Board grants planning permission subject to the conditions listed below and the completion of an agreement under Section 106 of the Town and Country Planning Act securing a financial contribution of £78,000. The</td>
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contribution would provide for additional school places to cater for the future child yield from this development and/or to help regenerate the neighbouring Eastbury shopping parade. The Section 106 agreement will also require the demolition of the existing buildings and structures on site within 4 months of the date of approval.

Conditions

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 12097_PL02 Rev E, 12097_PL03 Rev C.

   **Reason:** For the avoidance of doubt and in the interests of proper planning.

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

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

4. No development shall be carried out above ground level until a scheme showing those areas to be hard landscaped and the details of that hard landscaping have been submitted to and approved by the Local Planning Authority in writing. The scheme as approved shall be carried out prior to the occupation of the development and thereafter permanently retained.

   **Reason:** To ensure the development is satisfactorily landscaped in order to improve the visual appearance of the area and to comply with Policy BP11 of the Borough Wide Development Policies Development Plan Document.

5. No development shall be carried out above ground level until a scheme showing those areas to be soft landscaped and the details of that soft landscaping have been submitted to and approved by the Local Planning Authority in writing. All planting should be of native species. The scheme as approved shall be carried out in the first planting and seeding seasons following the occupation or the completion of the development, whichever is the sooner. Any trees or plants in common areas of the development which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.
Reason: To secure the provision and retention of the landscaping in the interest of the visual amenity of the area and to comply with Policy BP11 of the Borough Wide Development Policies Development Plan Document.

6. No development, other than demolition, shall take place until details of existing and finished site levels, finished floor and ridge levels of the buildings to be erected, and finished external surface levels have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any works in connection with the development hereby permitted respect the height of adjacent properties and in accordance with policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

7. No development shall be carried out above ground level until details of all boundary fences, walls and privacy screening have been submitted to and approved by the Local Planning Authority and no part of the development shall be occupied until the approved fences, walls and privacy screening for that part have been provided. The scheme should include the provision of 900mm high (approximately) boundary treatment to partition the rear gardens of the houses with higher privacy fencing adjacent to the houses, privacy screening to the roof garden, and measures to protect walls and fences from vehicle strike. The approved fences, walls and privacy screening shall be retained thereafter.

Reason: To ensure the satisfactory means of enclosure for the proposed development in the interests of visual amenity and the protection of residential amenity and to comply with Policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

8. Details of the cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The submission should include details of the security and access arrangements for the cycle storage. The cycle storage shall be provided before the occupation of any dwelling and thereafter permanently retained.

Reason: In the interests of promoting cycling as a safe, efficient and non-polluting mode of transport and to comply with Policy BR11 of the Borough Wide Development Policies Development Plan Document.

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

Reason: To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours and in accordance with Policy BP8 of the Borough Wide Development Policies Development Plan Document.
10. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

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

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

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

12. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than demolition of the superstructure or than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

13. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

14. In the event that contamination is found at any time when carrying out the
approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 10, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 11, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

**Reason** (for conditions 11-14): To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy BR5 of the Borough Wide Development Policies DPD.

15. All residential units hereby approved are to comply with Lifetime Homes Standards, as defined in the Joseph Rowntree Foundation publication “Achieving Part M and Lifetime Home Standards” and the joint collaboration of JRF, Mayor of London, GML Architects and Habinteg HA in the publication ‘Lifetime Homes’ and as referred to in the GLA Accessible London Supplementary Planning Guidance (Appendix 4).

**Reason**: To ensure that accessible housing is provided in accordance with Policy BC2 of the Borough Wide Development Policies Development Plan Document and Policy 3.8 of the London Plan.

16. No development above ground level shall commence until a scheme showing the provisions to be made for external lighting and the lighting of the car park, access control, and any other measures to reduce the risk of crime, has been submitted to and approved in writing by the Local Planning Authority. The external lighting and lighting of the car park of the development is to be designed, installed and maintained so as to fully comply with The Association of Chief Police Officers Secured by Design publication “Lighting Against Crime – A Guide for Crime Reduction Professionals”, ACPO SPD, January 2011. The design shall satisfy criteria to limit obtrusive light presented in Table 1, p25 of the guide, relating to Environmental Zone E3 – Medium district brightness areas - small town centre or urban locations. The development shall not be occupied until the approved scheme has been installed. Thereafter the approved measures shall be permanently retained.

**Reason**: In the interests of enhancing security and safety and in accordance with Policy BP11 of the Borough Wide Development Policies Development Plan Document.

17. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in
writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

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

Reason: In order to reduce the environmental impact of the construction and the impact on the amenities of neighbouring residents and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

18. No development above ground level shall commence until full details of a scheme of acoustic protection of habitable rooms having windows that will be exposed to road traffic noise. The scheme of acoustic protection shall be sufficient to secure internal noise levels no greater than 30 dB LAeq in bedrooms and 40 dB LAeq in living/dining rooms with windows closed. Additionally, where the internal noise levels will exceed 40 dB LAeq in bedrooms or 48 dB LAeq in living/dining rooms with windows open the scheme of acoustic protection shall incorporate measures which are sufficient to maintain comfortable conditions within the room during hot weather without the requirement to open windows. The approved scheme shall be fully implemented before the first occupation of the dwelling to which it relates and shall be maintained at all times thereafter.

Reason: To ensure that the proposed dwellings are adequately protected from noise and in accordance with Policy BR13 of the Borough Wide Development Policies Development Plan Document.

19. Once the notional SAP ratings for the development are known a design stage certificate must be submitted to the Local Planning Authority verifying the code level that will be achieved and a minimum 25% reduction in carbon emissions over 2010 Building Regulations requirements. The scheme will achieve a minimum of code level 3. A post construction certificate stating that the residential units have achieved a minimum code level rating of 3
shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any residential unit unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure that the proposed residential units are designed in an environmentally sustainable manner and in accordance with policy BR1 of the Borough Wide Development Policies Development Plan Document.

20. One of the houses provided shall be designed to be easily adaptable for residents who are wheelchair users in accordance with the publication ‘Wheelchair Housing Design Guide’, Second Edition, produced by Stephen Thorpe and Habinteg Housing Association.

**Reason:** To ensure that accessible housing is provided in accordance with Policy 3.8 of the London Plan and Policy BC2 of the Borough Wide Development Policies Development Plan Document.

21. The development shall not be occupied until details of the refuse enclosures showing the design and external appearance have been submitted to and approved by the Local Planning Authority. The approved enclosures shall be provided before the occupation of any dwelling that the enclosure was designed to serve and thereafter permanently retained.

**Reason:** To provide satisfactory refuse storage provision in the interests of the appearance of the site and locality and to comply with Policy BP11 of the Borough Wide Development Policies Development Plan Document.

22. No development, other than demolition of the superstructure, shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted by the applicant and approved by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

**Reason:** Significant archaeological remains may survive on the site. The planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development, in accordance with Policy BP3 of the Borough Wide Development Policies Development Plan Document.

23. The development shall not be occupied until the scheme of car parking shown on drawing 12097_PL02 Rev B has been built and marked out. The car parking areas shall thereafter be retained permanently, unless otherwise agreed in writing with the Local Planning Authority.

**Reason:** To ensure that adequate car parking is provided, to provide accessible parking and to comply with Policy BR10 of the Borough Wide Development Policies Development Plan Document.
24. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) dated July 2011, reference number 1533 compiled by Ambiental and the following mitigation measures detailed within the FRA:

- Sleeping accommodation will be restricted to the first floor and above with internal access provided throughout (FRA page 11).
- Implementation of flood proofing and flood resilient design on the ground floor levels, such as electrical services from above, solid floors on the ground floor and air brick protection (FRA page 11).
- Limiting the surface water run-off from the site to 50% of the undeveloped rates for all events up to the 1 in 100 critical storm (FRA page 12).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

**Reason**: To prevent flooding by ensuring the satisfactory disposal of surface water from the site to reduce the risk of flooding to the proposed development and future occupants, in accordance with policy CR4 of the Core Strategy.

25. Electric charging points shall be provided for two of the car parking spaces shown on drawing No. 12097_PL02 Rev B. The spaces shall be constructed and marked out and the charging points installed prior to the occupation of the development, and thereafter retained permanently for the accommodation of vehicles of occupiers and visitors to the premises and not used for any other purpose.

**Reason**: To encourage the use of electric cars in order to reduce carbon emissions, and in accordance with policy BR10 of the Borough Wide development Policies Development Plan Document.

26. The windows above ground floor level in the rear elevation of the 3 storey block shall be obscurely glazed to a minimum privacy level 3 and should not be capable of opening to an angle of more than 20 degrees. These qualities should thereafter be permanently maintained.

**Reason**: To avoid overlooking of adjoining properties and in accordance with policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document and the Residential Extensions and Alterations Supplementary Planning Document.
1. **Introduction and Description of Development**

1.1 The application site is currently occupied by a disused public house (The Harrow) which faces south onto Ripple Road, Barking. The main building is a 2 storey pitched roof structure with rooms in the roof and with pitched roof single storey annexes to the east and west. To the rear of the property is the public house car park which could previously be accessed via a crossover from John Burns Drive to the west. This access is currently closed off.

1.2 To the north the site is bounded by a small single storey electrical sub-station and a series of single storey brick garages. The garages are part of a large housing estate that contains a mixture of 3-7 storey residential flats with a series of on-street parking facilities. To the south the site is bounded by Ripple Road, to the east by the rear gardens of 1 to 15 Lambourne Road and to the west the site is bounded by John Burns Drive. This section of John Burns Drive is not adopted but is in the ownership of the Borough. There is currently no footpath along the east side of John Burns Drive and the land is used as a public car park.

1.3 The public house can be accessed via the public highway along Ripple Road. There is vehicular access to the rear with a car park that can be accessed via John Burns Drive, although this access is currently closed off.

1.4 The site is moderately accessible by public transport. It is a 12 minute walk from Upney Station, and bus stops on Ripple Road outside the public house provide linkages to Barking Town Centre and other places within the Borough and beyond.

1.5 The proposal involves the demolition of the public house and outbuilding and the erection of a terrace of five three-bedroom houses facing south onto Ripple Road. Behind the new terrace and facing west onto John Burns Drive a part 3 part 4 storey block comprising 3 one-bedroom flats and 5 two-bedroom flats would be erected. The proposal also involves a roof garden on the 3 storey component of the block, landscaping and a surface level car park providing 11 parking spaces together with an additional space in the rear garden of one of the houses. The proposal therefore provides 12 car parking spaces including one “Blue Badge” space. The current vehicular access to the pub’s car park would be moved further to the north with the existing crossover to be stopped up.

1.6 All of the houses and flats are to be for market sale.
1.7 The proposed dwellings are designed to meet Code for Sustainable Homes Level 3 standard.

2. Background

2.1 The public house has been closed since 2010 and has been extensively vandalised during this time. There is a considerable and varied planning history dating back to 1948. More recently two planning applications similar to the current proposal have been determined at the site. The first application was approved in December 2011 for a scheme similar to this proposal – the main differences being that 1 three-bedroom and 4 four-bedroom houses were proposed and the parking area was underground. Following an appraisal of this scheme the applicants found that this was financially unviable. A revised scheme was submitted in September 2012 which proposed a surface level parking area, 5 three bedroom houses and a lower initial S106 financial offer of £15,000, although this could increase depending on realised sales values. This was refused at DCB in November 2012 on the grounds of an insufficient financial contribution to mitigate the child yield, inadequate internal space for several units, inadequate car parking, and a shortfall in the provision of family housing. The current proposal involves further changes to the previous scheme and an increased S106 offer which aims to address the previous issues.

3. Consultations

3.1 172 neighbouring occupiers were consulted and a notice was published in the News. As a result two letters of objection were received; one from a neighbouring occupier who is also a representative of several pro-cycling groups, and another from a Redbridge resident concerned with the loss of local pubs. Concerns were as follows:

- Minimum levels of cycle parking are not met:
  - Note: The proposed development provides 1 cycle space per 1 or 2 bed flat, as required by the London Plan. Secured sheds have been provided in the rear gardens of each dwelling which could accommodate 2 cycles. This also complies with the London Plan which seeks 2 cycle parking spaces per 3 bed unit. The proposed development provides all dwellings with adequate cycle storage facilities from the outset, unlike the previous application which did not include specific provision for the houses and stated that the occupiers could install their own cycle storage if desired. While these facilities will be provided, it is up to potential residents to decide whether or not to make use of them.

- The London Plan also requires visitor cycle parking of 1 per 40 units:
  - Note: As the proposed development is for significantly less than 40 units it seems unreasonable to request visitor cycle parking.
Car parking has been applied above the maximum standards required by the London Plan.

- Note: For 1-2 bed residential units the London Plan requires less than 1 parking space per unit. For 3 bed units the London Plan requires a minimum of 1 parking space per unit and a maximum of 1.5 per unit. The proposed development should therefore provide a minimum of 5 parking spaces (0 per 1-2 bed unit, 1 per 3 bed unit) and a maximum of 14 (7 spaces for eight 1-2 bed units, 1.5 spaces per 3 bed unit). The proposed development would provide 12 parking spaces, which is between the minimum and maximum and is considered to be reasonable given the moderate PTAL rating.

Little attention has been paid to public transport. The references to Becontree and Rainham Stations are peculiar, and the claim that the site has good public transport links is a little far-fetched.

- Note: The site has a moderate PTAL rating of 3. It is well served by regular buses to Barking Town Centre but is not particularly well located in terms of direct access to rail/underground stations. This has been reflected in the parking provision leaning closer to the maximum required than the minimum.

The building is of historic interest and should not be demolished purely for housing. The Borough has recently lost other local pubs and does not have enough facilities to keep up with these housing plans.

- Note: The building is not locally listed and, while it is recognised as being architecturally attractive it is not considered to be of such value to be retained at all costs. The closure of the pub suggests that a local demand for the facility does not exist. It is also noted that prior to its closure, the pub attracted a number of regular antisocial elements resulting in requests by the police to the Council that the licence be withdrawn.

3.2 The consultation exercise for the previous application raised the following issues which are still considered to be of relevance.

- There is no mention of electric vehicle charging points.
  - Note: A condition will be imposed requesting the provision of two electric charging points in accordance with Policy 6.13 of the London Plan.

- Concerns that as the level of the rear gardens of houses on Lambourne Road is higher than that of the Harrow site, this could lead to collapse of the ground into the Harrow site. Also concerns that cars using the parking spaces facing the side boundary of 5 Lambourne
Road may hit the boundary wall and cause subsidence. A ‘crash barrier’ is suggested.

- Note: this will be controlled by the imposition of conditions requesting details for site levels and appropriate boundary treatments.

- The previous application stated that a fence would be erected at the rear garden of 11 Lambourne Road and that frosted windows would be installed to the rear of the flat block. Would this still be the case?

  - Note: As above, a condition requesting appropriate boundary treatment would be attached to the permission. The windows in the rear of the flat block above ground level are still proposed to be obscure glazed and this will also be secured by a condition.

- Impact on on-street parking in John Burns Drive.

  - Note: While the re-positioning of the vehicular access would result in the loss of up to three parking spaces on John Burns Drive, the on-site parking provision for the proposed development is considered to be sufficient and would not be likely to lead to occupiers parking in this area. John Burns Drive is not adopted highway and is in Council ownership. It is understood that preliminary discussions have taken place between the applicant and the Council’s Property Services Team with a view to re-structuring this layout. The applicant must be aware that, should the application be approved, an agreement must be reached with Property Services to re-structure the layout in a suitable manner to allow the approved access arrangements to be constructed.

- The safety of the site at present is a concern and has been subject to vandalism.

  - Note: Should members be minded to agree the recommendation, permission will be granted subject to a legal agreement requiring the demolition of the existing premises within 4 months of the date of approval and the securing of all boundaries in readiness for construction to begin.

English Heritage (Archaeology)

3.3 No response. Condition attached as per previous application regarding the implementation of a programme of archaeological work.
3.4 Requested a condition to ensure that the development is carried out and occupied in accordance with details within the submitted Flood Risk Assessment.

Access Officer

3.5 Comments relating to Building Control issues. Applicants have submitted amended plans which appear to satisfy these issues.

Environmental Health

3.6 Comments regarding possible site contamination, road traffic noise and noise and dust during the demolition/construction phase of the development. Conditions attached as requested.

Transport Development Management

3.7 No objections.

London Fire and Emergency Planning Authority

3.8 No objections. Access should comply with building regulations. These comments will be added as informatives.

Metropolitan Police Crime Prevention Design Advisor

3.9 No objections.

Waste Management

3.10 No written response received. Verbal comments received indicating no objections.

4. Analysis

Principle of Development and Housing Mix

4.1 While the provision of additional residential units is in keeping with Policy CM2 (Managing Housing Growth) of the Core Strategy Development Plan Document which aims to increase housing stock within the Borough, the loss of the public house is not supported by Policy CC2 (Social Infrastructure to meet Community Needs) of the Core Strategy which states that support will be given to proposals that protect, retain or enhance community facilities (including leisure uses). However as the public house has been closed for some time and in the intervening period has been vandalised to a considerable degree, it is increasingly unlikely that it would be economically viable to refurbish and re-open it. Additionally it is known that towards the end of the building being used as a public house it attracted a number of antisocial
elements resulting in regular fights outside the public house and requests by
the police to the Council that the licence be withdrawn. Given these
circumstances it is considered that the loss of the public house and the
redevelopment of the site to provide housing, whilst regrettable, is acceptable.

4.2 A key objective of the National Planning Policy Framework (NPPF) is to
significantly increase the delivery of new homes.

4.3 London Plan Policy 3.12 (Negotiating Affordable Housing on Individual Private
Residential and Mixed Use Schemes) states that the maximum reasonable
amount of affordable housing should be sought when negotiating on individual
private residential and mixed use schemes, having regard to, amongst other
things, the specific circumstances of individual sites. The applicants submitted
a Three Dragons Toolkit Appraisal for the previously approved application
showing that the provision of affordable housing on the site would make the
scheme unviable. The appraisal was reviewed and considered sound, and the
provision of no affordable housing was considered acceptable in this case. It
should be noted that the current proposal would result in a revised S106 offer
equal to that originally proposed which will be used to fund school places
and/or to regenerate the nearby Eastbury Shopping Parade, and this is
considered to mitigate the lack of affordable housing provision.

4.4 Policy CC1 (Family Housing) of the Core Strategy requires that major housing
developments such as this will generally be expected to provide a minimum of
40% family housing (i.e. three bedroom, four bedroom or larger units). The
original approved scheme and the previous refused scheme both achieved
38.5% family housing so fell short of the 40% target. There is no change to
the latest scheme in this respect. However Policy CC1 states that not all sites
will be suitable for family sized accommodation, such as sites where the size
and form is too tight and where it would not be possible to provide a
satisfactory environment for young children. In this case the five three-
bedroom family dwellings all provide a good standard of internal space and
the external amenity areas fully comply with policy in terms of privacy, area
and depth. The remainder of the site is very narrow and provision of family
accommodation with good quality external amenity space on this part of the
site would be extremely difficult. The proposal would provide 38.5% family
housing which, given the site constraints and good standard of family
accommodation provided, is considered acceptable.

4.5 It is therefore considered that the principle of housing on this site and the
proposed mix are acceptable and satisfactorily meet the policy objectives as
discussed above.
Design

4.6 The proposal includes a two storey terrace of 5 houses set slightly forward of the line of the existing public house with pitched roofs and gable ends facing onto Ripple Road. This would fit in well with the surrounding built form which to the south, east and west is predominantly made up of two storey terraces of brick houses and parades of shops. The terrace is proposed to have brick walls and a tiled roof. All of the houses have timber front doors which are covered by a canopy, and powder coated aluminium windows.

4.7 The second component of the proposal is a part three/part four storey building providing 8 flats of which 3 units are duplex units (over 2 floors). It has a rectangular façade with balconies facing on to John Burns Drive to the north and west. It would fit in well with the built form to the north of the application site which is a housing estate containing a mixture of 3-7 storey residential flats. The proposed building has a flat roof with a gently undulating roofline topped by a horizontal privacy screen. The upper storeys to the front of the building are supported by pillars providing a covered 1.4 metre width walkway along the front of the building, a powder coated aluminium entrance door located at the southernmost part of this walkway provides access to the upper storeys while 3 timber entrance doors further along the walkway provide access to the ground floor duplex units. The third floor component is located to the south of the building and is set back from the edge of the building. Two projecting angled windows face towards John Burns Drive from the southern façade on the first and second floors providing light to bedrooms without overlooking the rear of the houses to the south. The ground floor façade is finished in glazed vertical tiles, the first and second floors in brick and the third floor is rendered.

4.8 The design of the proposal is considered to be acceptable and to comply with Policy BP11 (Urban Design) of the Borough Wide Development Policies Development Plan Document.

Amenity Space

4.9 Policy BP5 (External Amenity Space) of the Borough Wide Development Policies Development Plan Document seeks to provide specific levels of private and/or communal amenity space. The Policy requires the following provision:

- 1 bedroom flat 20 sqm
- 2+ bedroom flat 40 sqm
- 3 bedroom house 60 sqm

4.10 The amenity space requirements and provision for each of the dwellings is given below:
Table 1 – Amenity Space

<table>
<thead>
<tr>
<th>Dwelling</th>
<th>Bedrooms</th>
<th>Amenity Space Required (m²)</th>
<th>Private Amenity Space Provided (m²)</th>
<th>Communal Amenity Space Provided (m²)</th>
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<tbody>
<tr>
<td>Flat 1</td>
<td>2</td>
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<td>Flat 2</td>
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</tr>
<tr>
<td>Flat 3</td>
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<td>1</td>
<td>20</td>
<td>5</td>
<td>Communal Roof 150</td>
</tr>
<tr>
<td>Flat 5</td>
<td>1</td>
<td>20</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>Flat 6</td>
<td>2</td>
<td>40</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>Flat 7</td>
<td>2</td>
<td>40</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>Flat 8</td>
<td>1</td>
<td>20</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>House 1</td>
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<td>63</td>
<td></td>
</tr>
<tr>
<td>House 2</td>
<td>3</td>
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<td></td>
</tr>
<tr>
<td>House 3</td>
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<td>61</td>
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</tr>
<tr>
<td>House 4</td>
<td>3</td>
<td>60</td>
<td>64</td>
<td></td>
</tr>
<tr>
<td>House 5</td>
<td>3</td>
<td>60</td>
<td>63</td>
<td></td>
</tr>
</tbody>
</table>

4.11 Unlike the previous scheme all the flats now have private amenity space in the form of rear gardens for the ground floor flats, balconies for the upper floor flats and a terrace for the roof level flat. Specifically, compared to the previously refused scheme, balconies are now proposed for 4 of the upper floor flats which previously relied solely on the roof terrace for amenity space. Policy BP6 requires 260sqm of private and/or communal space to be provided for the eight flats. The proposed development provides 292sqm, which accords with the policy. The applicant has also given regard to the London Plan Housing Supplementary Planning Guidance (SPG), which offers best practice guidance for housing developments but should not be read as adopted policy. The SPG advises that a minimum of 5sqm of private open space should be provided for 1-2 bed dwellings. All units would now feature private amenity space to this standard in the form of either gardens, balconies or a private roof terrace.

4.12 The houses all have an acceptable level of private amenity space. It is therefore considered that the overall provision of external amenity space for the scheme is acceptable.

Internal Design

4.13 The previous application did not fully meet the Council’s internal space standards as set out in Policy BP6. The current proposal has been amended and all units are now fully compliant.

4.14 In the table below the relevant floor spaces for each dwelling are set out. Adjacent to each area calculation is the minimum area required by Borough Wide Development Policies Development Plan Document Policy BP6 (Internal Space Standards).
Noise

4.15 The five houses face onto the busy A123 (Ripple Road) which provides vehicular access from the A13 to Barking Town Centre. The Council’s Environmental Health Team recommended conditions be imposed on the previous application to prevent noise disturbance to the houses and to neighbours during construction, and these conditions are recommended to be reimposed.

Environmental Sustainability

4.16 An Energy Strategy Report was submitted with the application. The report states that the development will provide solar thermal collectors and photovoltaics which will contribute up to 12.6% carbon emission reduction helping the housing to achieve a minimum level of 3 of the Code for Sustainable Homes. Policy BR1 (Environmental Building Standards) of the Borough Wide Development Plan Document states that major developments such as this should attain code level 3-4 and London Plan Policy 5.2 (Minimising Carbon Dioxide Emissions) requires that a 25% reduction in
carbon emissions over 2010 Building Regulations requirements be attained. The Energy Strategy states that the development will achieve a 36.9% saving over the part L target. Both of these figures are acceptable and represent an improvement over the previously approved scheme. Should permission be granted, it is recommended that an appropriate condition be imposed to ensure that the development will achieve the expected environmental scores.

4.17 There is the potential for soil and groundwater contamination on the site. Significant remediation works may be needed as the proposed development involves housing which has the highest sensitivity to contamination. The Council’s Environmental Health Team has suggested the imposition of a number of conditions to deal with the contaminated land issues.

**Inclusive Access**

4.18 A Design and Access Statement was submitted with the application. It states that all of the housing units within the scheme will be designed to Lifetime Homes standards. The houses will be capable of internal conversion for use by a wheelchair user in accordance with Policy 3.8 (Housing Choice) of the London Plan. It is proposed that if permission is granted, appropriate conditions are imposed to ensure that the homes are built to Lifetime Homes / Wheelchair Housing specifications (see conditions 15 and 20 above). A “Blue Badge” car parking space will be provided in the rear garden of the house designated as the wheelchair housing unit.

4.19 The houses have been designed to a generous internal size which should assist accessibility.

**Transport Matters**

4.20 The site has a moderate Public Transport Accessibility Level (PTAL) of 3. The closest bus stops to the application site are located on Ripple Road outside the public house and on the opposite side of Ripple Road. Upney Station provides underground services and is approximately a 12 minute walk from the site.

4.21 The car parking is the same as the previous refused scheme. Therefore 12 off street spaces would be provided for the 13 units accessible from John Burns Drive utilising a relocated access point. The provision of less than 1 for 1 parking provision was included as a reason for refusing the previous application. However the proposed provision does comply with London Plan Policy 6.13 (Parking) which seeks to provide appropriate levels of parking depending on the accessibility of the site. The London Plan requires 1.5 to 1 spaces for a three bedroom unit and less than 1 space for smaller units. The amount of parking required for a development of this size is therefore flexible between 5 and 14 spaces, depending on public transport accessibility. A PTAL level of 3 is moderate, and the provision of 12 parking spaces is considered appropriate in the context of the London Plan.
4.22 One cycle parking space per flat would be provided as per the previous application, and this meets the minimum requirement of the London Plan. The previous application did not include any cycle parking for the houses from the outset, but indicated that this could easily be added by occupiers if required in the form of sheds in the rear garden. This proposal includes secure sheds to the rear gardens from the outset which could easily accommodate cycles, and meets the London Plan minimum requirements.

4.23 The repositioning of the vehicular access from John Burns Drive would necessitate the repositioning of on-street parking bays which are currently informally marked. This part of John Burns Drive is in the ownership of the Council’s Property Services Team and is currently well used by shoppers and proprietors from the nearby shopping parade. It is considered that the acceptable on-site parking provision would not result in a material increase in the use of this area by residents for parking. It is understood that the applicants have held discussions with the Council’s Property Services Team who have raised no objections and may be willing to re-align the access subject to legal agreements and a reasonable contribution to the costs involved. The Council’s Transport Development Management Team have no objections to the proposal but have stated that the works to John Burns Drive must be agreed with the Council’s Property Services Team and carried out prior to the new access point being constructed. The applicant should be aware that it is their responsibility to arrange and agree this with Property Services.

5 Planning Obligations

5.1 The insufficient financial contribution to mitigate the child yield of the previous scheme was included as a reason for refusal. The applicants have now agreed to a financial contribution equivalent to £6000 per dwelling.

5.2 Therefore the applicant has agreed to enter into a S106 Legal Agreement with the following Heads of Terms:

- A financial contribution of £78,000 payable to the Council on sale / occupation of the first residential unit. This would provide additional school places to cater for the future child yield from this development and/or to help regenerate the neighbouring shopping parade.
- Demolition of the existing buildings and structures on site and securing of all boundaries, within four months of the date of approval.

5.3 These obligations are considered necessary to make the application acceptable in planning terms in line with the tests in the Community Infrastructure Regulations 2010 as amended. They are also consistent with policy CC3 of the Core Strategy and Policy 8.2 of the London Plan.

6 Local Finance Considerations

6.1 The development will generate a substantial New Homes Bonus. New Homes Bonus can lawfully be taken into account as a material consideration where
there is a direct connection between the intended use of the Bonus and the proposed development. If this development is approved it will attract a New Homes Bonus of £97,500 over six years.

7 Convergence

7.1 The proposed development would result in the provision of 13 good quality residential units, which would ultimately help to provide new homes for the local community. This would help the Borough achieve its goal of Convergence as part of its role as a Host Borough for the 2012 Olympic Games.

8 Conclusion

8.1 Whilst the loss of another public house in the Borough is regrettable the premises have been closed for some time now and, when open, the pub did not have a good reputation and would not have been particularly attractive to families. The building has been subject to vandalism and its redevelopment for housing would put the site to a good use.

8.2 The proposed development will provide 13 residential units – 5 three-bedroom houses, 3 one-bedroom flats and 5 two-bedroom flats together with 12 off-street car parking spaces and landscaping areas. All of the homes are for market sale. The proposed development would also attract a substantial financial contribution to provide school places in the Borough and/or to regenerate the nearby shopping parade.

8.3 It is considered that the design of the development is acceptable, the provision of amenity space satisfactorily complies with policy, the internal floor space is acceptable, noise issues can be adequately addressed, the application satisfactorily addresses environmental sustainability and energy issues and complies with inclusive access and transport policies.

8.4 The application now fully complies with internal space standards, provides private amenity space to all dwellings and makes a S106 offer which accords with that usually expected from new housing developments. The report clarifies that the car parking provided accords with the London Plan. It also clarifies that the provision of 5 family houses is considered to be satisfactory given the shape of the site.

8.5 It is therefore recommended that planning permission is granted.

Background Papers

- Planning Application File
- Core Strategy Policies:
Policy CM1 - General Principles of Development
Policy CM2 - Managing Housing Growth
Policy CR1 - Climate Change and Environmental Management
Policy CR3 - Sustainable Waste Management
Policy CC1 - Affordable Housing
Policy CC2 - Family Housing
Policy CC4 - Achieving Community Benefits Through Developer Contributions

- Borough Wide Development Policies:

Policy BR1 - Environmental Building Standards
Policy BR2 - Energy and On-Site Renewables
Policy BR3 - Greening the Urban Environment
Policy BR4 - Water Resource Management
Policy BR5 - Contaminated Land
Policy BR9 - Parking
Policy BR10 - Sustainable Transport
Policy BR11 - Walking and Cycling
Policy BR15 - Sustainable Waste Management
Policy BC1 - Delivering Affordable Housing
Policy BC2 - Accessible and Adaptable Housing
Policy BC7 - Crime Prevention
Policy BC11 - Utilities
Policy BE2 - Environmental Building Standards
Policy BP3 - Archaeology
Policy BP5 - External Amenity Space
Policy BP6 - Internal Space Standards
Policy BP8 - Protecting Residential Amenity
Policy BP10 - Housing Density
Policy BP11 - Urban Design

- London Plan Policies

Policy 3.3 - Increasing Housing Supply
Policy 3.4 – Optimising Housing Potential
Policy 3.5 – Quality and Design of Housing Developments
Policy 3.7 – Large Residential Developments
Policy 3.8 – Housing Choice
Policy 3.9 – Mixed and Balanced Communities
Policy 3.10 – Definition of Affordable Housing
Policy 3.11 – Affordable Housing Targets
Policy 3.12 – Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes
Policy 3.13 – Affordable Housing Thresholds
Policy 5.2 – Minimising Carbon Dioxide Emissions
Policy 5.3 – Sustainable Design and Construction
Policy 5.5 – Decentralised Energy Networks
Policy 5.6 – Decentralised Energy in Development Proposals
Policy 5.7 – Renewable Energy
Policy 5.9 – Overheating and Cooling
Policy 5.10 – Urban Greening
Policy 5.11 – Green Roofs and Development Site Environ
Policy 5.12 – Flood Risk Management
Policy 5.13 – Sustainable Drainage
Policy 5.14 – Water Quality and Wastewater Infrastructure
Policy 5.15 – Water Use and Supplies
Policy 5.17 – Waste Capacity
Policy 5.18 – Construction, Excavation and Demolition Waste
Policy 5.21 – Contaminated Land
Policy 6.3 – Assessing Effects of Development on Transport Capacity
Policy 6.9 - Cycling
Policy 6.10 - Walking
Policy 6.13 - Parking
Policy 7.1 – Building London’s Neighbourhoods and Communities
Policy 7.2 – An Inclusive Environment
Policy 7.3 – Designing Out Crime
Policy 7.4 – Local Character
Policy 7.5 – Public Realm
Policy 7.6 - Architecture
Policy 7.8 – Heritage Assets and Archaeology
Policy 7.13 – Safety, Security and Resilience to Emergency
Policy 7.14 – Improving Air Quality
Policy 7.15 – Reducing Noise and Enhancing Soundscapes
Policy 7.19 – Biodiversity and Access to Nature
Policy 8.2 – Planning Obligations