

Notice of Meeting

PLANNING COMMITTEE

Monday, 26 April 2021 - 6:00 pm
Meeting to be held virtually

Members: Cllr Muhammad Saleem (Chair), Cllr John Dulwich (Deputy Chair), Cllr Sanchia Alasia, Cllr Faruk Choudhury, Cllr Irma Freeborn, Cllr Cameron Geddes, Cllr Mohammed Khan, Cllr Olawale Martins, Cllr Foyzur Rahman and Cllr Dominic Twomey

Date of publication: 16 April 2022

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Please note that this meeting will be webcast, which is a transmission of audio and video over the internet. To view the webcast click [here](#) and select the relevant meeting (the weblink will be available at least 24-hours before the meeting).

AGENDA

- 1. Apologies for Absence**
- 2. Declaration of Members' Interests**

In accordance with the Council's Constitution, Members are asked to declare any interest they may have in any matter which is to be considered at this meeting.

- 3. Minutes - To confirm as correct the minutes of the meetings held on 22 and 25 March 2021 (Pages 7 - 23)**

New Planning Applications

Ward

- | | |
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| 4. Chadwell Heath Baptist Church - 76 High Road, Chadwell Heath, Romford - 20/01859/FULL (Pages 25 - 75) | Whalebone |
| 5. Former Thames View Clinic, Bastable Avenue, Barking - 20/01760/FUL (Pages 77 - 131) | Thames |
| 6. 34-42 East Street, Barking - 21/00159/FULL (Pages 133 - 193) | Abbey |

7. Performance Review (Pages 195 - 208)

The attached report details the findings from the evaluation of a random sample of delegated planning decisions discussed at the Planning Performance and Review Sub-Committee on 16 February 2021, and which is presented for the Committee's information.

8. Any other public items which the Chair decides are urgent

9. To consider whether it would be appropriate to pass a resolution to exclude the public and press from the remainder of the meeting due to the nature of the business to be transacted.

Private Business

The public and press have a legal right to attend Council meetings such as the Planning Committee, except where business is confidential or certain other sensitive information is to be discussed. The list below shows why items are in the private part of the agenda, with reference to the relevant legislation (the relevant paragraph of Part 1 of Schedule 12A of the Local Government Act 1972 as amended). ***There are no such items at the time of preparing this agenda.***

10. Any confidential or exempt items which the Chair decides are urgent

Our Vision for Barking and Dagenham

ONE BOROUGH; ONE COMMUNITY; NO-ONE LEFT BEHIND

Our Priorities

Participation and Engagement

- To collaboratively build the foundations, platforms and networks that enable greater participation by:
 - Building capacity in and with the social sector to improve cross-sector collaboration
 - Developing opportunities to meaningfully participate across the Borough to improve individual agency and social networks
 - Facilitating democratic participation to create a more engaged, trusted and responsive democracy
- To design relational practices into the Council's activity and to focus that activity on the root causes of poverty and deprivation by:
 - Embedding our participatory principles across the Council's activity
 - Focusing our participatory activity on some of the root causes of poverty

Prevention, Independence and Resilience

- Working together with partners to deliver improved outcomes for children, families and adults
- Providing safe, innovative, strength-based and sustainable practice in all preventative and statutory services
- Every child gets the best start in life
- All children can attend and achieve in inclusive, good quality local schools
- More young people are supported to achieve success in adulthood through higher, further education and access to employment
- More children and young people in care find permanent, safe and stable homes
- All care leavers can access a good, enhanced local offer that meets their health, education, housing and employment needs
- Young people and vulnerable adults are safeguarded in the context of their families, peers, schools and communities

- Our children, young people, and their communities' benefit from a whole systems approach to tackling the impact of knife crime
- Zero tolerance to domestic abuse drives local action that tackles underlying causes, challenges perpetrators and empowers survivors
- All residents with a disability can access from birth, transition to, and in adulthood support that is seamless, personalised and enables them to thrive and contribute to their communities. Families with children who have Special Educational Needs or Disabilities (SEND) can access a good local offer in their communities that enables them independence and to live their lives to the full
- Children, young people and adults can better access social, emotional and mental wellbeing support - including loneliness reduction - in their communities
- All vulnerable adults are supported to access good quality, sustainable care that enables safety, independence, choice and control
- All vulnerable older people can access timely, purposeful integrated care in their communities that helps keep them safe and independent for longer, and in their own homes
- Effective use of public health interventions to reduce health inequalities

Inclusive Growth

- Homes: For local people and other working Londoners
- Jobs: A thriving and inclusive local economy
- Places: Aspirational and resilient places
- Environment: Becoming the green capital of the capital

Well Run Organisation

- Delivers value for money for the taxpayer
- Employs capable and values-driven staff, demonstrating excellent people management
- Enables democratic participation, works relationally and is transparent
- Puts the customer at the heart of what it does
- Is equipped and has the capability to deliver its vision

Use Classes Order 1987 (as amended)		
Use Class	Use/Description of Development	Permitted Change
A1 Shops	Shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices (but not sorting offices), pet shops, sandwich bars, showrooms, domestic hire shops, dry cleaners, funeral directors and internet cafes.	State funded school for single academic year – see footnote 2 . Some temporary uses – see footnote 4 . A1 plus two flats above C3 residential use - see footnote 5 Bank, building society, credit union or friendly society (A2) but not for other purposes falling within A2 – see footnote 6 A2 A3 (up to 150 m2) see footnote 9 D2 (up to 200 m2) see footnote 10
A2 Financial and professional services	Financial services such as banks and building societies, professional services (other than health and medical services) including estate and employment agencies.	A1 (where this is a ground floor display window) plus two flats above A2 plus two flats above State funded school for single academic year – see footnote 2 . Some temporary uses – see footnote 4 . C3 residential use - see footnote 5 A3 (up to 150 m2) – see footnote 9 . D2 (up to 200 m2) see footnote 10
A3 Restaurants and cafés	For the sale of food and drink for consumption on the premises - restaurants, snack bars and cafes.	A1 or A2 State funded school for single academic year – see footnote 2 . Some temporary uses – see footnote 4 .
A4 Drinking establishments	Public houses, wine bars or other drinking establishments (but not night clubs).	A1, A2 or A3 unless listed as an Asset of Community Value State funded school for single academic year – see footnote 2 . Some temporary uses – see footnote 4 .
A5 Hot food takeaways	For the sale of hot food for consumption off the premises.	A1, A2 or A3 State funded school for single academic year – see footnote 2 . Some temporary uses – see footnote 4 .
B1 Business	a) Offices, other than a use within Class A2 (Financial Services) b) Research and development of products or processes c) Light industry appropriate in a residential area	B8 (where no more than 500 sqm) B1a - C3 subject to prior approval - see footnote 1 . State funded school for single academic year – see footnote 2 . State funded school or registered nursery subject to prior approval - see footnote 3 Some temporary uses – see footnote 4 .
B2 General industrial	General industry: use for the carrying out of an industrial process other than one falling in class B1. (excluding incineration purposes, chemical treatment or landfill or hazardous waste).	B1 or B8 (B8 limited to 500 sqm) State funded school for single academic year – see footnote 2 .
B8 Storage and distribution	Storage or distribution centre. This class includes open air storage.	B1 (where no more than 500 sqm) State funded school for single academic year – see footnote 2 . C3 (where no more than 500 sqm) see footnote 7 .
C1 Hotels	Hotel, boarding house or guesthouse, where no significant element of care is provided. (Excludes hostels).	State funded school for single academic year – see footnote 2 . State funded school or registered nursery subject to prior approval - see footnote 3
C2 Residential institutions	Hospital, nursing home or residential school, college or training centre where they provide residential accommodation or care to people in need of care (other than those within C3 dwelling houses).	State funded school for single academic year – see footnote 2 . State funded school or registered nursery subject to prior approval - see footnote 3
C2A Secure residential institution	Secure residential accommodation, including use as a prison, young offenders institution, detention centre, secure training centre, custody centre, short term holding centre, secure hospital, secure local authority accommodation or use as a military barracks.	State funded school for single academic year – see footnote 2 . State funded school or registered nursery subject to prior approval - see footnote 3
C3 Dwelling houses	Use as a dwelling house by a single person or by people living together as a family or by not more than 6 residents living together as a single household	Article 4 direction removes permitted development right to convert to C4 House in Multiple Occupation. State funded school for single academic year – see footnote 2

C4 Houses in multiple occupation	Small shared houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.	C3 (dwelling houses) State funded school for single academic year – <u>see footnote 2</u>
D1 Non-Residential Institutions	Clinics & health centres, crèches, day nurseries & day centres, museums, public libraries, art galleries & exhibition halls, law court, non-residential education & training centres. Places of worship, religious instruction & church halls.	Some temporary uses – <u>see footnote 4</u> . State funded school for single academic year – <u>see footnote 2</u> .
D2 Assembly & Leisure	Cinema, concert hall, bingo hall, dance hall, swimming bath, skating rink, gymnasium, or area for indoor or outdoor sports or recreations, not involving motor vehicles or firearms.	State funded school for single academic year – <u>see footnote 2</u> . State funded school or registered nursery subject to prior approval - <u>see footnote 3</u> Some temporary uses – <u>see footnote 4</u> .
Sui – Generis	A use on its own, for which any change of use will require planning permission. Includes, theatres, nightclubs, retail warehouse clubs, amusement arcades, launderettes, petrol filling stations, casinos, taxi businesses, waste management facilities, motor car showrooms, betting offices and pay day loan.	Casino to Class D2 Amusement arcades/centres and casinos to C3 (up to 150 m2) <u>See footnote 8</u> Betting offices and pay day loan to A1 and A2 plus two flats above Betting offices and pay day loan plus two flats above Betting offices, pay day loan and casinos to A3 (up to 150 m2) <u>See footnote 9</u> . Betting offices and pay day loan to D2 (up to 200m2) – <u>see footnote 10</u> . Betting offices and payday loan to C3 residential use - <u>see footnote 5</u>

Footnotes	
1	B1a (Offices) can change use to C3 (Dwelling houses) provided development commenced before 30/06/16. Need to apply to Council for prior approval to confirm no significant transport and highway impacts, contamination risks and flood risks.
2	State funded schools can open without planning permission for a single academic year without planning permission from any existing use within the Use Classes Order. School must be approved by Secretary of State and school must notify Council before they open. School must revert to its previous use at end of year. Does not apply to listed buildings.
3	B1 (business), C1 (hotel), C2 (residential institution), C2A (secured residential institution) and D2 (assembly and leisure) can convert to a state funded school or registered nursery providing early years childcare without planning permission. Need to apply to Council for prior approval to confirm no significant transport and highways impact, noise impacts and contamination risks. D2 uses that have changed use from A1 or A2 using permitted development right (see footnote 10) cannot then change use to state funded school or registered nursery under this permitted development right
4	A1 (shops), A2 (financial and professional services), A3 (restaurants and cafes), A4 (pubs), A5 (takeaways), B1a (offices), B1b (light industry), B1c (R&D), D1 (non-residential institutions) and D2 (assembly and leisure) can change to A1, A2, A3, B1a,b & c without planning permission. Change of use must be less than or equal to 150 square metres. Applies for single continuous period of two years. Can change to other permitted use within two year period. Must revert to original use at end of two year period and notify Council before use begins.
5	A1 (shops) and A2 (financial and professional services) can change to C3 (residential). Building operations and partial demolition works that are “reasonable necessary” are also permitted. Prior approval required for transport and highways impact, contamination, flooding, the design and external appearance of the building and undesirable impacts on shopping facilities. This right only applies to buildings of 150 square metres or less and does not apply in Conservation Area or to listed buildings.
6	Does apply in Conservation Areas but not to listed buildings.
7	B8 (storage of distribution) to C3 (residential). Prior approval required for transport and highways impact, air quality impacts on intended occupiers, noise impacts of the developments, risks of contamination, flooding and the impact the changer of use would have on existing industrial uses and or storage or distribution uses. Right only applies to buildings in B8 use on or before 19 March 2015 and development must be begun before 15 April 2018. Building must have been in B8 use for four years.
8	Prior approval required for transport and highways impact, flooding, contamination and where building works are to be carried out under the permitted development right, design.
9	A1 (shops), A2 (financial and professional services) and betting offices and pay day loans to A3 (restaurants and cafes). Prior approval required for noise, smell/odours, transport and highways, hours of opening as well as siting and design in relation to extraction, ventilation, waste management, storage and undesirable impacts on shopping facilities.
10	A1 (shops) and A2 (financial and professional services) can change to D2. Applies to premises in A1 or A2 use on 5 December 2013. Prior approval required for transport and highways impact, hours of opening, noise impacts of the development and undesirable impacts on shopping facilities. Does not apply to listed buildings.

Planning Application Procedure

1. The Chair introduces the Planning Officer who will present the item.
2. The Planning Officer presents the report to the Committee and advises on any relevant additional information received after the completion of the report. The Planning Officer will also refer to the recommendation (it is assumed that Members will have read the report).
3. Registered objectors may speak for up to three minutes.
4. Councillors who are not members of the Planning Committee may address the Committee with the Chair's permission. They are not permitted to take part in the discussions or question objectors, supporters, applicants or applicants' representatives.
5. Registered supporters, applicants or applicants' representatives for the application may speak for up to three minutes.
6. Committee Members may, through the Chair, seek clarification from Council officers or any other speakers on any relevant planning issue that may have arisen.
7. The Committee shall debate the item. Where the application is considered to be straightforward and there are no speakers present, the Committee may make a decision based on the report and without any debate.
8. The Committee will vote on the matter (including any proposed supplementary conditions or recommendations). In the event that the Committee's decision is to refuse or allow an application contrary to the report's recommendation, Committee Members must give valid reasons for the decision based on relevant planning policies.
9. The Chair shall announce the Committee's final decision.

Notes

- The opportunity to ask questions may not be used to make general or specific comments or observations. General comments can be raised at the discussion point of the proceedings.
- Committee Members must be present during the entire debate on an application in order to be allowed to participate in the deliberations and vote on the matter. Any Committee Member who is not present at the beginning of the consideration of an application, or who leaves the room at any stage during the consideration of the application, shall be excluded from participating and voting on the application.
- If a Committee Member needs to leave during consideration of an application and wishes to take part in the deliberations and vote, they should seek the permission of the Chair for a short adjournment.
- Members should avoid expressing a view about an application until after the applicant has spoken to avoid the impression of bias.
- If there is a substantial point which needs to be clarified before a vote can take place, the Committee may agree to defer the application.
- The Chair may ask members of the public and press to leave the room to enable the Committee to consider information which is confidential or exempt (in accordance with Schedule 12A of the Local Government Act 1972).

**MINUTES OF
PLANNING COMMITTEE**

Monday, 22 March 2021
(6:00 - 8:50 pm)

Present: Cllr Muhammad Saleem (Chair), Cllr John Dulwich (Deputy Chair), Cllr Sanchia Alasia, Cllr Faruk Choudhury, Cllr Cameron Geddes, Cllr Mohammed Khan, Cllr Foyzur Rahman and Cllr Dominic Twomey.

Also Present: Councillor Darren Rodwell

Apologies: Cllr Irma Freeborn

41. Declaration of Members' Interests

The Chair declared an interest in agenda item 11 (The Sienna Building, Victoria Road, Barking) and therefore stood down as the Chair for the item and took no part in the discussions and did not vote on the application.

42. Minutes (16 February 2021)

The minutes of the meeting held on 16 February 2021 were confirmed as correct.

43. Minutes of the Planning Performance & Review Sub-Committee (16 February 2021)

The minutes of the Planning Performance & Review Sub-Committee were noted. A full report detailing the Sub-Committee's findings from the evaluation of a random sample of delegated planning decisions will be presented to the Planning Committee for information in April 2021.

44. Minutes of the Planning Visiting Sub-Committee (12 March 2021)

The minutes of the Visiting Sub-Committee held on 12 March 2021 were noted, the views and conclusions from which were taken into account as part of the Committee's consideration of the planning application for a residential development at Fels Farm, referred to under minute 49.

45. City of London Markets- Former Barking Power Station Site, Chequers Lane, Dagenham- 20/01907/OUTALL

The Principal Development Management Officer (PDMO) introduced a report on an application from the City of London Corporation (COLC) seeking an outline planning permission (with all matters reserved) on the former Barking Power Station Site at Chequers Lane, Dagenham for the demolition of remaining buildings and structures; and development of a consolidated wholesale market (including market spaces, logistics, distribution, food

preparation areas, storage and ancillary uses), together with associated circulation and service floorspace, parking and landscaping.

The Committee also received a supplementary report linked to the application concerning a financial contribution from COLC towards the upgrading of the strategic transport network (A13), should the application be approved.

In addition to internal and internal consultations, a total of 267 letters were sent on three separate dates to neighbouring properties together with the requisite site and press notices. A total of seven representations were received of which four objected, two supported and one was neutral to the proposed development. Officer comments on the responses to the consultation were contained in the planning assessment detailed in the report. In addition, one of the objectors submitted further written representations that were circulated prior to the meeting, the content of which was assessed by the PDMO and commented on verbally at the meeting.

The PDMO in summarising the key issues associated with the application stated that when considered in its entirety the proposed development was considered acceptable in land use terms. Through the construction and operational phases, it would create substantial employment and regenerative benefits to the borough including educational opportunities linked to the Council's development aspirations for the Dagenham Dock area, all of which would be secured through a Section 106 agreement. Further contributions had been secured in relation to wider placemaking set out in a proposed masterplan including public realm enhancements and improvements to the local cycle network.

It was acknowledged that the scheme would bring substantial vehicular traffic to the local network and along the A13, but that through discussions with Planning and Highways officers and with TfL and neighbouring businesses the PDMO was confident that an agreed package of transport improvements including a £2m financial contribution towards wider improvements to the A13 would mitigate against the negative traffic impacts. Likewise, although the proposed parking levels exceeded the standards set down in both the Local and London Plans policies, it was felt that on balance this was justified due to the unique use and the planned measures secured through the S106 obligations to encourage a reduction in parking over time.

Given the scale of the development strong and valid concerns had been expressed as to the impacts on existing businesses, although officers were confident these impacts would be suitably mitigated as far as possible at this stage through a combination of conditional measures similarly secured through the S106 agreement, Furthermore the submission of a Travel Plan and the appointment of a Travel Plan Coordinator to engage with local stakeholders through an appointed Steering Group would promote wider sustainable travel benefits across the site as well as keeping local businesses informed and involved.

An Energy Strategy submitted with the application demonstrated that the proposals would sufficiently reduce carbon dioxide emissions with any off set to be secured through the S106 agreement. Finally, there were no adverse heritage impacts associated with the development.

Officers concluded that when considered as a whole the proposed development accords with the statutory Development Plan, the London Plan and emerging Local Plan, and on the basis of all other material considerations outlined in the report, it was recommended that outline planning permission be granted.

David Slater and Adam Bassant, representing Hovis, one of the objectors, spoke at the meeting. Whilst Hovis were not opposed to the markets' development there were a number of transport related concerns which in summary were:

- Given that the proposed site was 4 x larger than the existing three market site, the forecasted traffic volumes associated with the development were predicted to be less, with no explanation as to the lower forecast, which in Hovis opinion had been significantly underestimated.
- The pattern of traffic movements between the Hovis operations and that of the markets were similar with the majority between 12.30 and 5.30am. The planning application stated that there would be a 7am enforced closure of the markets to alleviate traffic congestion on the A13 during the morning rush hour. The traffic assessment had suggested that at the peak times there would be a vehicle movement in Chequers Lane every 5 seconds, making it difficult for lorries to exit the Hovis site onto Chequers Lane.
- Despite the offer of modifications, the proposed junction design and signalling arrangements at Chequers Lane/Choats Road would not work for Hovis, as it would make it difficult for HGV's to exit the site as well as representing a safety hazard for pedestrians and cyclists, there being no road safety audit in the outline application. Possible alternative traffic management solutions for the junction were outlined.

Concluding the objections Hovis representatives were strongly of the view that approving the application as presented and relying on finalising the details through reserved matters was not sufficient nor appropriate given the scale of the development, and its effects on the locality. They urged the Committee to defer consideration of the outline application to allow officers more time to scrutinise the traffic assumptions and subsequent mitigation arrangements, and for the development of a workable safe junction design that would enable Hovis to maintain access and thereby protect the long-term viability of their site.

The PDMO commented on the suggestion of a deferment and stated that this application had already been delayed for a number of months due to officer concerns regarding traffic modelling, transport and other matters, to a point where officers were now satisfied that the development as proposed had been

appropriately mitigated against. He referenced in particular condition 21 of the conditions set out in Appendix 6 of the report concerning a scheme of highways works which included proposed works to the junction which formed part of the reserved matters, and which would require submission and approval by the local planning authority before the application could proceed.

He added that if the junction proposals did not work for Hovis it would not work for the market operators or any other businesses in the locality. This point was echoed by Members who whilst concerned to hear that Hovis did not think that there had been sufficient dialogue with officers, were hopeful and encouraged that as an outline application with matters reserved there would be workable solutions to the transport issues for all concerned.

Further questions were raised by Members and responded to by officers which in summary were:

- *The report referenced that the applicant was obligated through the Heads of Terms to work with the Council's Enterprise and Employment team to encourage traders to support the creation of job opportunities for local residents and in doing so ensure that up to 80% of the net additional FTE jobs generated by the development would be secured by local residents, and that all vacancies would be advertised exclusively to local residents up to 10 days before being advertised more widely. How was that figure arrived at, and would it be possible to push for a longer period, notwithstanding employment rules etc?*

The PDMO explained that this figure was a target rather than a requirement given that to start with as part of the relocation of the markets, the operators would want to transfer existing staff but that the Council would be confident through the end user obligations of securing additional employment opportunities for residents. As for the 10-day period this was a standard lead in time proposed by the Council's Enterprise and Employment team to enable them preparation time to encourage local take up of vacancies, albeit local residents would be free to apply beyond that time.

- *Given the significant activity that this development would create in the area and its surrounds, what would be the Council's aspirations for developing a night-time economy?*

In response the PDMO stated that the development would generate significant associated regenerative benefits. He was aware that New Spitifields market had a number of ancillary business linked to its operations, and which may seek to relocate to the area in time. This would of course require the submission of separate planning applications, each of which would need to be considered on their own merits and seeing the likely transport requirements and implications of such activities, no further commitments were being given at this stage.

- *How is it envisaged that this development would work with the planned Freeport, designated in this area?*

Whilst the Freeport discussions and its parameters were at a very early stage it was imperative that this application linked to the wider development aspects of the area. COLC are committed to exploring the greater use of river freight and the Blue River Network to complement their activities and funding studies within the obligations in the application.

In response the applicant (COLC) led by Catherine McGuinness, Policy Chair, commented that the Market Co-location Plan was large and complex. It aimed to deliver benefits for the markets as well as create significant regeneration opportunities for this part of East London including job opportunities and achieving carbon neutral targets. She recognised that the development would have effects for existing businesses but was committed to working with the likes of Hovis and others to resolve their issues and concerns.

Anne Dunne, Programme Director provided an overview of the application and the work undertaken to date. She acknowledged that the use would be very intensive but would bring significant benefits to the area. That said she too recognised the need to work closely with objectors to ensure the road network worked for all businesses in Dagenham Dock.

Jeremy Castle, planning consultant briefly addressed the objectors' concerns explaining that due to site constraints it was not possible nor appropriate to compare the existing and proposed developments which had been designed to address the specific requirements of the traders. Another important factor to bear in mind was that the number of trips that would be generated by the markets were below the number modelled in the transport assessment and should that number rise to above 90% then further mitigation measures would be required. Finally, COLC were committed to finding a solution to the junction that worked for everybody and which formed part of the reserved matters.

Members were excited about the development and the employment opportunities it would bring for the benefit of local residents. With careful planning it would improve the Goresbrook Interchange and address the public Art on that part of the A13. The design would be a landmark for the Borough. Given its strategic importance Members would like to see regular updates brought forward, and therefore,

The Committee **RESOLVED** to:

1. Agree the reasons for approval as set out in this report,
2. Delegate authority to the Director of Inclusive Growth in consultation with Legal Services to grant outline planning permission subject to any direction from the Mayor of London, the completion of a Section 106 legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) based on the Conditions listed at Appendix 6 and the Heads of Terms identified at Appendix 7 of the report,

3. Agree that, if by 22 September 2021 the legal agreement has not been completed, the Director of Inclusive Growth be delegated authority to refuse outline planning permission or extend this timeframe to grant approval, and
4. Delegate authority to the Director of Inclusive Growth to provide a reasoned conclusion and other information required by Regulation 29 of the Town and Country Planning (Environmental Impact) Regulations 2017 and to inform the public and the Secretary of State as required by Regulation 30 of those regulations, based on the evaluation and reasons as set out in this report.

46. City of London Markets -Former Barking Power Station Site, Chequers Lane, Dagenham- 20/01094/FULL

Further to the submission of the previous outline application, the Principal Development Management Officer (PDMO) introduced a report on a further application from the City of London Corporation (COLC) seeking a full planning permission on the former Barking Power Station Site at Chequers Lane, Dagenham for below and above ground works associated with the decommissioning of former power station site including below ground demolition; remediation of the site; decommissioning and demolition of the cooling water system comprising intake and outfall tunnels, associated pump station and outfall structure(s); decommissioning and demolition works associated with gas, fuel distillate and utility infrastructure.

The assessment, considerations and discussions of the application, including the written and verbal objections outlined at the meeting were outlined in minute 45 above. Therefore accordingly,

The Committee **RESOLVED** to:

1. Agree the reasons for approval as set out in the report, and
2. Delegate authority to the Director of Inclusive Growth in consultation with Legal Services to grant planning permission subject to the Conditions listed at Appendix 5 in the report.

47. Barking Riverside Ltd - PLOT209-20/02552/ REM

The Principal Development Management Officer (PDMO), Be First Development Management Team, introduced a report on an application for the approval of reserved matters pursuant to Conditions 38 and 39 (plot details) following outline approval 18/00940/FUL for Plot 209B within Stage 2 North. The proposed development comprised the erection of 229 residential dwellings (Use Class C3) and retail and restaurant floorspace (Use Class E), with associated parking, landscaping and tertiary roads.

The application also sought to partially discharge conditions 5 (Partial Discharge), 41 (Acoustics), 42 (Nature Conservation and Landscape), 43 (Parking and Servicing), 47 (Drainage), 48 (Access), 49 (Air Quality), 50 and 51 (Code of Construction Practice for Plots) of the outline planning permission.

In addition to internal and internal consultations, a total of 1182 letters were sent to neighbouring properties together with a requisite press notice. One response was received seeking details on how to view the application online which was addressed via email. No objections were received. The material planning considerations were addressed within the planning assessment outlined in the report.

The officer's assessment of the application was that the redevelopment of the site for residential use was acceptable in principle and would contribute to the Borough's housing stock through the provision of 229 good quality units compliant with relevant standards. The proposal would comprise 47% affordable units which was considered to meet an identified need in the Borough.

The scale, siting and design of the development was regarded appropriate to the site's context and would result in a high-quality finish, whilst respecting the amenity of neighbouring occupiers. The proposed landscaping strategy would positively contribute to the appearance and public realm of the area and enhance the arboricultural, biodiversity and environmental value of the site.

The development as proposed adopted a sustainable approach to transport whilst ensuring an acceptable impact on local highways and infrastructure. The proposal was also considered acceptable in terms of sustainability and air quality, and therefore it was recommended that the reserve matters be approved subject to the conditions listed in the report.

Having regard to the summary of consultation responses set out in the report, clarification was sought as to the comments of Environmental Health in relation to noise levels from a proposed tank room and from a commercial unit designated for a restaurant. The PDMO confirmed that the detailed design aspects around these features would follow at a later date and formed part of a separate application covering the discharge of the planning permission.

A number of questions were asked regarding the mix of tenures and types of accommodation, particular family sized units, to which the officer provided explanations and clarification in the context of the wider development of Barking Riverside.

In supporting the proposals Members welcomed the inclusion of the commercial elements including the provision of eateries to provide residents with much needed facilities. Therefore,

The Committee **RESOLVED** to:

1. Agree the reasons for approval as set out in this report; and
2. Delegate authority to the Director of Inclusive Growth (or authorised Officer), in consultation with Legal Services to approve the Reserved Matters subject to the Conditions listed in Appendix 6 of the report.

48. Barking Riverside Ltd - Cladding - 20/02517/FULL

The Principal Development Management Officer (PDMO), Be First Development Management Team presented an application for the replacement of the existing external timber cladding with fibre cement boards to 231 existing properties within Stage 1 of Barking Riverside, Renwick Road, Barking. Subsequent to the publication of the agenda and prior to the meeting a supplementary report was issued concerning a revision to condition 3 (materials and balcony details).

In addition to internal and external consultations, a total of 570 notification letters were sent to neighbouring properties together with the requisite statutory site and press notices. One representation of objection was submitted, the material planning considerations relating to which were set out in the planning assessment detailed in the report.

In assessing the proposal officers considered that on balance the change in material was acceptable in principle, there being sufficient justification on fire safety grounds to remove the timber. However, given there were no guarantees that all the properties would be changed, there remained significant concerns over the resulting design impact on the award-winning estate.

One registered speaker opposing the application addressed the Committee. In summary their concerns were that:

- The materials, colour, design and construction methods were unsuitable for the building.
- Making the existing transparent gates solid would remove much needed surveillance from the streets, representing a safety risk.
- The application contained proposals that would irreversibly change the appearance of their home, the street-scene and townscape.
- The interface details had not been thought through and this was apparent in the pilot homes. As a material, the proposed product was a possible cladding replacement if applied in an appropriate way i.e. vertical as opposed to horizontal. This could be achieved as demonstrated through the Abode Housing Scheme in Cambridge, where the vertical elements were very similar to the existing cladding design at Barking Riverside Phase 1, and
- Why have necessary applications to temporarily remove the timber cladding not been made? This would have allowed appropriate time and consultation for the planning process.

The objector claimed that members were being unfairly offered a decision to either improve the safety of residents' homes whilst sacrificing the quality, or to retain the quality with a known fire risk. This was not the purpose of the planning process, and therefore the Committee was urged to make its decision based on the negative impact the application would have on the award-winning neighbourhood. They also requested that the application be referred to the Council's Quality Review Panel so it could be independently assessed under the aim to "improve the quality of buildings and places for the benefit of the public".

Responding to the objector's comments Matthew Carpen, Managing Director of Barking Riverside Ltd stated that there had been significant and detailed consultations and discussions with all parties including local residents over the past year since the fire, aimed at reaching a workable solution to what had proved a technically challenging situation.

Sheppard Robson, the original architects were commissioned to produce the designs for the cladding so as to retain as far as possible the integrity of the original award-winning design. A number of design images illustrating the proposed cladding materials and style were shown to Members. The reference to the Abode Housing scheme was noted but following a visit to this site it was explained that to achieve the desired vertical style as suggested by the objector timber battens had been used to create the look, which in this instance could not be used.

A 'lessons learnt' review would be conducted shortly with the onsite contractor, looking at the outcomes of the pilot scheme which had been running for the past six weeks. This would include considering and potentially addressing the visibility issues raised by the objector regarding the gates on the bungalow style properties. Finally, as pointed out by the PDMO the replacement cladding was an offer and not a requirement for private homeowners. That said of the 231 affected properties a total of 210 (91%) had to date taken up the replacement option.

In conclusion following careful consideration of the relevant provisions of the National Planning Policy Framework, the Development Plan and all other relevant material considerations, officers had recommended that planning permission be granted, and therefore,

The Committee **RESOLVED** to:

1. Agree the reasons for approval as set out in this report, and
2. Delegate authority to the Director of Inclusive Growth to approve the planning application subject to the conditions listed in the report as amended by the supplementary report (condition 3).

49. Fels Farm, Dagenham Road, Rush Green -20/02167/FULL

Following a deferral at the last meeting and in the light of a site visit by the Planning Visiting Sub-Committee, the Development Management Officer (DMO), Be First Development Management Team, provided a brief resume of the application for the demolition of existing buildings and the erection of a new residential scheme comprising seven new dwellings made up of three x 4 bedroom and four x 3 bedroom, and utilisation of existing vehicular access at Fels Farm, 360 Dagenham Road, Rush Green

The Committee were reminded that in addition to internal and external consultations, a total of 2,438 notification letters had been sent to neighbouring properties together with the requisite statutory site and press notices. This resulted in the submission of 13 objections including from the three Eastbrook ward councillors, the material planning considerations of which were set out in the planning assessment detailed in the report.

The Deputy Chair who called for the deferment, provided a summary of the findings from the Sub-Committee's visit to the site, the overall view of which was that the proposed development would have a negligible impact on the openness and amenity of the surrounding Green Belt and that it would represent a significant improvement on the current permitted use. It was acknowledged however that the ward councillors' opposition to the application for the reasons outlined at the Planning Committee on 16 February remained.

Having considered the application and the outcome of the Sub-Committee visit,

The Committee **RESOLVED** to:

1. Agree the reasons for approval as set out in this report; and
2. Delegate authority to the Head of Planning and Assurance to grant planning permission based on the Conditions & Informative listed in Appendix 5 of the report.

50. The Sienna Building, Victoria Road, Barking - 20/02534/PRIFLAT

The Development Management Officer (DMO), Be First Development Management Team presented a report regarding an application for prior approval for the construction of one additional storey on top of the detached block of flats to create 4 new units at The Sienna Building, 116-118 Victoria Road.

The officer explained that this was not a planning application, and as such the principle of development, quality of accommodation, waste management and provision of cycle storage and parking were matters which fall outside the scope of consideration. They also outlined those matters which could be taken into account by the Committee when determining the application.

In addition to internal and external consultations, a total of 107 notification letters were sent to neighbouring properties. In total 8 individual objections were received together with a petition signed by 29 residents, the material planning considerations concerning which were set out in the planning assessment detailed in the report.

Two representations were made at the meeting by local residents, who objected to the application for the following reasons:

- Lack of allocated parking provision which will be exacerbated with this development
- Lack of on street parking available in the area
- Concerns that the additional load bearing weight on the roof will cause further structural damage to the existing flats
- Presence of Japanese Knotweed makes it difficult to get mortgages on the flats
- The proposed extension will invade the outdoor space of flat 3 patio area
- Adverse effect on daylight and sunlight for both the flats and neighbouring properties as a result of this development
- Noise from construction works, and
- General wellbeing of residents.

Kieran Rafferty, planning consultant representing the applicant responded to the objector comments, explaining that in respect to the loss of sun and daylight the reductions were judged by BRE standards to be minimal and within agreed levels. As for parking provision, in accordance with the Mayor's London Plan the presumption was to reduce allocated parking provision i.e. car free developments to encourage greater use of public transport particular in and around Town Centre locations, which this was one. The other issues raised by the residents were for the purposes of this application not material considerations.

Members in recognising the concerns conveyed by the objectors did acknowledge that the general health and wellbeing of residents was very important. However, given the limited scope of material considerations available to the Committee in respect of this application,

The Committee **RESOLVED** to:

1. Agree the reasons for approval as set out in this report, and
2. Delegate authority to the Director of Inclusive Growth to grant prior approval based on the Conditions listed in Appendix 5 in the report.

**Councillor John Dulwich, Deputy Chair took the Chair for this application.*

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MINUTES OF PLANNING COMMITTEE

Thursday, 25 March 2021
(6:00 - 7:40 pm)

Present: Cllr Muhammad Saleem (Chair), Cllr John Dulwich (Deputy Chair), Cllr Sanchia Alasia, Cllr Faruk Choudhury, Cllr Irma Freeborn, Cllr Cameron Geddes, Cllr Mohammed Khan, Cllr Olawale Martins, Cllr Foyzur Rahman and Cllr Dominic Twomey

51. Declaration of Members' Interests

There were no declarations of interest.

52. Town Quay, Abbey Road, Barking

The Principal Development Management Officer (PDMO), Be First Development Management team introduced a report on an application from Weston Homes seeking a planning permission for the redevelopment of the site at Town Quay, Abbey Road, Barking, involving the clearance of the existing structures and the erection of three new buildings ranging from 7 to 11 storey in height to provide 147 residential dwellings comprising a mix of 1, 2 and 3 bedroom flats and associated private amenity space with child play space, cycle and refuse stores and car park with a new vehicular access point from Abbey Road; and 980 sqm (GIA) flexible commercial floorspace (Use Class E(a) – (g) inclusive) with commercial refuse stores, together with ancillary management facilities and plant rooms. Re-alignment of Town Quay/Highbridge Road and all associated highways alterations. Formation of public realm with hard and soft landscaping including pedestrian plaza and riverside walk with other associated work.

Further to the publication of the agenda two supplementary reports relating to the application were published and circulated and referred to by the officer at the meeting.

In addition to internal and external consultations, a total of 5896 notification letters were sent to neighbouring properties together with the requisite statutory press notice. Five representations of objection were received by the closing date together with further late neighbour objections including a collective response from the River Roding Trust, the details of which were set out in the above-mentioned supplementary reports, the full material planning considerations relating to which were set out in the planning assessment detailed in the reports.

The officer's overall assessment of the application was that the principles of development were supported, creating a valuable contribution towards LBBB housing delivery targets as well as delivering public realm enhancements and a commercial offer as part of this mixed-use development.

The application would realign the site, simplifying the road layout and open up the area adjacent to the River as a key open space that would be enlivened by ground floor commercial activities. Officers acknowledged that the planned closure of the connecting road bridge across the Roding as part of the application and the subsequent re-routing of traffic via London Road would likely cause additional traffic congestion, but on balance it was considered this was outweighed by the wider benefits to the development and surrounding area of increased pedestrian connectivity and reduced traffic.

Opening the application up for discussion the Chair suggested that it might be necessary to instigate a further traffic impact assessment to test the potential for increased traffic problems and air pollution in and around Barking Town Centre. The PDMO stated that officers were satisfied that the traffic studies carried out to date had confirmed that the development would not exacerbate the amount of traffic and that the road closure would in fact improve air quality in the locality, and that further detail in both the Section 106 and Section 278 agreements would make sure it was a safe development in that respect. That said Be First acknowledged the members' concerns and would continue working closely with transport colleagues in LBBD to make sure there were sustainable solutions to enable developments in this locality to flourish.

Referencing the consultations on the application and the valid points made by the River Roding Trust, the Deputy Leader as a local ward councillor, was concerned at what appeared a breakdown in communications between the applicant and the Trust. Given one of the development aims was to create a new focal point for the new river community connecting to Barking Town Centre, he offered to broker a meeting between the two. The representative of Weston Homes stated that they had engaged in constructive dialogue with the Trust but nevertheless welcomed the offer for a further meeting as they were keen to work positively with the local community on this scheme.

Other questions which arose with officer responses were summarised as follows:

Looking at the proposed housing mix the fact that just over 10% were 3-bed family units was disappointing and fell well short of the Council's aspirations.

Whilst the emerging Local Plan sought to achieve a greater proportion of family sized housing across the borough, in areas close to Barking Town Centre such as the Town Quay, which was designed for higher density development, a lower number of 3-bed units was seen as acceptable.

The applicant added that the size of the proposed 2 bed 4 persons units within the development could each accommodate one double or two single bed spaces and therefore could be classified as family units, which if included within the overall calculation would up the provision from 10% to 55% family sized accommodation.

Why had the applicant contested the method of calculating the level of child play space provision and to that end the proposed contribution of £22,200 was considered very low when compared to other development contributions elsewhere in the Borough?

The Borough did not currently have a set formula to apply to child play space provision, relying on the GLA calculator when linked to public transport accessibility levels (PTAL's). The applicant had challenged the PTAL level on this site (2), when in their view, given the site's good connectivity to transport links, it should have had a higher PTAL of 5.

Notwithstanding this, given the concerns raised, the applicant agreed to increase their contribution to child play space to £50,000 as suggested by Members.

Accordingly, the Committee **RESOLVED** to:

1. Agree the reasons for approval as set out in the report, and
2. Delegate authority to the Director of Inclusive Growth in consultation with 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 7, and subject to an amendment to *Section 13-Playspace* to indicate that the sum of £50,000 will be paid, and the Conditions listed in Appendix 6 of the report, and
3. That, if by 25 September 2021 the legal agreement has not been completed, the Director of Inclusive Growth was delegated authority to refuse planning permission or extend this timeframe to grant approval.

53. Temporary Tesco site - Highbridge Road, Barking

The Principal Development Management Officer (PDMO), Be First Development Management Team introduced a report on an application for the construction of a temporary Tesco store with pharmacy on the southern part of the existing Tesco car park, comprising 1,369sqm gross internal area (GEA) with 980sqm of net sales area (NSA) located within the southern end of the existing Tesco car park. The proposal would provide 75 car parking spaces including 6 blue badge and 4 parent and child spaces. 50 cycling spaces would also be provided (42 short stay and 8 long stay), service yard, associated cage marshalling and trolley bays. A new vehicular access was proposed off West Bank, connecting to Highbridge Road to the south.

In addition to internal and external consultations, a total of 2432 notification letters were sent to neighbouring properties together with the requisite statutory press notice. No objections were received, although additional representations were received after the closing date, which were detailed in supplementary reports as presented, the full material planning considerations

relating to which were set out in the planning assessment detailed in the reports.

This was a procedural application submitted as part of a wider approach to planning, which sought to ensure that the operation of a Tesco store at this site could be retained to allow, yet to be presented, wider development across the site, to fulfil the emerging site allocation. This would involve a residential led redevelopment, which would include the re-provision of a Tesco store in the same location as the existing store.

Officers considered that the proposal accorded with the development plan, and therefore,

The Committee **RESOLVED** to:

1. Agree the reasons for approval as set out in the report; and
2. Delegate authority to the Director of Inclusive Growth in consultation with the Legal Services to grant planning permission based on the Conditions & Informatives listed in Appendix 5 of the report.

54. Coopers Arms, High Road, Chadwell Heath, Romford

The Principal Development Management Officer (PDMO), Be First Development Management Team introduced a report on an application for planning permission for the demolition of the existing public house and construction of a 4 storey building, comprising of 20 flats and 4 ground floor commercial units (Use Class E) and associated access, parking and landscaping at 2 High Road, Chadwell Heath, Romford.

In addition to internal and external consultations, a total of 635 notification letters were sent to neighbouring properties together with the requisite statutory press notice. Two objections were received, the full material planning considerations relating to which were set out in the planning assessment detailed in the report.

Following careful consideration of the relevant provisions of the National Planning Policy Framework, the Development Plan and all other relevant material considerations officers have found the proposals to be acceptable. They were satisfied that any potential material harm in terms of the impact of the proposal on the surrounding area would reasonably be mitigated through compliance with the listed conditions and associated legal agreement, and therefore,

The Committee **RESOLVED** to:

1. Agree the reasons for approval as set out in this report,
2. Delegate authority to the Director of Inclusive Growth in consultation with the 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 and the Conditions listed in Appendix 5 of the report, and

3. That, if by 25 September 2021 the legal agreement has not been completed, the Director of Inclusive Growth was delegated authority to refuse planning permission or extend the timeframe to grant approval.

55. Eastbrookend Park

The Development Management Officer (DMO), Be First Development Management Team introduced a report on an application for planning permission for the proposed creation of five swales and three ponds, involving two embankment breaches, to create new wetland habitats as part of the river restoration of the River Rom at Eastbrook Country Park.

Following the statutory publication of the agenda the applicant sought to alter the application description to provide additional clarity, which was detailed in a supplementary report subsequently published and presented at the meeting. This concerned a change from two to three embankment breaches to existing manmade bunds. The consideration of the number of swales and ponds which would form the new wetland habitats themselves were regarded as more significant than the number of breaches, which represented a subservient element of the proposal. Consequently, officers considered that the change provided additional clarity but did not materially change the description of development or how the application had been assessed.

In addition to internal and external consultations, a total of 263 notification letters were sent to neighbouring properties together with the requisite statutory press notice. No objections were received.

Officers concluded that the proposal would strengthen the role of the Green Belt at this location, improve the enjoyment of the public open space, enhance a site of importance of nature conservation, create new and enhance existing ecological and biodiversity habitats along strategic waterways, as well as reduce the risk of flooding in this location.

The proposal was therefore highly supported by planning policies detailed within the report and therefore,

The Committee **RESOLVED** to agree the reasons for approval subject to the conditions set out in Appendix 5 of the report.

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Working in partnership


**Barking &
Dagenham**
LONDON BOROUGH OF BARKING & DAGENHAM
PLANNING COMMITTEE
Monday 26th April 2021
Application for Planning Permission

Case Officer:	Nathaniel Soneye-Thomas	Valid Date:	28.09.20
Applicant:	Rvd. James Thomas	Expiry Date:	Subject to P.E.A
Application Number:	20/01859/FULL	Ward:	Whalebone
Address:	Chadwell Heath Baptist Church, 76 High Road, Chadwell Heath, Romford, RM6 6PP		

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 Chadwell Heath Baptist Church, 76 High Road, Chadwell Heath, Romford, RM6 6PP

Proposal:

Redevelopment of Chadwell Heath Baptist Church and adjacent Land comprising buildings of 2 – 4 storeys: The proposal seeks to retain the church's façade, demolish remaining premises and construction of a new church building with associated Community uses and 17 Residential units (Use Class C3)

Officer Recommendations:

Planning Committee is asked to resolve to:

1. agree the reasons for approval as set out in this report; and
2. delegate authority to the London Borough of Barking & Dagenham's Director of Inclusive Growth (or authorised Officer) 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 7 of this report and the Conditions listed in Appendix 6 of this report; and
3. that, if by 26th October 2021 the legal agreement has not been completed, the London Borough of Barking & Dagenham's Director of Inclusive Growth (or authorised Officer) is delegated authority to refuse planning permission or extend this timeframe to grant approval.

Conditions Summary:
Mandatory conditions

- Time
- Approved Drawings & Documents

Prior to all works/commencement Conditions

- Scheme of Acoustic Protection
- Contaminated Land
- Construction Management

- Drainage Scheme
- Waste Management Plan

Prior to above ground works Conditions

- Materials and Balcony Details
- Church Facade
- Hard/Soft Landscaping
- Noise Insulation
- Delivery and Servicing

Prior to first occupation and/or use Conditions

- Cycle Parking Implementation
- Crime Prevention Scheme
- Renewable Energy Infrastructure
- External Lighting
- BREEAM

Monitoring & Management Conditions

- M4(2) Units
- M4(3) Units
- Renewable Energy

S106 – Summary of Heads of Terms:

Administrative:

1. Payment of the Council's professional and legal costs, whether or not the deed completes;
2. Payment of the Council's fees for monitoring and implementing the Section 106 at £3,000 payable on completion of the deed; and,
3. Indexing – all payments are to be index linked from the date of the decision to grant planning permission to the date on which payment is made, using BCIS index.

Affordable Housing (Review Mechanism:

4. An early-stage affordable housing review is to occur in the event that the development is not implemented within two years of approval. Payment of the Council's reasonable costs associated with scrutiny of the viability submissions.
5. A late-stage affordable housing review mechanism is to occur upon 75% occupation of the residential units Payment of the Council's reasonable costs associated with scrutiny of the viability submissions.

Transport

6. Car parking permit free development with a commitment to provide two-year free car club membership to all residents.

Employment and Skills

7. Secure an Employment, Skills and Suppliers Plan 6 months prior to commencement of development ensuring that a minimum of 25% of labour and suppliers required for the construction of the development are drawn from within the Borough, to maximise opportunities for residents and businesses.

Sustainability

8. The development shall achieve a minimum 54.8% reduction in carbon dioxide emissions over Part L of the Building Regulations 2013 (when applying updated SAP 10 emission factors) through on-site

provision, and a monetary contribution to offset the remaining at a rate of £95 per tonne x 30-year period. This shall be made to the Local Authority's carbon offset fund to offset the remaining carbon emissions to net zero-carbon, subject to monitoring at practical completion stage.

Phasing

9.No more than 50% of the residential units hereby approved shall be occupied prior to the practical completion of the church and associated community buildings and floorspace.

OFFICER REPORT

Planning Constraints:

None relevant.

Site, Situation and relevant background information:

The application site is currently a single-storey church building known as Chadwell Heath Baptist Church with a vacant parcel of land to the immediate West. The site surroundings are characterised by two-storey mixed use buildings comprising commercial units on the ground floor with residential in the floors above. The High Road is designated partially designated as a district centre and primary shopping frontage to the West with the Eastern elements of the High Street becoming a secondary frontage.

The current proposal seeks planning permission for the demolition of the existing building and the erection of a four-storey building comprising 17 residential units Use Class C3 and the reprovision of the church and associated community buildings.

The building is not on the statutory list and is not located within a conservation area.

Key issues:

- Principle of the proposed development
- Dwelling mix and Quality of accommodation
- Design and quality of materials
- Impacts to neighbouring amenity
- Sustainable Transport
- Employment
- Waste management
- Delivering Sustainable Development (Energy / CO₂ reduction / Water efficiency)
- Biodiversity & Sustainable drainage

Planning Assessment:

Principle of the development:

<i>Existing use(s) of the site</i>	Church and Vacant Land
<i>Proposed use(s) of the site</i>	Church, community floorspace and residential unit (Use Class C3)

Reprovision and Expansion of Church

- 1.1 The National Planning Policy Framework (MHCLG, February 2019) (NPPF) states that development proposals should seek to provide the social, recreational, and cultural facilities and services the community needs. This should take place by
- a) planning 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.
 - b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community.
 - c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs.
 - d) ensure that established shops, facilities, and services are able to develop and modernise, and are retained for the benefit of the community; and
 - e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

- 1.2 Policy S1 of the London Plan outlines 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. Moreover, social infrastructure plays an important role in developing strong and inclusive communities. It can provide opportunities to bring different groups of people together, contributing to social integration and the desirability of a place.
- 1.3 On a local scale Policy DMS1 and DMS2 consider the important of enhancing, improving and protecting the boroughs existing community facilities. More specifically, it is expected that relevant development proposals provide opportunities to co-locate or integrate a range of community uses and functions, such as community halls, sport facilities and shared worship space, by taking account of the principles of active and inclusive design and making relevant provision outside of core hours where appropriate.
- 1.4 The existing site comprises a Church building with a Hall to the rear. The proposed development seeks to re-provide the church building and additional flexible community floorspace. Officers consider the development which seeks to re-provide and enhance the existing community floorspace and place of worship to be acceptable in principle subject to further material considerations. Such matters are addressed in detail in the later sections.

Residential development

- 1.5 The National Planning Policy Framework (MHCLG, February 2019) (NPPF) seeks to promote delivery of a wide choice of High-quality homes which meet identified local needs (in accordance with the evidence base) and widen opportunities for home ownership, and which create sustainable, inclusive, and mixed communities.
- 1.6 The London Plan (2021) Objective GG4 states that to create a housing market that works better for all Londoners, those involved in planning and development must create mixed and inclusive communities, with good quality homes that meet High standards of design and provide for identified needs, including for specialist housing. The policies outlined in Chapter 4 (Housing) further acknowledges the stress on housing demand and provides increased targets for Local Authorities and revised policies in respect of ensuring additional housing contribution according to local needs. Policy H1 and H2 echoes existing policy 3.3 reinforcing the need to increase the housing supply to promote opportunity and provide real choice or all Londoners. In particular policy H2 seeks to ensure Borough’s pro-actively support well-designed homes on small sites.
- 1.7 On a local level, Policy CM1 of the Core Strategy DPD that development should meet the needs of new and existing communities and deliver a sustainable balance between housing, jobs and social infrastructure, with Policy CM2 further emphasising the specifying housing growth targets of the Borough. Policy BP10 of the Borough Wide DPD further supports this by emphasising the need to optimise suitable sites to help deliver suitable housing for the Borough’s high levels of identified housing need.
- 1.8 Policy SP3 of the Draft Local Plan Reg 19 version reiterates the requirement for high quality homes to be supported in achieving the 10-year housing supply targets set out within the adopted London Plan.
- 1.9 The proposed development seeks to erect a four-storey building comprising 17 residential units (Use Class C3) with associated amenities. Officers give regard to the residential context of the surrounding properties and therefore consider the principle of the proposed development to be acceptable, given the contribution to the boroughs overall housing stock.

Dwelling mix and Quality of accommodation:			
<i>Proposed Density u/ph:</i>	n/a	<i>Overall % of Affordable Housing:</i>	0%
<i>LP Density Range:</i>	n/a	<i>Comply with London Housing SPG?</i>	Yes
<i>Acceptable Density?</i>	Yes	<i>Appropriate Dwelling Mix?</i>	Yes

Density

- 1.10 London Plan policy GG2 promotes higher density development, particularly in locations that are well-connected to jobs, services, infrastructure, and amenities. Policy D2 directs that the density of proposals should consider planned levels of infrastructure and be proportionate to the site's connectivity and accessibility.
- 1.11 Locally, Core Strategy Policy CM1 states that residential development (particularly Higher density development) will be focussed in the Key Regeneration Areas, including Barking Town Centre, and on previously developed land in other areas with High PTAL levels. Strategic Policy SP2 of the emerging Local Plan (Regulation 19) promotes High-quality design, optimising a design-led approach to optimising density and site potential by responding positively to local distinctiveness and site context.
- 1.12 Officers note that the updated policy position within the London Plan has moved away from applying density mechanistically. The scheme has been designed to remain in accordance with the surrounding context and sits on a prominent corner of the High road. Officers consider the proposed scheme to reflect a suitable quantum of development in respect of the number of units and the overall built form for this location.

Dwelling Mix

- 1.13 The NPPF seeks "to deliver a wide choice of high-quality homes". It recognises "Government attaches great importance to the design of the built environment" and that "good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people".
- 1.14 London Plan Policy H12 sets out all the issues that applicants and boroughs should take into account when considering the mix of homes on a site. In particular H12C states the following: "Boroughs should not set prescriptive dwelling size mix requirements (in terms of number of bedrooms) for market and intermediate homes."
- 1.15 Similarly, Policy CC1 of the Core Strategy seeks to secure the delivery of a mix and balance of housing types, including a significant increase in family housing. The policy requires major housing developments (10 units or more) to provide a minimum of 40% family accommodation (3-bedroom units or larger). Nevertheless, it should be acknowledged that not all sites are suitable for family sized accommodation. Emerging Local Plan (at Regulation 19 stage) SP4 also supports the delivery of family accommodation.
- 1.16 The proposed scheme seeks to provide 20 residential units comprising 11 x 1 bedroom and 6 x 2-bedroom units. Whilst the scheme fails to deliver 3-bedroom units in line with the above policies, officers have taken into consideration the scheme viability, the location within a district centre which is strongly characterised by retail development with smaller sized flats in the floors above. Given the relatively small nature of the proposed development, officers are satisfied in this particular instance that the scheme could potentially be further compromised in viability terms with the inclusion of 3-bedroom units which could reduce the number of units sought on site or the quality of the proposed flats which would not all benefit from adequate private amenity spaced which should be afforded to 3-bedroom units.

Affordable Housing

- 1.17 Chapter 5 of the NPPF requires local authorities to identify affordable housing need and set policies for meeting this need. Paragraph 57 states: "Where up to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available."

- 1.18 London Plan Policy H4 sets a strategic target for 50% of all new homes to be delivered as genuinely affordable. Specific measures to achieve this aim include:
- Requiring major developments that trigger affordable housing requirements to provide affordable housing through the threshold approach
 - Public sector land delivering at least 50% affordable housing on each site.
- 1.19 The threshold approach, in policy H5 sets out a Fast Track Route, whereby applications do not need to be viability tested, where they:
- Meet or exceed the relevant threshold level of affordable housing on site without public subsidy
 - Are consistent with the relevant tenure split in Policy H6
 - Meet other relevant policy requirements and obligations to the satisfaction of the borough and Mayor, where relevant.
 - Demonstrate that they have taken account of the strategic 50% target in policy H4.
- 1.20 Policy H6 sets out the tenure split required to meet the Fast-Track Route, which requires a minimum of 30% low cost rented homes, as either London Affordable Rent or Social Rent, a minimum 30% intermediate products which meet the definition of genuinely affordable housing, including London Shared Ownership, and the remaining 40% to be determined by the borough as low cost rented homes or intermediate products.
- 1.21 The Draft Local Plan (regulation 19 version) policy DMH1 seeks to meet an overarching 50% on-site affordable housing provision, by applying the London Plan threshold approach. The policy seeks to ensure that new developments contribute to the delivery of a range of housing tenures
- 1.22 The application was submitted with a financial viability appraisal produced by Rapleys dated: March 2021. The report was independently scrutinised by Redloft concluded that the scheme with 0% affordable housing would generate a deficit of £104,805. When considered at 40% affordable housing the scheme would generate a deficit of £588,159. Officers consider that whilst there is an identified pressing need for affordable homes throughout the borough, it has been demonstrated that the scheme cannot viably deliver any on site affordable housing in the current market. The viability to provide affordable housing is taken in context with the benefit of the re-provision of a well used community facility.
- 1.23 Taking this into consideration however officers have included an early and late stage review mechanism to be triggered and review if there is potential for an uplift in affordable housing if the agreed level of progress has not been made. Furthermore, a head of term has been included to ensure that no more than 50% of the residential units approved can be occupied prior to the practical completion of the church. This is to ensure that the build cost calculations remain accurate and ensure the scheme is not only part implemented which would have implications on the overall scheme viability.

Quality of accommodation

- 1.24 The MHCLG Technical Housing Standards – nationally described space standard specifies the space standards required for new dwellings. The London Plan, Policy D6 and supporting Housing SPG require new housing development to meet these standards as a minimum and provides further criteria to ensure an acceptable quality of accommodation is provided for users. The Council's Local Plan reiterates the need for housing development to conform to these requirements. The Technical Housing Standards stipulate minimum gross internal floor areas (GIAs) for dwellings/units based on the number of bedrooms, intended occupants and storeys, minimum bedroom sizes of 7.5m² for single occupancy and 11.5m² for double/twin occupancy, plus further dimension criteria for such spaces. Built in storage is required for all units with minimum sizes depending on the number of bedrooms and occupants, and minimum floor to ceiling heights are stipulated as at least 2.3m for at least 75% of the GIA
- 1.25 Moreover, Policy D6 of the London Plan seeks minimum standards in relation to private internal space and private outdoor space. London Plan Policy D5 seeks to ensure that at least 10 per cent of new build dwellings meet Building Regulation requirement M4(3) 'wheelchair user dwellings'

and that all other new build dwellings meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.

- 1.26 The London Housing SPG requires all dwellings to be accompanied by adequate private open space (i.e. outdoor amenity area). Standard 26 of the Housing SPG sets a minimum space requirement of 5 sq. m per 1-2 person dwelling with an extra 1 sq. m for each additional occupant.
- 1.27 Officers note that all of the proposed units exceed the minimum internal space standards prescribed to 1- and 2-bedroom units. Officers note that a number of the proposed units do not benefit from private amenity space; notwithstanding this, it is considered to have been appropriately offset through the provision of generous internal floorspaces and a communal garden to the rear that can only be accessed by the residents of the proposed flats on site. The submitted plans have also indicated that the floor plans would allow efficient use of the internal space without creating undue additional effort, contributing positively to the fitness for purpose of the internal spaces. Furthermore, the stacking of units is generally acceptable and consistent throughout the development.
- 1.28 In line with the abovementioned policies, 10% of units must be designed to be fully wheelchair accessible, adhering to Building Regulations M4(3). All the remaining units must be designed to be fully wheelchair adaptable, adhering to Building Regulations M4(2) officers consider it necessary to recommend a compliance condition to ensure that these units are designed to this standard upon occupation of the residential units.
- 1.29 Additionally, officers note that there is an access point to the rear from Back Lane. Whilst this is not a primary access point there were initial concerns raised in relation to the overall safety and legibility of this road. Officers have included a condition however requiring the scheme to achieve secured by design accreditation with a supplementary condition in relation to external lighting which will identify lighting locations including to the rear access.
- 1.30 Taking into consideration the above and imposition of relevant conditions. Officers consider the proposed development in respect of the quality of accommodation to be acceptable.

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

- 1.31 Objective 124 of the NPPF states that “good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”
- 1.32 Objective 125 states “plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable”.
- 1.33 Objective 127 details that planning policies and decisions should aim to ensure that developments:
- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.
 - are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
 - are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities),
 - establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit,

- optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
 - create places that are safe, inclusive, and accessible and which promote health and wellbeing, with a High standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience
- 1.34 Objective 129 states: “Local planning authorities should ensure that they have access to, and make appropriate use of, tools and processes for assessing and improving the design of development. These include workshops to engage the local community, design advice and review arrangements, and assessment frameworks such as Building for Life”
- 1.35 Further, objective 130 states: “Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used)”
- 1.36 Policy D1 of the London Plan states that development design should respond to local context by delivering buildings and spaces that are positioned and of a scale, appearance and be of High quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan, through appropriate construction methods and the use of attractive, robust materials which weather and mature well. This is also reiterated in Policy D2 of the London Plan which seeks good design.
- 1.37 Policy D3 outlines the need for development to take a design led approach that optimises the capacity of sites. This accordingly requires consideration of design options to determine the most appropriate forms of development that responds to the sites context and capacity for growth. Proposals should enhance the local context delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance, and shape with due regard to existing and emerging street hierarchy, building types, forms, and proportions.
- 1.38 Policy D4 has regard to securing sufficient level of detail at application stage to ensure clarity over what design has been approved and to avoid future amendments and value engineering resulting in changes that would be detrimental to the design quality.
- 1.39 Policy D5 of the London Plan seeks to deliver an inclusive environment and meet the needs of all Londoners. Development proposals are required to achieve the Highest standards of accessible and inclusive design.
- 1.40 Policy D6 considers the importance of achieving and maintaining a high quality of design through the planning process and into delivery stage.
- 1.41 Policy D8 of the London Plan states that development proposals should ensure the public realm is safe, accessible inclusive, attractive, well connected, easy to understand and maintain, and that it relates to the local and historic context. Public realm should be engaging for people of all ages, with opportunities for play and social activities during the daytime, evening and at night as well as maximising the contribution that the public realm makes to encourage active travel. This should include identifying opportunities for the meanwhile use of sites in early phases of development to create temporary public realm.
- 1.42 This is further supported by policy BP11 of the Borough Wide DPD, policy CP3 of the Core Strategy DPD and policy SP4 and DMD1 of the Draft Local Plan Regulation 19 which ensures that development is designed in a sensitive and appropriate manner which minimises impact on surrounding neighbours and respects the character of the area
- 1.43 The application site currently comprises a tall single storey church building with associated Hall to the rear fronting back lane and an adjacent unoccupied parcel of land. The properties within the immediate vicinity are predominantly characterised by 2 storey mixed use properties with

commercial units on the ground floor and residential units in the floors above. The wider setting of the High Road is considered to offer a wider range of character with respect to building form and external appearance with the presence of 3 storey mixed used properties and a large supermarket store to the East.

- 1.44 The proposed development seeks to re-provide the church building maintaining the church façade and erect a four-storey building on the adjacent piece of land to provide 17 residential units. The proposed scheme has been progressed through the pre-application process and revised to align with the context of the area. More specifically officers raised initial concerns with respect to the overall bulk and massing of the building with was exacerbated by the unsympathetic building lines fronting the High Road which would dominate the traditional setting of the church building. Additional regard was given to the materiality, form and proportions of the main church building behind the restored façade which was considered incongruous and dominating.
- 1.45 An additional design meeting was held with the applicant through the course of the current proposal to address these issues which resulted in reduced overall massing within the residential element and a loss of 4 residential units. The building lines were marginally set back further from the original position to reduce the overall dominance of the building on the church and when viewed individually from the street scene. Additionally, the scheme has considered materials for the church building that are more commensurate to the restored church façade.
- 1.46 Officers consider the marginal increase in the built form to be appropriate to the wider context and aspiration of the High road. Whilst the proposal would be considered a contemporary addition to the terrace through the re-provision of the church and the residential block however, officers are therefore satisfied with the proposed design of the scheme. It is considered necessary to impose conditions requiring a full scheme of restoration for the church façade to be submitted prior to the commencement of the development. Additional conditions have also been recommended requiring details of materials, landscaping, and boundary details to be submitted prior to the commencement of the development. This is to ensure that the finished external appearance of the scheme is of a High quality.
- 1.47 Noting the above and subject to the recommended conditions, the proposed development is considered acceptable.

Impacts to neighbouring amenity:

- 1.48 NPPF Objective 170 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of noise pollution.
- 1.49 Policy D1 of the London Plan states that development design should deliver appropriate outlook, privacy, and amenity. Policy D14 of the London Plan seeks to reduce, manage and mitigate noise to improve health and quality of life.
- 1.50 Policy BP8 of the Borough Wide DPD seeks to protect residential amenity, by ensuring new developments including conversions, do not expose existing and proposed occupiers to unacceptable levels of pollution that may arise. This includes noise, smoke, fumes, refuse, comings, and goings and/ or lighting during construction and occupation. This is supported by policies DM11, DM16 and DM25 of the Draft Local Plan.
- 1.51 In relation to standards for privacy, daylight and sunlight the London Plan Housing SPG states that “An appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to Higher density development, especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets. This should take into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time. The degree of harm on adjacent properties and the daylight targets within a proposed scheme should be assessed drawing on broadly comparable residential typologies within the area and of a similar nature across London. Decision makers should recognise that fully optimising housing potential on large sites may necessitate

standards which depart from those presently experienced, but which still achieve satisfactory levels of residential amenity and avoid unacceptable harm.”

- 1.52 A comprehensive daylight and sunlight report has been submitted produced by Anstey Horne. The report has indicated that the loss of daylight and sunlight would be within acceptable parameters when considering Vertical Sky Component (VSC), Average Daylight Factor, Annual Probable Sunlight Hours and No skyline
- 1.53 With respect to outlook officers note the overall increase in the bulk and massing would give rise to a perceptible loss of outlook for the immediately adjoining neighbours to the East and West. Officers give particular regard to the situation of a single first floor window located on the flank elevation of the dwelling at 70 High Road. This is in addition to the introduction of buildings to the rear fronting Back Lane which would be visible from the rear garden of the properties to the East. The proposed scheme has provided a reasonable set in from the neighbouring boundary to avoid complete loss of outlook and daylight from the abovementioned window. Additionally, the building heights to the rear of the scheme are reduced and would remain proportionate to the existing built form established in the area. Officers note that there is a similar loss of outlook received for the neighbouring property to the immediate East at 78 High Road. Officers give regard to the presence of the existing arrangements on site in which the proposed development to the rear would only seek to increase the height by an additional story. Whilst it is accepted that this would result in overlooking into the rear garden as the existing arrangement does not comprise a residential use; officers are satisfied given the dense nature of the terraced and the established built form this would be considered typical levels of overlooking and outlook experienced within the rear gardens for the adjoining neighbours.
- 1.54 Officers acknowledge representations received from neighbours along Eric Road situated to the South. The proposed development is considered to establish separation distances between rearmost walls in excess of 20m which would be considered acceptable in mitigating any immediate loss of privacy or overlooking into habitable rooms. The scheme has been designed to step down the overall height to the rear fronting Back Lane with buildings of 2 storeys which would present a limited amount of overlooking into the rear garden spaces for neighbours to the immediate South on Eric Road fronting Back Lane. As mentioned previously however, given the dense nature of the terrace this would not give rise to unacceptable levels of overlooking or loss of privacy.
- 1.55 Moreover, having regard to the existing arrangements on site in which the plot of land that will accommodate the residential buildings is currently vacant. As such any introduction of a building even as a continuation of the terrace would have perceptible impacts for the surrounding properties. Nevertheless, officers are satisfied that the proposed development in this regard is acceptable given the above mitigation.
- 1.56 Given the change in the use and the scale of the development within an urban setting it is reasonable to assume that there will be potential for perception of loss of privacy and outlook will to those existing residential occupiers who neighbour the site. As aforementioned, the existing site does not currently comprise any active residential uses. Furthermore, noting the increase in height and built form from the existing form. Officers consider the separation distances between the application site and the neighbouring properties to be generous enough to safeguard the amenity of the surrounding properties.
- 1.57 The proposed development would be considered to be an intensification of uses at the application site given the large increase in residential units. This would in-turn result in the increase of comings and goings from the dwellings. The church building would result in an uplift in floorspace so it is considered that there would be additional visitors during scheduled services as well as the use of the associated community floorspace. Notwithstanding this, having regard to the local context officers consider that the proposed development would generally remain commensurate to the nature of the High road which has a High volume of pedestrian and vehicular movements resulting in noise pollution. Noting this, a scheme of acoustic protection has been recommended by Environmental Health to protect the amenity of the future occupants.
- 1.58 Further regard has been given to the construction phase of the development which would give rise to additional noise. It is noted that the construction phase of the development would be temporary and would not be a permanent contributor of noise to the surrounding properties.

Furthermore, officers have recommended a robust demolition and construction management plan shall be required to be submitted by way of a condition. Officers note that this must be submitted and agreed by the Local Planning Authority prior to any above ground works being carried out. This is to ensure that the method of demolition and construction is agreed and would be designed to minimise the potential risk of adverse impacts to any of the surrounding neighbouring properties. Additionally, officers have recommended a compliance condition controlling hours of construction given that there are existing residential properties within proximity to the development site. As such, the construction hours shall be limited to: 08:00 and must finish no later than 18:30 Monday to Friday and 09:00 – 13:00 on Saturdays with no construction works taking place on Sundays or public holidays.

- 1.59 Policy SI1 of the London Plan also states that all development should be air quality neutral as a minimum. The Air quality report has been considered by officers and is acceptable in aligning with the above policy.

Summary

- 1.60 Officers note that a total number of 534 letters were sent to the surrounding neighbouring properties. 11 representations were received in 5 objection and 6 in support of the proposal. Officers have considered all the material considerations outlined within the objections and note that the low levels of consultation responses in such a prominent location would further support the presumption of sustainable development given the negligible impacts identified.
- 1.61 In this instance limited impacts upon the amenities of neighbouring occupiers have been identified, but mindful of the constraints of the site, the urban context and the limited number of properties materially affected; officers have taken an on-balance view in favour of the proposals and consider the proposals to be on the whole consistent with the objectives of the aforementioned policies. Subject to the imposition and accordance with the recommended conditions mentioned in the above sections.

Sustainable Transport:			
<i>Net gain/loss in car parking spaces:</i>	0	<i>PTAL Rating</i>	3
<i>Proposed number of cycle parking spaces:</i>	50	<i>Closest Rail Station / Distance (m)</i>	Chadwell Heath (243m)
<i>Restricted Parking Zone:</i>	Yes	<i>Parking stress survey submitted?</i>	Yes

- 1.62 The NPPF recognises that sustainable transport has an important role to play in facilitating sustainable development but also contributing to wider health objectives. In particular it offers encouragement to developments which support reductions in greenhouse gas emissions and those which reduce congestion. The NPPF also outlines that developments which generate significant vehicle movements should be located where the need to travel will be minimised and the use of sustainable transport options can be maximised. It is also expected that new development will not give rise to the creation conflicts between vehicular traffic and pedestrians.
- 1.63 London Plan Policies T1- T6, seek to promote sustainable modes of transport, encourage the effective use of land, reduce car dominance, and be integrated with current and planned transport access, capacity, and connectivity.
- 1.64 Core Strategy policy CR1 promotes the use of sustainable transport to assist in addressing the causes and potential impacts of climate change. Policies BR9, BR10 and BR11 of the Borough Wide Policies DPD set out the Council’s approach to parking, sustainable transport and walking and cycling. Emerging Policy DMT1 ‘Making better connected neighbourhoods’ of the Draft Local Plan (Regulation 19) sets out that development proposals should reduce the dominance of vehicles on London’s streets. Emerging policy DMT2 ‘Car parking’ states that development will be resisted where anticipated car parking and vehicle use will increase congestion and parking stress. Emerging policy DMM1 confirms that the Council may use planning obligations to address a development’s impacts and to ensure it aligns with the development plan for the borough, including Highways works or payments towards addressing any impacts as a result of the development and other transport requirements arising from transport assessments and travel plans.

- 1.65 The proposed development has been sought as a car parking permit free development which is considered acceptable. Officers note the response from Transport officers which raises concerns in relation to the failure to provide blue badge spaces. Officers however give regard to the sites context which is densely constructed and would not permit blue badge spaces on site without the loss of key amenity spaces within the scheme. Moreover, officers give regard to blue badge and electric vehicle spaces located on the High Road immediately adjacent to the application site. Officers are satisfied that a minimum of 10% blue badge spaces would generally be sought which in this instance would be approximately 1 blue badge space which as outlined above is already present.
- 1.66 The transport assessment and submitted plans have indicated a secure cycle storage area; notwithstanding this however, officers have recommended a condition requiring full details of these to be provided prior to the commencement of the proposed development and to be completed in full prior to the occupation of the residential or commercial units.
- 1.67 A Demolition and Construction Management has been recommended by way of a condition requiring various logistical matters pertaining to the demolition and construction phase of the development. This is to be submitted for approval and subsequent implementation. A detailed condition is recommended to secure as such. Adherence to such condition will ensure there will be no unacceptable impacts upon the safe and efficient operation of the surrounding Highways or quality of the public realm and neighbouring amenity during the development phase.
- 1.68 Officers therefore consider the proposed development with respect to transport matters to be considered acceptable.

Employment:

- 1.69 The proposed development will also contribute to employment for residents within the borough. Officer will secure an Employment, Skills and Suppliers Plan ensuring that reasonable endeavours are undertaken to ensure a minimum of 25% of labour and suppliers required for the construction of the development are drawn from within the Borough, to maximise opportunities for residents and businesses.
- 1.70 It is therefore considered that the proposal accords London Plan policies GG1, GG4, H4 and Emerging Local Plan Policies SPDG1 and Policy SP4 with regards to building inclusive communities.

Waste management:

- 1.71 Policies CR3 and BR15 of the Core Strategy and Borough Wide policy document outline the need for development in the Borough to minimise waste and work towards a more sustainable approach for waste management. These objectives are further emphasised in the emerging Local plan (Regulation 19) through Strategic Policy SP7 and Policy DMSI9.
- 1.72 The proposed plans have indicated the area dedicated for refuse. Officers consider it necessary to include a condition requiring a full strategy for waste storage which demonstrates an acceptable strategy for both the commercial and residential properties. This should be submitted prior to the commencement and implemented in full prior to the first occupation.

Delivering Sustainable Development (Energy / CO2 reduction / Water efficiency):

<i>BREEAM Rating</i>	Excellent
<i>Renewable Energy Source / %</i>	PV Panels
<i>Proposed CO₂ Reduction</i>	54.8

- 1.73 The NPPF emphasises at paragraph 148 that the planning system should support the transition to a low carbon future in a changing climate and should help to shape places that contribute to radical reductions in greenhouse gas emissions, and encourage the reuse of existing resources, including the conversion of existing buildings.
- 1.74 The Mayor of London has set ambitious targets for London to be net zero-carbon. London Plan Policy SI2 ‘minimising greenhouse gas emissions’ directs that major development should be net zero-carbon, through reducing greenhouse gas emissions in accordance with the be lean, be

clean, be green, be seen hierarchy. The policy requires a minimum on-site reduction of at least 35% beyond Building Regulations for major development. Policy SI states that major development proposals within Heat Network Priority Areas should have a low-temperature heating system. Policy SI4 sets policies to minimise adverse impacts on the urban heat island and requires major development proposals to demonstrate through an energy strategic how they will reduce potential for internal overheating, following a cooling hierarchy.

- 1.75 Policy CR1 of the Core Strategy sets out measures to address the causes and potential impacts of climate change, requiring all new development to meet High environmental buildings standards and encourage low and zero carbon developments. Policy BR2 'Energy and on-site renewables' of the Borough Wide Development Policies DPD outlines the expectations for significant carbon reduction targets to be achieved. Draft Local Plan Policy DMS2 'Energy, heat and carbon emissions' sets out the Council's expectations for major development to contribute and where possible exceed the borough's target of becoming carbon neutral by 2050 by maximising potential carbon reduction on-site and demonstrating the achievement of net zero carbon buildings. The policy also prioritises decentralised energy and sets an expectation for development proposals to connect to any existing or planned low carbon district energy networks.
- 1.76 Section 43 of the Deregulation Act 2015 outlines that development consisting of the construction or alteration of buildings to provide dwellings, or the carrying out of any work on dwellings should be designed and completed in accordance with the energy efficiency requirements outlined within building regulations.
- 1.77 Borough Wide Development Policies DPD policy BR1 sets a requirement for non-residential major developments to achieve BREEAM Very Good-Excellent. The Draft Local Plan (Regulation 19) seeks to go further, requiring all new non-residential development over 500sqm floorspace to be designed and built to meet or exceed a BREEAM Excellent rating. This has been indicated within the pre-assessment report provided by the applicant and secured by way of condition.
- 1.78 The initial emissions reduction has been calculated at 54.8% which would be in excess of the 35% baseline set for non-residential major development. As outlined above however there is a requirement for domestic development of this nature to achieve a zero-carbon target. Where these emissions targets cannot be met on-site the London Plan states any shortfall should be provided off-site or through a cash-in-lieu contribution which is used to secure carbon dioxide savings elsewhere. The report accompanying the planning application calculates the application scheme will need an offset payment which shall be calculated as followed: £95 (price per tonne) x (tonnes over a 30-year period).
- 1.79 The above financial contribution will be included as part of the application's section 106 heads of terms. A condition will also be included for the passive and renewable energy savings measures in the Energy & Sustainability Statement to be implemented prior to the development being occupied. Subject to suitable conditions and S106 Heads of Terms to safeguard the above measures, the proposal is considered satisfactory in terms of sustainability and energy matters and in compliance with the aforementioned policies.

Biodiversity & Sustainable drainage:

Biodiversity

- 1.80 Policy G6 of the London Plan require new developments to make a positive contribution to the protection, enhancement, creation, and management of biodiversity wherever possible. Policies CR2 and BR3 of the Core Strategy and Borough Wide policies echo the London Plan in its strategic approach to protect and enhance biodiversity and to provide a net gain in the quality and quantity of the Borough's natural environment. This approach is also set out in Policy SP6 of the emerging local plan (Reg 19 stage)
- 1.81 Officers note given the urban context of the site that there is very little vegetation on site or in the surrounding street scene. The applicant has increased planting at the site within the communal garden and a condition requiring landscaping plans to be submitted prior to the commencement of the proposed development.

Drainage

- 1.82 Policy SI12 of the London Plan states that development should utilise sustainable urban drainage systems (Suds') unless there are practical reasons for not doing so and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible in line with the drainage hierarchy set out within this policy. The policy aspirations are also reiterated at local level by Policies CR4 and BR4 of the Core Strategy and Borough Wide Policies and Policy DMSI6 of the emerging Local plan (Reg 19 stage).
- 1.83 A drainage strategy/flood risk assessment has been submitted as part of the application. The main design principals and proposals as set out in this document have been accepted by officers. Officers have recommended a condition requiring an approved detailed drainage design to be provided prior to commencement of construction work on site and this will be secured by condition. Also, an additional condition to secure that the surface water drainage works shall be carried out and the sustainable urban drainage system shall thereafter be managed and maintained in accordance with the agreed management and maintenance plan shall be added.

Conclusions:

In recommending to grant planning permission, Officers have found the proposal to be acceptable following careful consideration of the relevant provisions of the National Planning Policy Framework, the Development Plan and all other relevant material considerations. Officers are satisfied that any potential material harm in terms of the impact of the proposal on the surrounding area would reasonably be mitigated through compliance with the listed conditions and associated legal agreement

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:

National Planning Policy Framework (NPPF) (MHCLG, Feb 2019)

	<ul style="list-style-type: none"> GG1 Building strong and inclusive communities GG2 Making the best use of land GG3 Creating a healthy city GG4 Delivering the homes Londoners need GG5 Growing a good economy GG6 Increasing efficiency and resilience Policy SD1 Opportunity Areas Policy SD6 Town centres and High streets Policy SD7 Town centres: development principles and Development Plan Documents Policy SD10 Strategic and local regeneration Policy D1 London's form, character and capacity for growth Policy D2 Infrastructure requirements for sustainable densities Policy D3 Optimising site capacity through the designed approach Policy D4 Delivering good design Policy D5 Inclusive design Policy D6 Housing quality and standards Policy D7 Accessible housing Policy D8 Public realm Policy D9 Tall buildings Policy D11 Safety, security and resilience to emergency Policy D12 Fire safety Policy D13 Agent of Change Policy D14 Noise Policy H1 Increasing housing supply Policy H4 Delivering affordable housing Policy H5 Threshold approach to applications Policy H6 Affordable housing tenure Policy H7 Monitoring of affordable housing Policy H9 Ensuring the best use of stock Policy H10 Housing size mix Policy S1 Developing London's social infrastructure Policy S2 Health and social care facilities Policy S3 Education and childcare facilities Policy S4 Play and informal recreation Policy E1 Offices Policy E2 Providing suitable business space Policy E11 Skills and opportunities for all Policy HC1 Heritage conservation and growth Policy HC3 Strategic and Local Views Policy HC4 London View Management Framework Policy HC6 Supporting the night-time economy Policy E9 Retail, markets and hot food takeaways Policy G1 Green infrastructure Policy G4 Open space Policy G5 Urban greening Policy G6 Biodiversity and access to nature Policy G7 Trees and woodlands
<p><i>The London Plan (GLA, March 2021)</i></p>	

	<p>Policy SI 1 Improving air quality Policy SI 2 Minimising greenhouse gas emissions Policy SI 3 Energy infrastructure Policy SI 4 Managing heat risk Policy SI 5 Water infrastructure Policy SI 6 Digital connectivity infrastructure Policy SI 7 Reducing waste and supporting the circular economy Policy SI 8 Waste capacity and net waste self-sufficiency Policy SI 12 Flood risk management Policy SI 13 Sustainable drainage Policy SI 14 Waterways – strategic role Policy SI 15 Water transport Policy SI 16 Waterways – use and enjoyment Policy SI 17 Protecting and enhancing London’s waterways Policy T1 Strategic approach to transport Policy T2 Healthy Streets Policy T3 Transport capacity, connectivity and safeguarding Policy T4 Assessing and mitigating transport impacts Policy T5 Cycling Policy T6 Car parking Policy T6.1 Residential parking Policy T6.5 Non-residential disabled persons parking Policy T7 Deliveries, servicing and construction Policy T9 Funding transport infrastructure through planning Policy DF1 Delivery of the Plan and Planning Obligations</p>
<p><i>Local Development Framework (LDF) Core Strategy (July 2010)</i></p>	<p>Policy CM1: General Principles for Development Policy CM2: Managing Housing Growth Policy CM4: Transport Links Policy CM5: Town Centre Hierarchy Policy CR1: Climate Change and Environmental Management Policy CR2: Preserving and Enhancing the Natural Environment. Policy CR3: Sustainable Waste Management Policy CR4: Flood Management Policy CC1: Family Housing Policy CC2: Social Infrastructure to Meet Community Needs Policy CC3: Achieving Community Benefits through Developer Contributions Policy CE1: Vibrant and Prosperous Town Centres Policy CP2: Protecting and Promoting our Historic Environment Policy CP3: High Quality Built Environment</p>
<p><i>Local Development Framework (LDF) Borough Wide Development Plan Document (DPD) (March 2011)</i></p>	<p>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 BR7: Open Space (Quality and Quantity) Policy BR9: Parking Policy BR10: Sustainable Transport Policy BR11: Walking and Cycling</p>

	<p>Policy BR13: Noise Mitigation Policy BR14: Air Quality Policy BR15: Sustainable Waste Management Policy BC1: Delivering Affordable Housing Policy BC2: Accessible and Adaptable Housing Policy BC7: Crime Prevention Policy BC8: Mixed Use Development Policy BC10: The Health Impacts of Development Policy BC11: Utilities Policy BE1: Protection of Retail Uses Policy BE3: Retail Outside or on the Edge of Town Centres Policy BE4: Managing the Evening Economy Policy BP2: Conservation Areas and Listed Buildings Policy BP3: Archaeology Policy BP4: Tall Buildings Policy BP5: External Amenity Space Policy BP6: Internal Space Standards Policy BP8: Protecting Residential Amenity Policy BP10: Housing Density Policy BP11: Urban Design</p>
<p><i>The London Borough of Barking and Dagenham’s Draft Local Plan: (Regulation 19 Consultation Version, October 2020) is at an “advanced” stage of preparation. Having regard to NPPF paragraph 216 the emerging document is now a material consideration and substantial weight will be given to the emerging document in decision-making, unless other material considerations indicate that it would not be reasonable to do so.</i></p>	
<p><i>The London Borough of Barking and Dagenham’s Draft Local Plan: (Regulation 19 Consultation Version, October 2020)</i></p>	<p>Strategic Policy SPDG 1: Delivering growth in Barking and Dagenham Strategic Policy SPP1: Barking and the River Roding Area Strategic Policy SP 2: Delivering a well-designed, High-quality and resilient built environment Policy DMD 1: Securing High-quality design Policy DMD 2: Tall buildings Policy DMD 3: Development in town centres Policy DMD 4: Heritage assets and archaeological remains Strategic Policy SP 3: Delivering homes that meet peoples’ needs Policy DMH 1: Affordable housing Policy DMH 2: Housing mix Strategic Policy SP 4: Delivering social and cultural infrastructure facilities in the right locations Policy DMS1 – Protecting and enhancing existing facilities. Policy DME 5: Evening Economy Policy DME 3: Encouraging vibrant, resilient, and characterful town centres Policy SP6: Green and blue infrastructure Policy DMNE 1: Parks, open spaces and play space Policy DMNE 2: Urban greening Policy DMNE 3: Nature conservation and biodiversity Policy DMNE 4: Water Environment Policy DMNE 5: Trees Strategic Policy SP7: Securing a clean, green and sustainable borough Policy DMSI 1: Sustainable design and construction Policy DMSI 2: Energy, heat and carbon emissions Policy DMSI 3: Nuisance</p>

	<p>Policy DMSI 4: Air quality</p> <p>Policy DMSI 5: Land contamination</p> <p>Policy DMSI 6: Flood risk and defences</p> <p>Policy DMSI 7: Water management</p> <p>Policy DMSI 9: Demolition, construction and operational waste</p> <p>Policy DMSI 10: Smart Utilities</p> <p>Strategic Policy SP8: Planning for integrated and sustainable transport</p> <p>Policy DMT 1: Making better connected neighbourhoods</p> <p>Policy DMT 2: Car parking</p> <p>Policy DMT 3: Cycle parking</p> <p>Policy DMT 4: Deliveries, servicing and construction</p> <p>Strategic Policy SP 9: Managing development</p> <p>Policy DMM 1: Planning obligations (Section 106)</p>
<i>Supplementary Planning Documents</i>	<p>DCLG Technical Housing Standards (nationally described space standard) (DCLG, March 2015) (as amended)</p> <p>Housing Supplementary Planning Guidance (GLA, March 2016, Updated August 2017)</p>

Additional Reference:

Human Rights Act

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.

Equalities

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).

For the purposes of this application there are no adverse equalities issues.

Appendix 2:

Relevant Planning History:			
<i>Application Number:</i>	19/01524/PREAPP	<i>Status:</i>	Issued
<i>Description:</i>	Redevelopment of existing church and site: Retention of the church's facade, demolition of remaining premises and construction of a new church, associated community spaces and 21 residential flats around a central courtyard.		

Appendix 3:

The following consultations have been undertaken:

- Infrastructure Deliver Manager LBBB
- Cllr Amardeep Singh Jamu (Whalebone)
- Cllr Glenda Paddle (Whalebone)
- Cllr Andrew Achilleos (Whalebone)
- Environmental Health and Trading Standards (Noise, Fumes etc)
- LBBB District Heating / Energy
- LBBB Lead Local Flood Authority
- LBBB Transport
- LBBB Access Officer
- Trees (LBBB)
- Designing Out Crime
- LBBB Contaminated Land
- Archaeology
- Transport for London
- LBBB Policy
- Historic England
- London Borough of Redbridge
- Environment Agency
- Thames Water
- National Grid

Summary of Consultation responses:		
Consultee and date received	Summary of Comments	Officer Comments
LBBB – Access	<ul style="list-style-type: none"> • No objection comments recommended in respect of accessibility 	The comments provided have been noted.
LBBB Environmental Health	<ul style="list-style-type: none"> • No objection subject to conditions relating to control any loss of amenity. 	Noted. Conditions have been recommended accordingly
Transport	<ul style="list-style-type: none"> • Concerns in relation to lack of blue badge parking and boundary treatment to Back Lane 	Noted. Discussed in the relevant sections of the report. Conditions and heads of terms included.
Urban Design	<ul style="list-style-type: none"> • Acknowledgement of the improvements to the design as part of this proposal. The detailing and materiality should be secured by way of conditions. 	Officers have recommended appropriate conditions in relation to the response on urban design.
Thames Water	<ul style="list-style-type: none"> - No objection subject to the imposition of conditions 	Noted. Discussed in the relevant sections of the report. Conditions included.

Appendix 4:

Neighbour Notification:	
Date of Press Advertisement:	02 nd October 2020
Number of neighbouring properties consulted:	534
Number of responses:	13
Address:	Summary of response:
Objection comments	
<i>Address not provided</i>	<p>I want to speak on the changes you like to make in our area.</p> <p>This is a quiet and peaceful residential area and build a 2-4 storey block of flats is not really a good idea for us. It makes our area more crowded and changes specific to living here. We don't have any blocks of flats in this area; they are on the opposite site of the road. Please re-think your idea and try to develop something which suits us more than that.</p>
<i>Address not provided</i>	<p>I wish to object to the number of flats on what I consider to be a very small piece of land and would like to know how high they will be built. As I have seen no plans or photographs for the back of the development in Back Lane, I object to the idea of new residents overlooking my garden and into my window. My home is directly behind this development and I am concerned for my privacy. I would like pictures and information in how high the development will be towards Back Lane and Eric Road. I will also be writing a letter directly to the Council as well posting you a letter as well.</p>
<i>Resident on Eric Road</i>	<p>I'm writing in response to the above planning application which was submitted by Chadwell Heath Baptist Church.</p> <p>This application has only just come to light as my daughter found details on Twitter. I note that there was a consultation on this development held and attended by 25 local residents. Since this had been drawn to my attention, I have contacted residents of Eric Road whose properties will be overlooked by the development and none were aware of the development plans or consultation.</p> <p>I'm therefore enquiring as to why no residents of Eric Road were notified so that they could attend or provide written</p>

	<p>feedback?</p> <p>I also note responses from several respondents, none of whom would be directly impacted by the development. The development of flats on the site would directly overlook several properties in Eric Road therefore removing any privacy these properties once enjoyed. These residents should have definitely been consulted as they are directly impacted.</p> <p>I note from the Transport Planning document this is to be a car-free development and therefore no parking provided. This is of concern as presumably visitors to the residents of this development will require parking and will be more likely to park in the Junction Road West/Eric Road area rather than on the High Road which has limited spaces. This puts extra pressure on the limited parking in these roads. Visitors to the church already park in Junction Road West/Eric Road and I see this continuing post development.</p> <p>This area also has a number of other developments proposed e.g. refs 20/01940/FULL 18/01729/FULL and 20/01970/FULL. Assessed individually the local area may be considered able to cope with the increase but together these developments would introduce approximately 97 properties within 1/4 mile stretch of High Road. This to me, as a resident of the ward for 27 years, is too much for the local area.</p> <p>I personally feel this development should not be given approval since a) I do not feel the consultation has been undertaken in complete openness and b) when taken with the other developments there will be excessive burden on the existing amenities and public services.</p>
<p><i>78a High Road</i></p>	<p>I am writing to object the planning request to building flats at Chadwell Heath High Road ref: 20/01859/FULL, address Chadwell Heath Baptist Church, 76 High Road, Chadwell Heath, Romford, Barking And Dagenham, RM6 6PP. My address is 78a High Road, Chadwell Heath, RM6 6NX, I live next door to the land the flats are proposed to be built on and completely disagree with the request to build flats at the rear and side of the church.</p>

	<p>The proposed flats will have full view into my bedroom, as per the Human Rights Act 1988, Article 8, I have a right of respect to my family and private life, this is a clear breach of my right.</p> <p>The plans state the bin store will be at the end of my garden. Bin stores promote vermin and give off an awful smell. That area will be in full view of the sun all day, allowing the refuse to turn and make the whole area smell. I work as a property manager and know first-hand the smells the bin store can give off.</p> <p>This is my home and I do not want to live next to a noisy dusty building site for 12/18 months, then put up with the noise and anti-social behaviour the flats could bring. I note that the flats will be allowed 1 parking spot but most households have 2 cars which means we will have additional people fighting for the limited spaces on the High Road. The increase in tenants will also undoubtedly bring more issues as the road leading into the car park is narrow causing the increase in car horn noise and accidents.</p> <p>I truly believe the flats will bring nothing but issues and should not be allowed. Thank you for taking the time to review my comments.</p>
Support comments	
<p>27 Kings Avenue RM6 6BD</p>	<p>I have lived in Chadwell Heath for over 30 years and am involved in both the Chadwell Heath Residents Association and the Neighbourhood Watch scheme. Having now seen the proposed development plans for the Chadwell Heath Baptist Church I would like to offer my support for this project. I believe it will be a great asset to the local community.</p>
<p>24 Stanhope Road RM8 3DJ</p>	<p>I write to you in connection with the above planning application and in my capacity of Chairman of Pavilion Brass Band, the only Brass Band resident in Barking and Dagenham. My purpose in writing is to strongly express on behalf of the Band, our support for this application.</p> <p>By way of background, Pavilion Brass has been in existence for over 30 years and has its origin in the Baking and Dagenham Playleader Scheme that used to run in local parks. We have played at fund raising events for many years, including on several occasions the Mayor's Christmas</p>

	<p>Carol service at the splendid Civic Centre marble lobby outside the old council chamber. Today we are active throughout the year holding a large fund-raising concert for St Francis Hospice every October, as well as playing for St Chads Church Parish Service of Remembrance in November and various local Church Christmas carol services. The Band is self-financing, its members “pay to play” through subscriptions and as you will no doubt appreciate, the provision of good rehearsal facilities at a reasonable cost is vital for our continued existence. This is where Chadwell Heath Baptist Church are so important to us. We can access a safe, well-lit and reasonably priced venue every week to meet and rehearse. Without it, I fear the band would struggle to survive. It does however have its limitations, especially with access to toilets which, involving some steps, would make the venue very difficult for any disabled members who wished to join us.</p> <p>We attended the public Zoom meeting in the Summer where the plans were explained by the church and Architects and we have to say were very impressed with the design, which we think is sympathetic to its environs, and will only allow the church to add to its already extensive community outreach as detailed at the meeting and in the supporting documentation. It will enable community-based groups such as Pavilion to thrive, the value of such partnerships cannot be understated. It also was made very clear that the scale of repairs needed to the church over the next few years are not affordable and would see the church close if this application is refused, meaning the community space we, and other groups enjoy, would almost certainly be lost for ever as no doubt the land would be sold to developers. This cannot happen. The design of a mix of residential and community/church space we feel strikes the right balance and is necessary to fund the project.</p> <p>We would therefore urge you sincerely to approve these plans and help facilitate the continued church / community partnership we currently enjoy, which is vital for community groups such as ours to continue and which is therefore to the wider benefit of the Borough.</p>
15 Ashton Gardens RM6 6RT	I support the planning application for the Chadwell Heath Baptist Church, 76 High

	Road, Chadwell Heath, and I think your reference is: 20/01859/Full.
15 Ashton Gardens RM6 6RT	<p>I am writing to state that I am in favour of the proposed plans for the redevelopment of Chadwell Heath Baptist Church in Chadwell Heath High Road. The proposal to retain the iconic front facade of the existing Church have my full agreement because this feature has been present in our High Road for over one hundred years and is known by many. The rebuilding of the rear of the main Church will provide much needed space and light for additional activities. I also welcome the development of the additional ground floor Community Halls which will be a great asset and will provide a central focal point enabling very many projects and events to be held within. These will provide benefit to the local and diverse communities living in Chadwell Heath and nearby areas. Also for those working in and visiting Chadwell Heath. We certainly need some good community spaces locally.</p> <p>The proposed living apartments appear to be carefully thought out and the patio/garden area would be a refreshing feature to be used by all residents and visitors alike. I believe that this proposal as seen from the plans and drawings and future map projection, appears to be modern and attractive and will, I believe, be complementary to the traditional appearances along our High Road.</p>
Cllr Amardeep Singh Jamu	I would like to state my support for the proposed development at this place. I am unable to access the planning portal
Cllr Simon Perry	<p>Please can I register my support for the development of the Chadwell Heath Baptist church.</p> <p>The design is in keeping with the area and is considerate to the locally listed part of the building.</p> <p>In addition, the service that the church provides to the community is integral and outweighs any potential negatives that may come from developing the site.</p>
Address point not provided (member of church)	<p>I am writing in relation to the planning application for the redevelopment of the site belonging to Chadwell Heath Baptist Church, on the High Road in Chadwell Heath.</p> <p>The old church building has stood on this site for over 100 years now, and is a well-recognised landmark on the High Road.</p>

During this time it has become a spiritual home for many people in Chadwell Heath. Through Biblical teaching in Sunday School and preaching week by week, many generations of people in this area have not simply been able to learn about God, but to come to know Him as their Father.

To have this assurance at the best of times is a great blessing, but in the current climate, where the pandemic has brought many people to fear for the future, and to look for meaning and truth in life, it is surely all the more important that people should be able to learn how they can have that assurance of a right relationship with God.

It is, after all, one of the prime functions of a church fellowship, to bring the hope of the gospel to all people.

In recent years, the church buildings have been used by an increasing number of organisations and clubs, as a meeting place for their activities, thus strengthening the position of the church within the local community.

Unfortunately, the increasing cost of repairing and maintaining the existing buildings on this site (which, in any case, do not meet the modern-day requirements regarding accessibility) is far beyond the current financial means of the church.

Therefore, the redevelopment of this site, financed through the provision of housing accommodation, in the form of flats, seems to be the only viable way to provide for an enhanced presence on the High Road for this church. This would enable the church to both maintain its spiritual ministry and also engage with the local community through the provision of meeting rooms for various activities.

The church desires to be an integral part of the community of Chadwell Heath, and the loss of the church on this site would leave a hole in the fabric of life in Chadwell Heath. Therefore, I strongly recommend that this development be allowed to go ahead, so that Chadwell Heath Baptist Church can continue to contribute to the life of the community of Chadwell Heath.

Officer Summary:

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

Appendix 6:

Conditions & Informatives:

Conditions:

1.Statutory Time Limit - Planning Permission

The development hereby permitted shall 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.Development in accordance with Approved Plans

The development hereby approved shall only be carried out in accordance with the approved plans and documents listed below:

- Drawing Title: Proposed Ground Floor – Drawing Number: 1810 – 1201 Rev. P1 – Dated: March 2021
- Drawing Title: Proposed First Floor – Drawing Number: 1810 – 1202 Rev. P1 – Dated: March 2021
- Drawing Title: Proposed Second Floor – Drawing Number: 1810 – 1203 Rev. P1 – Dated: March 2021
- Drawing Title: Proposed Third Floor – Drawing Number: 1810 – 1204 Rev. P1 – Dated: March 2021
- Drawing Title: Proposed Roof Plan – Drawing Number: 1810 – 1205 Rev. P1 – Dated: March 2021
- Drawing Title: Proposed Elevations – Drawing Number: 1810 – 1301 Rev. P1 – Dated: March 2021
- Drawing Title: Proposed Elevations – Drawing Number: 1810 – 1302 Rev. P1 – Dated: March 2021
- Drawing Title: Proposed Elevations Front - Drawing Number: 1810 – 1310 Rev. P1 – Dated: March 2021
- Drawing Title: Proposed Elevations East – Drawing Number: 1810 – 1311 Rev. P1 – Dated: March 2021
- Drawing Title: Proposed Elevations West – Drawing Number: 1810 – 1312 Rev. P1 – Dated: March 2021
- Drawing Title: Proposed Sections – Drawing Number: 1810 – 1410 Rev. P1 – Dated: March 2021
- Drawing Title: Proposed Sections – Drawing Number: 1810 – 1411 Rev. P1 – Dated: March 2021
- Drawing Title: Proposed Sections - Drawing Number: 1810 – 1412 Rev. P1 – Dated: March 2021

Documents

Air Quality Assessment – Dated: September 2020

No other drawings or documents apply.

Reason: To ensure that the development is undertaken in accordance with the approved drawing(s) and document(s) to ensure that the finished appearance of the development will enhance the character and visual amenities of the area and to satisfactorily protect the residential amenities of nearby occupiers.

Prior to all works/commencement Conditions

3. Scheme of Acoustic Protection

Prior to commencement of the development full details of a scheme of acoustic protection of habitable rooms against noise shall be submitted to and approved in writing by the Local Planning Authority. The scheme of acoustic protection shall be sufficient to secure internal noise levels no greater than:

- a. 35 dB LAeq in living rooms and bedrooms (07:00 hours to 23:00 hours) with windows closed; and
- b. 30 dB LAeq in bedrooms (23:00 hours to 07:00 hours) with windows closed.

The approved scheme shall be fully implemented before the first occupation of the residential unit to which it relates and shall be maintained at all times thereafter.

Reason: To ensure that the proposed residential units are adequately protected from noise

4. Contaminated Land

No development shall commence until:

(a) an investigation and risk assessment, in addition to any assessment provided with the planning application, has been 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; and
- (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'; and

(b) 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, has been prepared and submitted to the Local Planning Authority for approval in writing. 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.

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

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority. The report shall include results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met.

(d) 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 (a), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of (b), 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: Contamination must be identified prior to commencement of development to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors

5. Construction Management

No development shall commence until a Construction Environmental Management Plan (CEMP) and a Site Waste Management Plan (SWMP) have been submitted to and approved in writing by the Local Planning Authority. These Plans shall incorporate details of:

- a) construction traffic management,
- b) the parking of vehicles of site operatives and visitors,
- c) loading and unloading of plant and materials,
- d) storage of plant and materials used in constructing the development,
- e) the erection and maintenance of security hoarding(s) including decorative displays and facilities for public viewing, where appropriate,
- f) wheel washing facilities,
- g) measures to control the emission of dust, dirt and emissions to air during construction; such measures to accord with the guidance provided in the document "The Control of Dust and Emissions during Construction and Demolition", Mayor of London, July 2014; including but not confined to, non-road mobile machinery (NRMM) requirements,
- h) noise and vibration control,
- i) a scheme for recycling/disposing of waste resulting from demolition and construction works,
- j) the use of efficient construction materials,
- k) methods to minimise waste, to encourage re-use, recovery and recycling, and sourcing of materials; and
- l) 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.

Once approved the Plans shall be adhered to throughout the construction period for the development.

Demolition and construction work and associated activities, other than internal works not audible 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.

Reason: In order to reduce the environmental impact of the construction and the impact on the amenities of neighbouring residents.

6. Drainage Scheme

No development shall commence until a detailed drainage scheme (to include the disposal of surface water by means of sustainable methods of urban drainage systems) has been submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with such approved details.

Reason: To prevent an increased risk of flooding and to prevent pollution of the water environment.

7. Waste Management Plan

Prior to commencement of any works a detailed waste management Plan shall be submitted and approved in writing by the Local Planning Authority. Upon approval, the waste management plan shall be implemented in full prior to the first occupation of the residential or commercial units.

Reason: To protect or enhance the character and amenity of the area.

Prior to above ground works

8. Materials and Balcony Details

Prior to the commencement of any above ground works details of all balconies and 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 and balcony details.

Reason: To protect or enhance the character and amenity of the area.

9. Church Façade

Prior to the commencement of any above ground works a detail of the methods used for the protection and enhancement of the church façade must be submitted and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To protect or enhance the character and amenity of the area.

10. Hard/Soft Landscaping Details

Prior to the commencement of any above ground works detailed soft and hard landscaping strategies must be submitted and approved in writing by the Local Planning Authority. Any plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To secure the provision and retention of landscaping in the interests of the visual amenity of the area, to preserve and enhance the Borough's natural environment and to ensure a High-quality built environment

11. Noise Insulation of Party Construction

No above ground new development shall commence until a scheme of noise insulation of party construction between the residential units and the non-residential uses has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the first occupation of the non-residential / residential unit(s) to which it relates.

Reason: To ensure that the proposed residential units are adequately protected from noise

12. Delivery and Servicing Plan

Prior to commencement of any works and to be in accordance with Transport for London guidance the submission of a Delivery and Servicing Plan shall be submitted and approved in writing by the Local Planning Authority. Upon approval the Delivery and Servicing Plan shall be implemented before commencing of works.

Reason: In the interests of Highway safety.

Prior to first occupation and/or use Conditions

13. Cycle Parking Implementation

Prior to the first occupation of the development the applicant makes the necessary provisions for cycle parking provision in accordance with the London Plan to determine an appropriate levels of cycle parking which should be to the minimum standards set out, secure and well-located. The cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards.

Reason: In the interests of promoting cycling as a sustainable and non-polluting mode of transport.

14. Crime Prevention Scheme

The proposed development shall achieve a Certificate of Compliance in respect of the Secured by Design scheme (silver), or alternatively achieve security standards (based on Secured by Design principles) through consultation with the 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.

Reason: In order to provide a good standard of security to future occupants and visitors to the site and to reduce the risk of crime.

15. Renewable Energy Infrastructure

The development hereby permitted will ensure the renewable energy infrastructure will be carried out in accordance to document Energy Statement by Darren Evans Building Surveying Dated: April 2020 delivering a 54.83% reduction in site wide CO2 emissions. A verification report must be submitted in writing and approved by the Local Planning Authority and implemented in full prior to first occupation of the dwellings.

Reason: To ensure measures are implemented to reduce carbon emissions.

16. External lighting

The development hereby permitted shall not be occupied until details showing the provisions to be made for external lighting has been submitted to and approved in writing by the Local Planning Authority. The lighting 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, page 25 of the guide, relating to Environmental Zone E2 Low district brightness areas-Rural, small village or relatively dark urban locations. The development shall not be occupied until the approved scheme has been implemented. Thereafter the approved measures shall be permanently retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to provide a good standard of lighting and security to future occupants and visitors to the site and to reduce the risk of crime.

17. BREEAM

The development hereby permitted shall achieve as a minimum a BREEAM 'Excellent' rating, unless otherwise agreed in writing. A Certificated BREEAM Assessment (In-Use or Refurbishment and Fit-Out), or other verification process agreed with the Local Planning Authority, shall be provided, confirming that the agreed standards have been met, prior to the occupation of the approved use.

Reason: To ensure that the proposed development is environmentally sustainable.

Monitoring & Management Conditions

18. M4(2) – Accessible Units

Building Regulations M4(2) 90% of the residential units hereby approved shall conform to the requirements of Category M4(2) ['Accessible and Adaptable Dwellings'] of Schedule 1 to the Building Regulations 2010 (HM Government 2015).

Reason: To ensure the accessibility of the residential dwellings hereby approved.

19. M4(3) – Accessible Units

Building Regulations M4(3) 10% of the residential units hereby approved shall conform to the requirements of Category M4(2) ['Accessible and Adaptable Dwellings'] of Schedule 1 to the Building Regulations 2010 (HM Government 2015).

Reason: To ensure the accessibility of the residential dwellings hereby approved.

20. Renewable Energy Infrastructure

The development hereby permitted will ensure the renewable energy infrastructure will be carried out in accordance to document Energy Statement dated: April 2020 delivering a 54.8% reduction in site wide CO2 emissions, is implemented prior to first occupation of the dwellings.

Reason: To ensure measures are implemented to reduce carbon emissions.

Appendix 7:

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:

Administrative:

1. Payment of the Council's professional and legal costs, whether or not the deed completes,
2. Payment of the Council's fees for monitoring and implementing the Section 106 at £3,000, payable on completion of the deed, and
3. Indexing – all payments are to be index linked from the date of the decision to grant planning permission to the date on which payment is made, using BCIS index.

Affordable Housing (Review Mechanism:

4. An early-stage affordable housing review is to occur in the event that the development is not implemented within two years of approval Payment of the Council's reasonable costs associated with scrutiny of the viability submissions.
5. A late-stage affordable housing review mechanism is to occur upon 75% occupation of the residential units Payment of the Council's reasonable costs associated with scrutiny of the viability submissions.

Transport

6. Car Parking permit free development. with a commitment to provide two-year free car club membership to all residents.

Employment and Skills

7. Secure an Employment, Skills and Suppliers Plan 6 months prior to commencement of development ensuring that a minimum of 25% of labour and suppliers required for the construction of the development are drawn from within the Borough, to maximise opportunities for residents and businesses.

Sustainability

8. The development shall achieve a minimum 54.8% reduction in carbon dioxide emissions over Part L of the Building Regulations 2013 (when applying updated SAP 10 emission factors) through on-site provision, and a monetary contribution to offset the remaining at a rate of £95 per tonne x 30-year period. This shall be made to the Local Authority's carbon offset fund to offset the remaining carbon emissions to net zero-carbon, subject to monitoring at practical completion

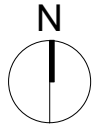
Phasing

9. No more than 50% of the residential units hereby approved shall be occupied prior to the practical completion of the church and associated community buildings and floorspace.

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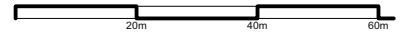


Location Plan 1:1250



General Notes

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- 4 All dimensions are measured to structural elements



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Project Title:
Chadwell Heath
Existing GA's
Location Plan 1:1250
Drawing Number:
1810 - 1110

P1	02.03.21	Revised submission
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Mark	Date	Description
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Issue/Revision: Planning

Scale: 1:1250 @A3

CAD File Name:

Drawn By: PTH

Checked By: JG

Date: 14/09/20



Key:

- Church - Main Uses
- Church - Storage
- Church - Service
- Church - Circulation
- Church - Church Office
- Church - Rental Office
- Residential - Circulation Space
- Residential - 1 Bedroom Unit
- Residential - 2 Bedroom Unit
- Residential - Service
- Residential - Amenity Space
- Planting Areas

General Notes

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Project Title:
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Existing GA's
Proposed Site Plan 1:500
Drawing Number:
1810 - 1200

Mark	Date	Description
P1	02.03.21	Revised submission

Issue/Revision: Planning
Scale: 1:500 @A3
CAD File Name:
Drawn By: PTH
Checked By: JG
Date: 14/09/20



- Key:**
- Church - Main Uses
 - Church - Storage
 - Church - Service
 - Church - Circulation
 - Church - Church Office
 - Church - Rental Office
 - Residential - Circulation Space
 - Residential - 1 Bedroom Unit
 - Residential - 2 Bedroom Unit
 - Residential - Service
 - Residential - Amenity Space
 - Planting Areas

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Project Title:
Chadwell Heath
Existing GA's
Proposed Ground Floor 1:200
Drawing Number:
1810 - 1201

P1	02.03.21	Revised submission
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Mark	Date	Description
Issue/Revision: Planning		
Scale: 1:200 @A3		
CAD File Name:		
Drawn By: PTH		
Checked By: JG		
Date: 14/09/20		

Proposed Ground Floor Plan 1:200



- Key:**
- Church - Main Uses
 - Church - Storage
 - Church - Service
 - Church - Circulation
 - Church - Church Office
 - Church - Rental Office
 - Residential - Circulation Space
 - Residential - 1 Bedroom Unit
 - Residential - 2 Bedroom Unit
 - Residential - Service
 - Residential - Amenity Space
 - Planting Areas

- General Notes**
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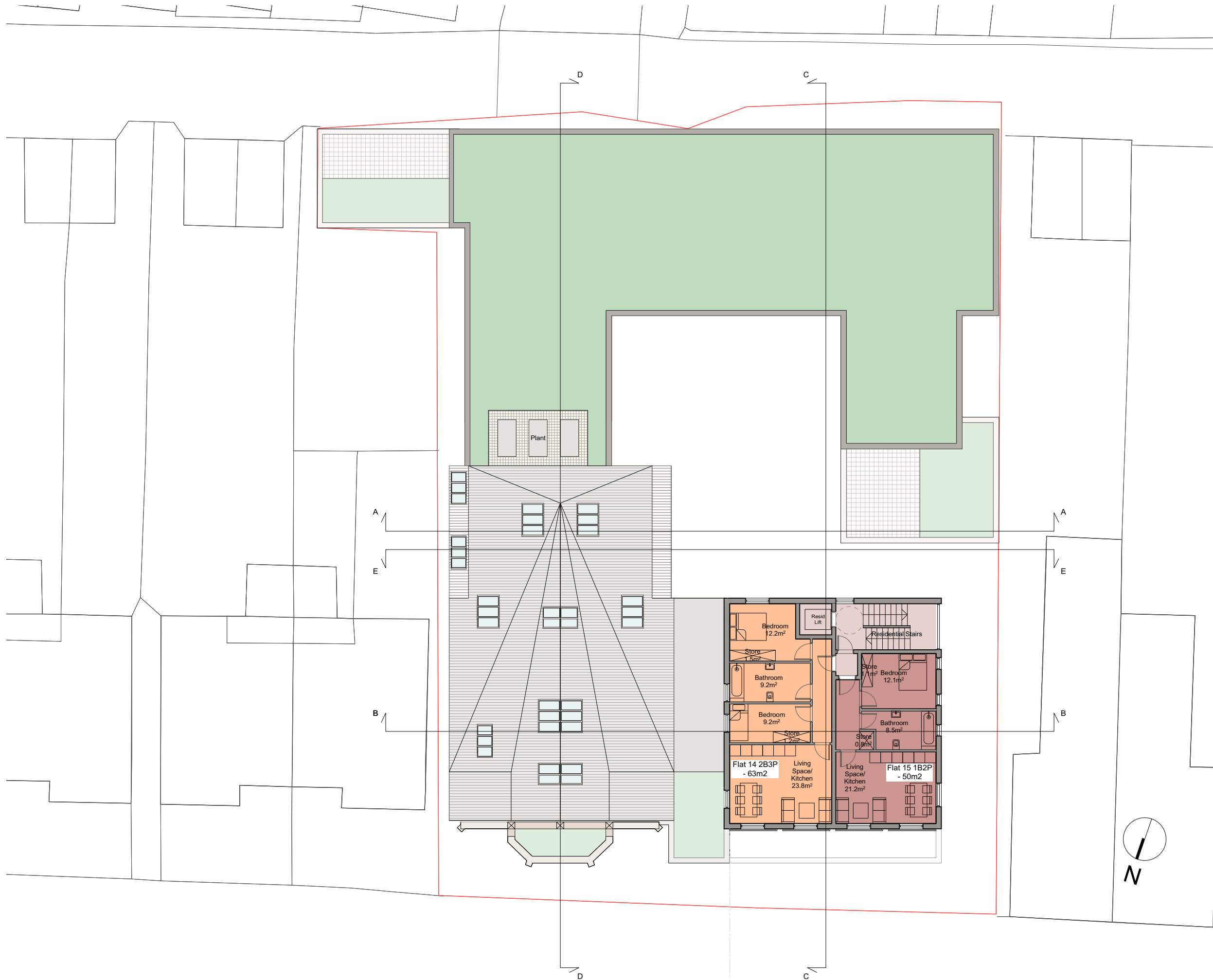
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Project Title:
Chadwell Heath
Existing GA's
Proposed First Floor 1:200
Drawing Number:
1810 - 1202

Mark	Date	Description
P1	02.03.21	Revised submission

Issue/Revision: Planning
Scale: 1:200 @A3
CAD File Name:
Drawn By: PTH
Checked By: JG
Date: 14/09/20




Key:

- Church - Main Uses
- Church - Storage
- Church - Service
- Church - Circulation
- Church - Church Office
- Church - Rental Office
- Residential - Circulation Space
- Residential - 1 Bedroom Unit
- Residential - 2 Bedroom Unit
- Residential - Service
- Residential - Amenity Space
- Planting Areas

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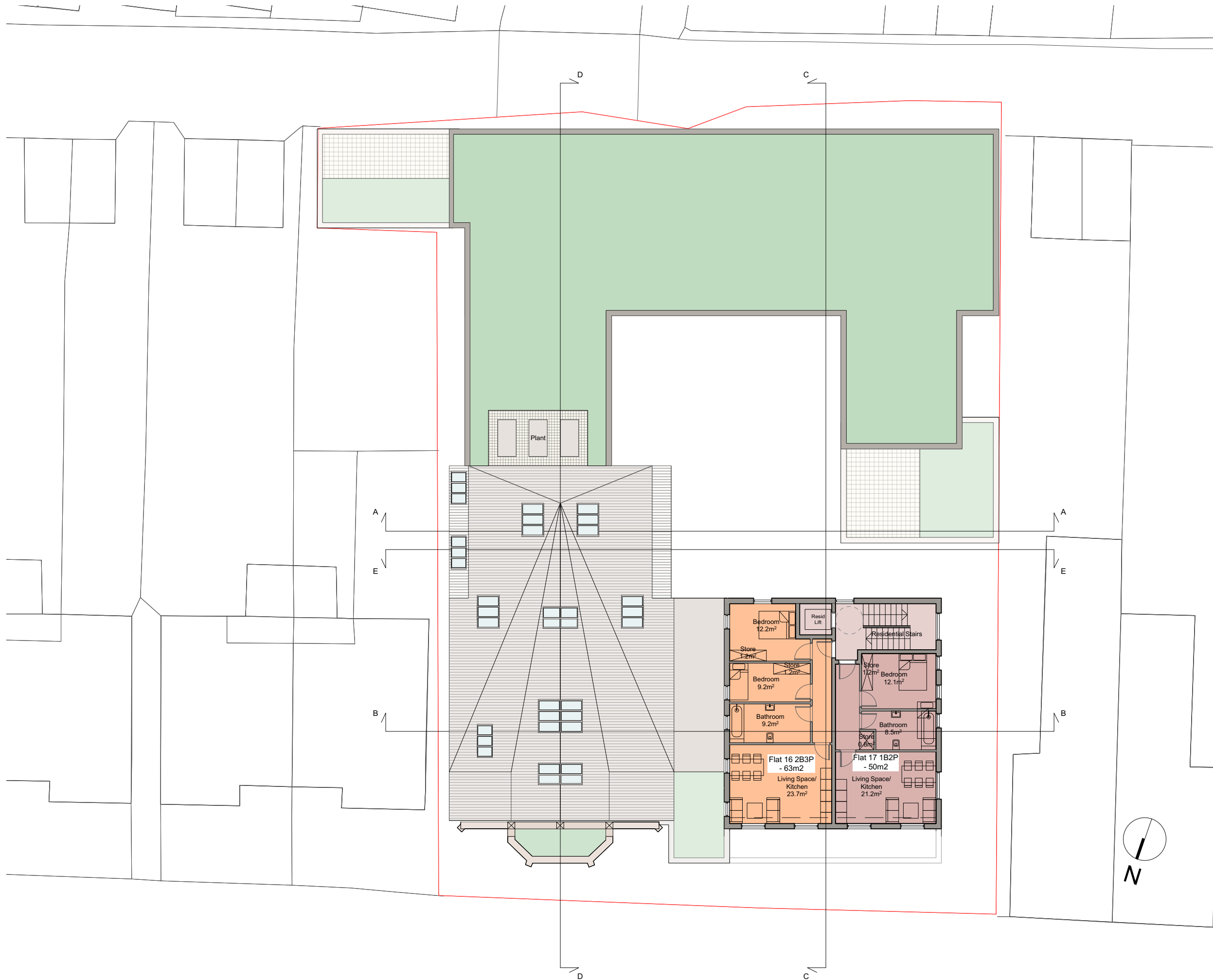
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Project Title:
Chadwell Heath
Existing GA's
Proposed Second Floor 1:200
Drawing Number:
1810 - 1203

Mark	Date	Description
P1	02.03.21	Revised submission

Issue/Revision: Planning
 Scale: 1:200 @ A3
 CAD File Name:
 Drawn By: PTH
 Checked By: JG
 Date: 14/09/20



Key:

- Church - Main Uses
- Church - Storage
- Church - Service
- Church - Circulation
- Church - Church Office
- Church - Rental Office
- Residential - Circulation Space
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- Residential - Service
- Residential - Amenity Space
- Planting Areas

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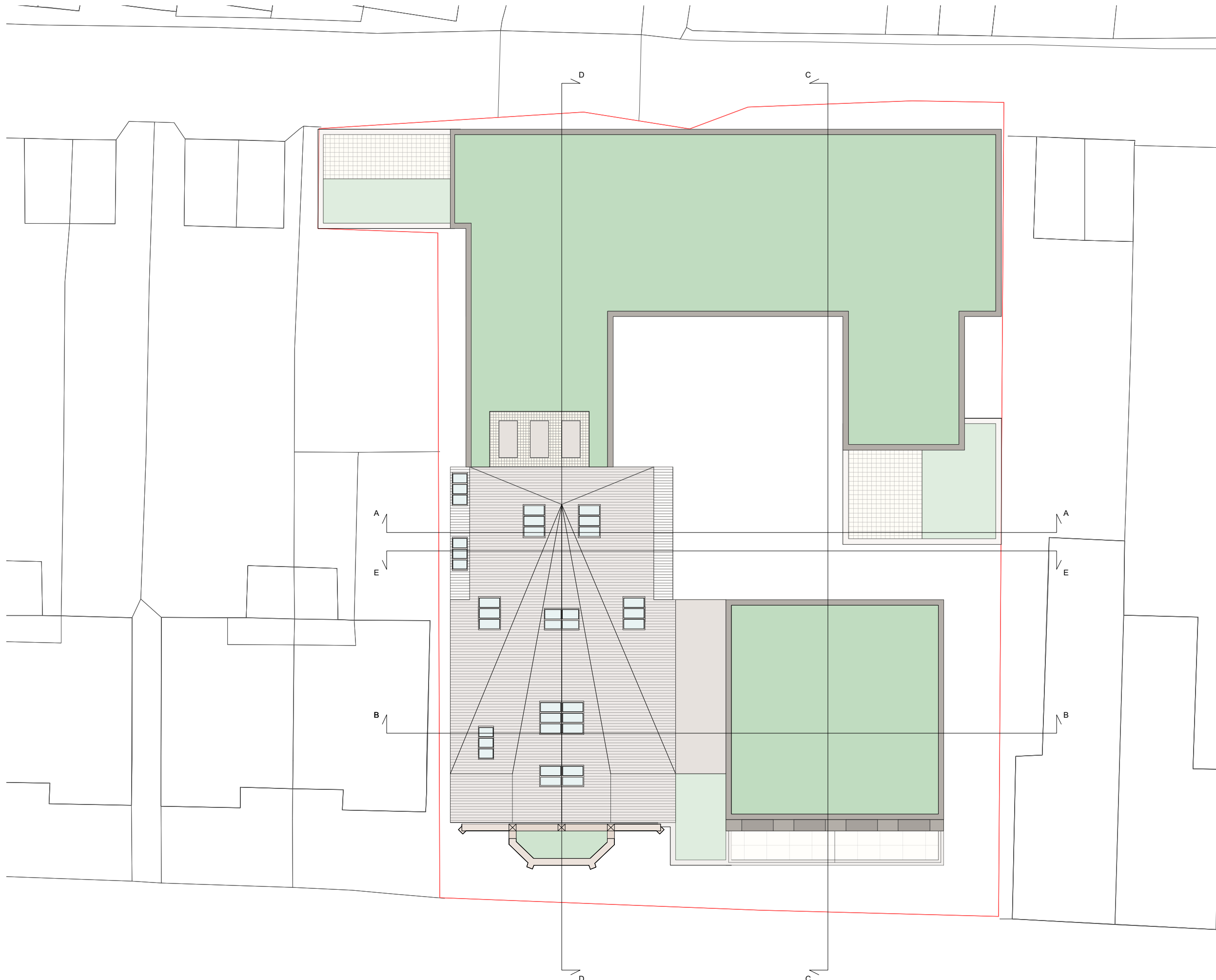
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Project Title:
Chadwell Heath
Existing GA's
Proposed Third Floor 1:200
Drawing Number:
1810 - 1204

Mark	Date	Description
P1	02.03.21	Revised submission


Issue/Revision: Planning
Scale: 1:200 @A3
CAD File Name:
Drawn By: PTH
Checked By: JG
Date: 14/09/20



- Key:**
- Church - Main Uses
 - Church - Storage
 - Church - Service
 - Church - Circulation
 - Church - Church Office
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 - Residential - Circulation Space
 - Residential - 1 Bedroom Unit
 - Residential - 2 Bedroom Unit
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 - Planting Areas

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Project Title:
Chadwell Heath
Existing GA's
Proposed Roof Plan 1:200
Drawing Number:
1810 - 1205

Mark	Date	Description
P1	02.03.21	Revised submission

Issue/Revision: Planning
Scale: 1:200 @A3
CAD File Name:
Drawn By: PTH
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Date: 14/09/20



Proposed North Elevation (High Road) 1:200

- General Notes
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Project Title:
Chadwell Heath
Existing GA's
Proposed Elevations 1:200 N&S
Drawing Number:
1810 - 1301

Mark	Date	Description
P1	02.03.21	Revised submission

Issue/Revision: Planning
Scale: 1:200 @ A3
CAD File Name:
Drawn By: PTH
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Date: 14/09/20



Proposed South Elevation (Back Lane) 1:200




Proposed West Elevation 1:200

General Notes

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P1	02.03.21	Revised submission
Mark	Date	Description
Issue/Revision: Planning Scale: 1:200 @ A3 CAD File Name: Drawn By: PTH Checked By: JG Date: 14/09/20		



Proposed East Elevation 1:200




Proposed High Road Elevation

General Notes

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Project Title: Chadwell Heath Existing GA's Proposed Elevation Front 1:100 Drawing Number: 1810 - 1310		
P1	02.03.21	Revised submission
Mark	Date	Description
Issue/Revision: Planning Scale: 1:100 @ A3 CAD File Name: Drawn By: PTH Checked By: JG Date: 14/09/20		



Proposed Elevation East 1:100

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Project Title:
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Existing GA's
Proposed Elevation East 1:100
Drawing Number:
1810 - 1311

Mark	Date	Description
P1	02.03.21	Revised submission

Issue/Revision: Planning

Scale: 1:100 @ A3

CAD File Name:

Drawn By: PTH

Checked By: JG

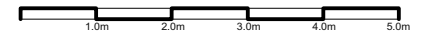
Date: 14/09/20



Proposed Elevation West 1:100

General Notes

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Project Title:
Chadwell Heath
Existing GA's
Proposed Elevation West 1:100
Drawing Number:
1810 - 1312

P1	02.03.21	Revised submission
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Mark	Date	Description
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Issue/Revision: Planning

Scale: 1:100 @ A3

CAD File Name:

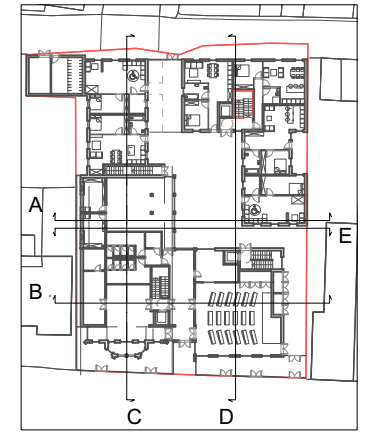
Drawn By: EMB

Checked By: PF

Date: 14/09/20

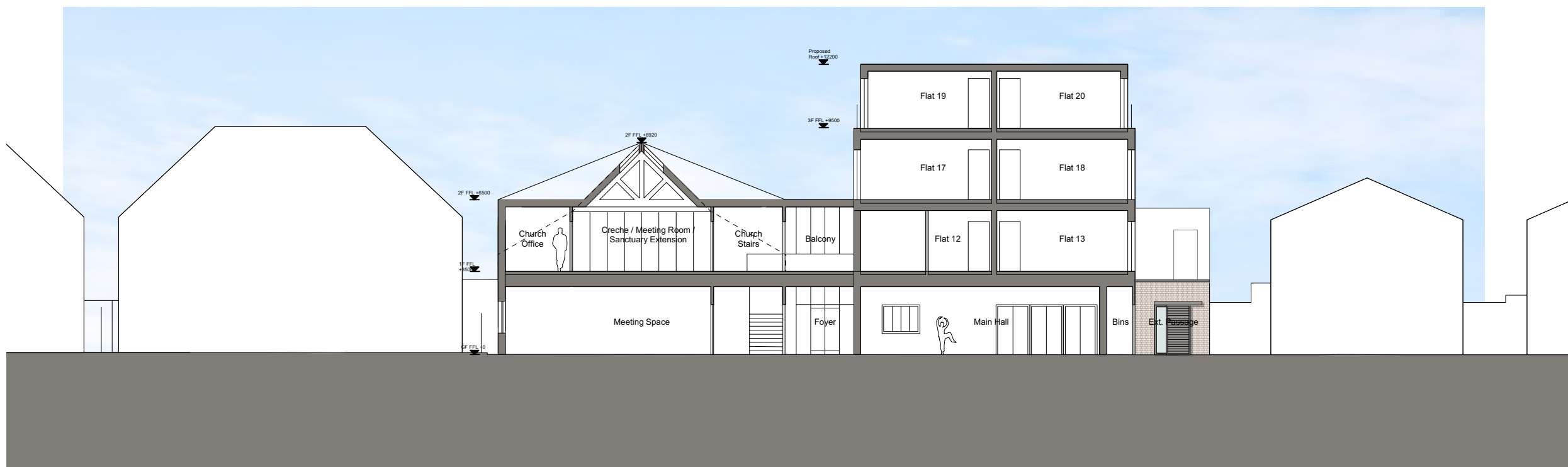


Proposed Section A 1:200



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Proposed Section B 1:200

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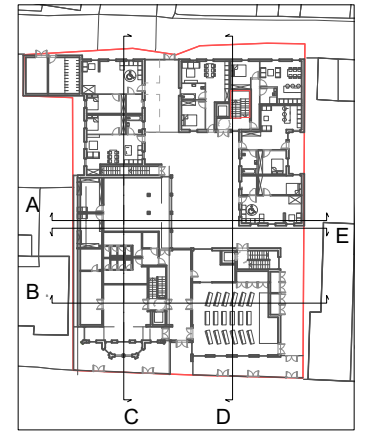
Project Title:
Chadwell Heath
Existing GA's
Proposed Sections 1:200 A&B
Drawing Number:
1810 - 1401

Mark	Date	Description
P1	02.03.21	Revised submission

Issue/Revision: Planning
Scale: 1:200 @ A3
CAD File Name:
Drawn By: EMB
Checked By: PF
Date: 14/09/20

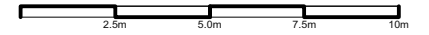


Proposed Section D 1:200



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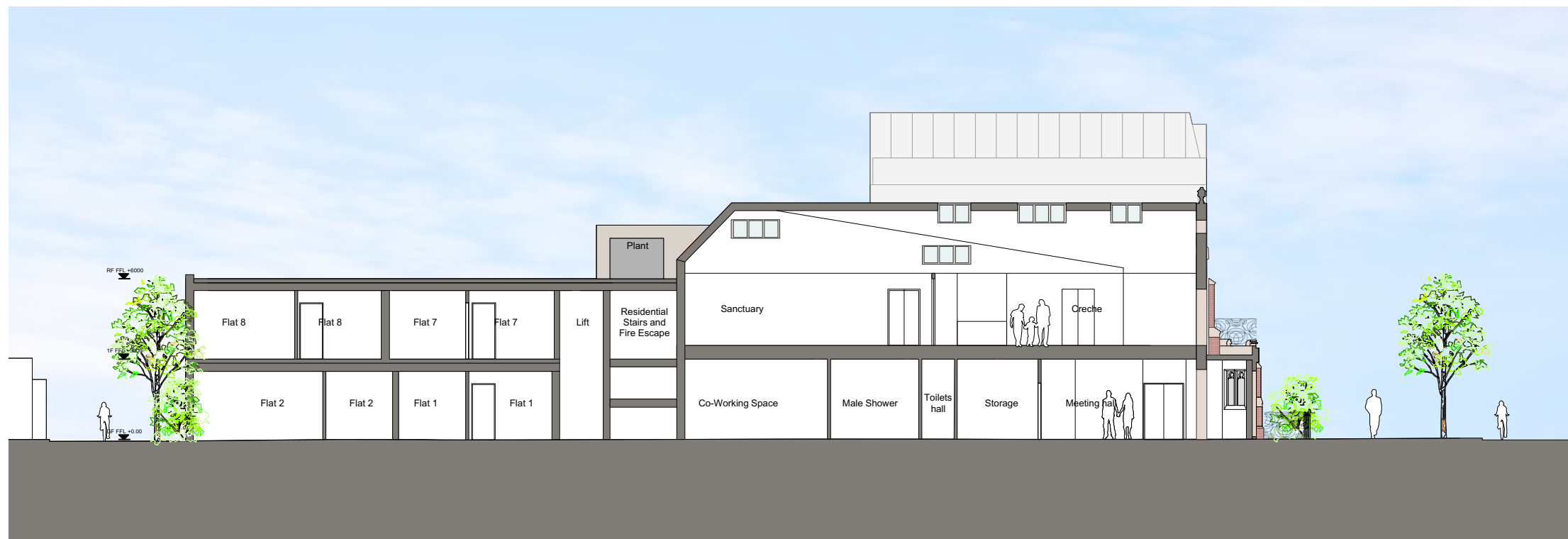
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Project Title:
Chadwell Heath
Existing GA's
Proposed Sections 1:200 C&D
Drawing Number:
1810 - 1402

Mark	Date	Description
P1	02.03.21	Revised submission

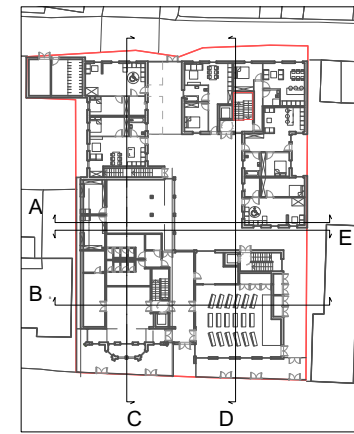
Issue/Revision: Planning
 Scale: 1:200 @ A3
 CAD File Name:
 Drawn By: EMB
 Checked By: PF
 Date: 14/09/20



Proposed Section C 1:200



Proposed Section E 1:200



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Existing GA's
Proposed Section 1:200 E
Drawing Number:
1810 - 1403

Mark	Date	Description
P1	02.03.21	Revised submission

Issue/Revision: Planning
Scale: 1:200 @ A3
CAD File Name:
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Date: 14/09/20

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Working in partnership


**Barking &
Dagenham**
LONDON BOROUGH OF BARKING & DAGENHAM
PLANNING COMMITTEE
26th April 2021
Application for Planning Permission

Case Officer:	Grace Liu	Valid Date:	28 th October 2020
Applicant:	Evergreen Construction (UK) Ltd	Expiry Date:	27 th January 2021
Application Number:	20/01760/FUL	Ward:	Thames
Address:	Former Thames View Clinic, Bastable Avenue, Barking.		

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 site of the former Thames View Clinic, Bastable Avenue, Barking.

Proposal:

Construction of a five-storey building comprising community use at ground floor level (Use Class F1) (327sqm) plus 50 residential flats (22 x 1-bed, 20 x 2-bed and 8 x 3-bed) and associated access, ground level parking and landscaping.

Officer Recommendations:

1. Agree the reasons for approval as set out in this report; and
2. Delegate authority to the London Borough of Barking and Dagenham's Director of Inclusive Growth (or authorised Officer), in consultation with the Director of Law and Governance, to grant planning permission subject to the completion of a Unilateral Undertaking under Section 106 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 26th October 2021 the Unilateral Undertaking has not been completed, the London Borough of Barking & Dagenham's Director of Inclusive Growth (or other authorised Officer), in consultation with the Director of Law and Governance, be delegated authority to refuse planning permission, extend this timeframe to grant approval or refer the application back to the Planning Committee for determination.

Conditions Summary:
Mandatory Conditions

1. Statutory Time Limit - Planning Permission
2. Development in Accordance with Approved Plans

Prior to Commencement Conditions

3. Site Contamination
4. Construction Management
5. Air Quality
6. Drainage Strategy

7. Emergency Flooding Plan
8. SUD Tree Pits
9. Green Walls and Green roof systems
10. A Landscape and Ecological Management Plan (LEMP)
11. Construction Logistics Plan and Delivery and Servicing Plan
12. Archaeology
13. Nesting Birds Survey
14. Acoustic Protection

Prior to Above Ground Works Conditions

15. Noise Insulation
16. Materials and Balcony Details
17. Fire Safety Scheme
18. Electric Vehicle Charging Points Details
19. Trees
20. Hard/Soft Landscaping Details
21. Carbon Reduction

Prior to First Occupation / Use Conditions

22. Children's Playspace Implementation
23. Car Parking Design and Management Plan and Implementation
24. Cycle Parking Implementation
25. Refuse and Recycling Strategy Implementation
26. Sustainable Drainage Implementation
27. Crime Prevention Scheme
28. Communal Television and Satellite System
29. External lighting
30. Details of Any Commercial Kitchen Extract Ventilation System
31. Petrol and Oil receptors
32. Bird and Bat Boxes

Monitoring and Management Conditions

33. Accessible Housing
34. Water Efficiency
35. Noise from Non-Residential Uses and Plant and Structure Borne Noise Emissions
36. Renewable Energy Infrastructure
37. Hours of operation of non- residential and servicing and Delivery hours
38. Emissions from Non-road mobile machinery (NRMM)
39. Piling Method Statement
40. CHP or Biomass

Unilateral Undertaking – Summary of Heads of Terms:

The proposed heads of terms to be secured through a Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 (as amended) and Section 16 GLC (General Powers) Act 1974 (as amended) (agreed between the Council and the Applicant) are set out below:

Administrative

1. Pay the Council's professional and legal costs, whether or not the deed completes.
2. Pay the Council's reasonable fees of £9,000.00 for monitoring and implementing the Section 106, payable on completion of the deed.
3. Indexing – all payments are to be index linked from the date of the decision to grant planning permission to the date on which payment is made, using BCIS index.

Affordable Housing

4. Secure 39% affordable housing on a habitable room basis as shown on drawings 20002-204-PL02 dated 23/03/21 and 18008 205 PL02 dated 23/03/21 comprising:

- 9 no. units provided at London Affordable Rent: Unit numbers: 1.6, 1.7, 1.9, 1.13, 1.14, 2.1, 2.10, 2.11, 2.12.
- 9 no. units provided at Shared Ownership Unit numbers: 1.1, 1.2, 1.3, 1.4, 1.5, 1.8, 1.10, 1.11, 1.12.

Transport

5. Secure restrictions preventing future residents from obtaining parking permits from controlled parking zone E (CPZ) (or the equivalent CPZ at the time of reassessment).

6. Offsite Highway works - To realise and deliver the 'in principle' plan of works as shown on the ground floor plan drawing 20002-103-PL04 dated 09/09/20 this proposal as submitted will require alterations to highway which will go beyond the extent of the red line boundary of the application. Prior to any ground works on the site of the development in the interest of highway safety the developer shall submit to the council a) A scope of highway works to be approved by the Highway Authority and this shall include the provision of a pedestrian table crossing at the junction of Samuel Ferguson Way and Bastable Avenue b) a detailed highway design and enter a s38/278 agreement (Highways Act 1980) to undertake highway improvements seeking to ensure design works are in accordance with the Design Manual for Roads and Bridges with the relevant road safety audits stage 1 and 2 as well as TSRGD compliant scheme both in term of the loading bay and the accompanying signage and markings and c) implement all the off-site highway works as defined in (b) prior to any construction of the development.

7. Prior to occupation of the development, free car club membership for two calendar years on application to the nearest car club operating in the Borough is to be provided to each future household so that they can have access to a car for infrequent journeys. The location of the nearest car club space is to be agreed with the Council before occupation.

8. Six months prior to the operation of the residential use, the applicant shall secure the submission of a Travel Plan for the occupiers/tenants to demonstrate how sustainable modes of transport will be promoted and car parking managed. Once approved the Travel Plan must be implemented on the first occupation of the residential units.

9. On the 2nd anniversary of the commencement of the operation of the residential use, the applicant or successive owner in title shall submit a Travel Plan monitoring report to demonstrate that best and reasonable endeavours have been undertaken to ensure that the occupiers/tenants have aimed to engage and encourage active, inclusive, and carbon-free sustainable travel to and from the site with their associated users.

The Travel Plan monitoring report will:

- Provide a breakdown of all occupier/tenants to the site and how they have aimed to mitigate and reduce impact from the proposed development on the transport network through their travel plans.
- Provide recommendations to how the applicant or successive owner in title) could help tenants and occupiers to continue and improve the engagement and encouragement of active, inclusive, and carbon-free sustainable travel to and from the site.

10. The car parking spaces hereby approved shall not be sold to the occupiers of the development. The car parking spaces shall be leased to occupiers and tenants only. This will ensure that the parking spaces will meet the needs of the occupiers and maximised the use of the spaces themselves.

Employment and Skills

11. Six months prior to the commencement of works the applicant shall submit an Employment, Skills and Suppliers Plan ensuring that: minimum of 25% of labour and suppliers required for the construction of the development are drawn from within the Borough, to maximise opportunities for Barking and Dagenham residents and businesses.

Sustainability

12. The development shall achieve a minimum 43.88% reduction in carbon dioxide emissions over Part L of the Building Regulations 2013 (when applying updated SAP 10 emission factors) through on-site provision. A monetary contribution shall be made to the Local Authority's carbon offset fund to offset the remaining carbon emissions if the scheme is not zero carbon.

13. Air Quality off-setting contribution. A payment at the off-setting contribution rate of £29k per tonne of NOx over the benchmark (or the equivalent rate at the time of reassessment) will be applied if the scheme does not meet air quality neutral standards.

Operation of the Community Facilities

14. Six months prior to the operation of the community use, the applicant shall secure the submission and implementation of a Management and Travel Plan for the use of the ground floor for community use, including an event management plan for events which will exceed 40 attendees to demonstrate how sustainable modes of transport will be promoted and car parking managed.

15. On the 2nd anniversary of the commencement of the operation of the community use, the applicant or successive owner in title shall submit a Travel Plan monitoring report to demonstrate that best and reasonable endeavours have been undertaken to ensure that the occupiers/tenants have aimed to engage and encourage active, inclusive, and carbon-free sustainable travel to and from the site with their associated users.

The Travel Plan monitoring report will:

- Provide a breakdown of all occupier/tenants and their associated users/visitors to the site and how they have aimed to mitigate and reduce impact from the proposed development on the transport network through their travel plans.
- Provide recommendations to how the applicant or successive owner in title) could help tenants and occupiers to continue and improve the engagement and encouragement of active, inclusive, and carbon-free sustainable travel to and from the site.

Playspace Contribution

16. Secure a play space contribution of £44k to offset the shortfall of child playspace on the site.

OFFICER REPORT

Planning Constraints:

None

Site, Situation and relevant background information:

The application site (0.18 hectares) has a rectangular shape and is bounded by Samuel Ferguson Place cul-de-sac to the west and south, Bastable Avenue to the north and the Thames View Health Centre to the east.

In terms of its wider context, the site is surrounded by the Thames View Junior School to the south, the Thames View Community Hall to the west and three-storey flats to the north (on the opposite side of Bastable Avenue). The Farr Avenue Neighbourhood Centre is located to the north-east along the northern side of Bastable Avenue.

The former medical clinic site was cleared between 2008 and 2009 and the site has since been unused. The site currently comprises hardstanding and self-seeded planting.

A previous proposal for a 6-storey building comprising ground floor community use with 54 flats above (ref. 18/00003/FUL) was refused by Members at the March 2019 Planning Committee meeting. The application description is set out below:

“Erection of a six-storey building comprising community uses at ground floor level (Class D1 community use) plus 54 residential flats (3 x studio, 32 x 1-bed and 19 x 2-bed) and associated access, basement level parking and landscaping”.

This application was refused by Members on the following grounds:

- The density of the proposed development would significantly exceed the relevant London Plan density range, in an area of low public transport accessibility, resulting in a building that would be out of context in design terms with its surroundings contrary to policy 3.4 of the London Plan.
- The height of the building would be noticeably taller than existing buildings in the vicinity of the site, resulting in a development out of character with its context, thereby detracting from the character and appearance of the area contrary to policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document and policy 7.4 of the London Plan.
- The proposed affordable housing provision would not include any low cost rent tenure, contrary to policy 3.12 of the London Plan and the Mayor of London Affordable Housing and Viability Supplementary Planning Guidance 2017.

Following the above refusal the applicant has submitted a revised scheme (19/00797/FUL) that proposes the following:

“Erection of 4 storey building comprising ground floor community use (Class D1) and 34 upper floor flats (21 x 1 bed, 13 x 2 bed), creation of new vehicular access, basement level car park, and associated landscaping”.

This was recommended for approval at Committee and was subject to a S106 Agreement. Permission was granted on 25th November 2020.

Key issues:

1. Principle of Development

2. Dwelling Mix and Quality of Accommodation
3. Design and Quality of Materials
4. Impacts to Neighbouring Amenity
5. Sustainable Transport
6. Meeting the needs of local residents
7. Waste Management and Refuse Collection
8. Delivering Sustainable Development (Energy / CO2 Reduction / Air Quality)
9. Biodiversity and Sustainable Drainage
10. Archaeology

Planning Assessment:

1.0 Principle of the development:	
<i>Existing use(s) of the site</i>	Previously a health centre
<i>Proposed use(s) of the site</i>	Class C3 (residential 50 units) and Class F1 (non-residential institution)
<i>Net increase of units</i>	50 units

- 1.1 The National Planning Policy Framework (NPPF) speaks of the need for delivering a wide choice of quality homes which meet identified local needs, in accordance with the evidence base, and to create sustainable, inclusive, and mixed communities. Paragraph 17 specifically states that it is a core planning principle to efficiently reuse land which has previously been developed.
- 1.2 The London Plan Policies GG4, D2, D4, H1, H10 and H12 outlines that there is a pressing need for more homes in London and that a genuine choice of new homes should be supported which are of the highest quality and of varying sizes and tenures, in accordance with Local Development Frameworks. Residential development should enhance the quality of local places and take account of the physical context, character, density, tenure and mix of the neighbouring environment and as a minimum incorporate the space standards and more detailed requirements, as outlined in the Housing SPG.
- 1.3 The Core Strategy outlines through Policy CM1 that development should meet the needs of new and existing communities and deliver a sustainable balance between housing, jobs, and social infrastructure, with Policy CM2 further emphasising the specific housing growth targets of the Borough. Policies SPDG1 and SP3 of the emerging LP (at Reg 19 stage) outline similar objectives.
- 1.4 The proposed redevelopment of the site would re-provide community space and create a total of 50 new dwellings, resulting in a net gain of 50 dwellings. This would positively contribute to the Borough's housing stock, noting the demand for increased housing, and the principle of the development is therefore supported.
- 1.5 The NPPF states strategic and non-strategic policies should set out an overall strategy for the pattern, scale, and quality of development, and make sufficient provision for community facilities (such as health, education and cultural infrastructure. In promoting healthy and safe communities, Paragraphs 91 to 95 specifically discusses how planning policies and decisions should aim to achieve healthy, inclusive, and safe places.
- 1.6 London Plan policy 3.16 and Draft London Plan policy S1 discusses the need to protect and enhance social infrastructure. The policies consider that proposals which would result in a loss of social infrastructure without realistic proposals for re-provision should be resisted. The suitability of redundant social infrastructure premises for other forms of social infrastructure for which there is a defined need in the locality should be assessed before alternative developments are considered.
- 1.7 Core Strategy Policy CC2 seeks to maintain and improve community wellbeing and support will be given to proposals and activities that protect, retain, or enhance existing community facilities,

or lead to the provision of additional community facilities. Borough Wide Policy BC6 protects the loss of community facilities.

- 1.8 The previous use of the site was a health centre used by the local community. It is understood that a replacement health centre is now located to the east of the site.
- 1.9 The current proposal seeks to reprovide a community use on the ground floor which equates to 327 sqm. This is a reduction of 183 sqm from the 510sqm provision provided in both the approved 34 unit (19/00797/FUL) and refused 54 unit (18/00003/FUL) schemes. The provision of 510sqm of community space was seen as a benefit by officers more evidently as it was justification for the lack of family housing that these schemes proposed.
- 1.10 The revised proposal to provide 327sqm is considered to be acceptable as the accompanying residential offer equates to an uplift of 16 additional residential units and includes an uplift of 8 x 3bedroom family sized units which is considered a significant benefit.
- 1.11 The quality of the community space, whilst reduced in area still maintains high quality space. The main hall as noted on the plans is 252 sqm with the remaining floorspace allocated for ancillary facilities.
- 1.12 Therefore on balance the reduction of community floorspace in lieu of family accommodation is considered acceptable and the proposal is in accordance with London Plan Policy S1 and Core strategy and borough wide plan policies CC2 and BC6.

2.0 Dwelling Mix and Quality of accommodation:	
<i>Overall % of Affordable Housing:</i>	39% (hab room basis) 36% (unit basis)
<i>Acceptable Density</i>	Yes
<i>Appropriate Dwelling Mix?</i>	Yes

Density

- 2.1 The NPPF emphasises the importance of delivering a wide choice of high-quality homes and, as part of significantly boosting the supply of housing, advises that Local Planning Authorities should set their own approach to housing density to reflect local circumstances.
- 2.2 Policy D6 of the London Plan seeks to ensure that development proposals make the most efficient use of land and states that sites must be developed at the optimum density, with a design-led approach to optimising density.
- 2.3 Core Strategy and Borough Wide Policies CM2 and BP10 seek to ensure that housing densities are considerate to local context and accessibility, design, sustainability, and infrastructure requirements, whilst ensuring optimum use of all suitable sites in the Borough in light of the high levels of identified housing need. Additionally, and like draft London Plan policy, Policy SP2 of the emerging local plan (at Reg 19 stage) advocates a design-led approach to optimise density and site potential.

Housing Size Mix and Tenure

- 2.4 Policy H4 of the London Plan requires 50% of the strategic number of homes built over the plan period to be affordable. Policy H5 notes that the major applications must provide a minimum of 35% affordable housing. The application was subject to a viability assessment.
- 2.5 Policy H7 of the London Plan, also reflecting the targets previously set out in the SPG, further details the Mayor’s preferred affordable tenure split, which consists of a minimum of 30% low-cost rented homes (including Social Rent and London Affordable Rent), a minimum of 30% intermediate products (including London Living Rent and London Shared Ownership) and the remaining 40% to be determined by the Local Authority based on identified need, provided they are consistent with the definition of affordable housing. The policy also indicates that this preferred split, established on a habitable room basis, should not be applied so strictly where the overall affordable housing provision exceeds 75%.

- 2.6 Similar affordable housing requirements, as well as the preferred tenure split set out in draft London Plan policy, are echoed by emerging Local Plan (Reg 19 stage) Policy DM1.
- 2.7 The proposed development comprises 36% affordable housing on a unit basis and 39% on a habitable room basis. The housing size, mix and tenure shown below:

Unit Size	Market (units and %)	Shared Ownership	London Affordable Rent	Units	Affordable Units	Hab Rooms	Affordable Hab Rooms
1- bedroom unit	15- 46.8%	4-44.5%	3-33.3%	22 (44%)	7 (14%)	44	14
2- bedroom unit	12- 37.5%	4- 44.5%	4- 44.4%	20 (40%)	8 (16%)	60	24
3- bedroom unit	5- 15.6%	1-11%	2- 22.2%	8 (16%)	3 (6%)	24	12
Total units	32 (64%)	9 (18%)	9 (18%)	50 (100%)	18 (36%)	128 (100%)	50 (39%)

- 2.8 Policy H12 of the London Plan states that residential development should offer genuine housing choice with regard to the range of housing size and type.
- 2.9 Similarly, Policy CC1 of the Core Strategy seeks to secure the delivery of a mix and balance of housing types, including a significant increase in family housing. The policy requires major housing developments (10 units or more) to provide a minimum of 40% family accommodation (3-bedroom units or larger), whilst acknowledging that not all sites are suitable for family-sized accommodation. In terms of tenure and mix, emerging local policy DMH2 which is based on recent evidence dated March 2020 sets out the housing mix for both private and affordable housing tenures to meet a recognised need.
- 2.10 In the previous approved 34 unit application (19/00797/FUL) the scheme provided 5 intermediate units (London Living Rent tenure) (15% on a habitable room basis). The refused 54 unit scheme proposed 11 intermediate units (Shared Ownership) which equated to 20% affordable housing on a unit basis. Both scheme provided no family units.
- 2.11 The application originally offered 17 affordable housing units in shared ownership tenure only. Further to a viability assessment the offer has been increased to provide an additional affordable housing unit which would take the total affordable housing provision on a unit basis to 36% and 39% on habitable room basis. The affordable housing mix has also been widened to provide 9 London Affordable Rent units (Social) and 9 shared ownership units (intermediate). Officers consider that this mix in affordable housing is optimally balanced and not only seeks to meet the requirements of emerging policy DMH2 but also seeks to address one of the reasons of refusal of application 18/00003/FUL which was that the 54 unit scheme failed to provide any affordable rent provision.
- 2.12 The scheme also provides a total of 8 x 3 bed units of which 3 would be for the affordable tenures. This significant revision also seeks to address the housing need in the borough in accordance with emerging policy DMH2 in addressing an identified need for family housing.
- 2.13 It is therefore considered that this scheme improves not only the affordable housing quantum on previous schemes but also the housing mix for this site especially the introduction of 3 bed unit accommodation. The scheme therefore meets policy as noted above and the delivery of affordable housing in accordance with the proposed mix set out above will be secured by S106 Agreement.

Quality of Accommodation

- 2.14 At national level, the 'Technical Housing Standards – Nationally Described Space Standard' deals with internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the gross internal area of new dwellings at a defined level of occupancy, as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor-to-ceiling heights. London Plan Policy D4 seeks for new housing to achieve the space standards in line with those set at national level. The Core Strategy and Borough Wide Policy Document and emerging local plan (Reg 19 stage) also reiterate the need for housing developments to conform to these requirements.
- 2.15 Policy D4 of the London Plan also sets out the importance for homes across London to be designed to a high quality – 'New homes should have adequately-sized rooms and convenient and efficient room layouts which are functional, fit for purpose and meet the changing needs of Londoners over their lifetimes. Particular account should be taken of the needs of children, disabled and older people'.
- 2.16 Policy D5 of the London Plan also outline that 90% of new build homes should meet requirement M4(2) (accessible and adaptable dwellings) of Building Regulations Approved Document M and that 10% should meet requirement M4(3) (wheelchair user dwellings). This target is reflected at local level by Policy BC2 of the Borough Wide Policies and Policy SP2 of the emerging Local Plan (Reg 19 stage).
- 2.17 All proposed dwellings would meet the minimum required internal space standards as set out in the nationally described space standard and generally ensure that all future occupants benefit from good standards of daylight/sunlight provision. Five units (10%) have been designed to comply with M4(3) requirements. Permanent retention of these units located on different levels of the development will be secured by condition.
- 2.18 The proposed dwellings are also provided with the private amenity space required by the London Plan and Housing SPG in the form of balconies and meet London Plan policy D4.
- 2.19 With respect to on-site provision of playspace, the scheme falls short of adequate playspace. The previously approved 34 unit scheme included an off site contribution of £30K to provide adequate mitigation for the lack of on-site facilities. It was noted that it would be utilised to contribute to the improvement of playspace in the vicinity of the site which would also benefit the wider community. Two potential options were identified during the previous application; improvements to existing equipment at Newlands Park approximately 7 minutes' walk from the site; or the provision of new play equipment within the recreation ground to the rear of the Sue Bramley Centre, approximately 3 minutes' walk from the site.
- 2.20 The proposed development has a similar ground floor footprint to the previous 34 unit approval albeit with more massing to include the additional 16 units of which 8 units are now family accommodation. The proposed development has been assessed against the GLA Population Yield Calculator and generated a requirement for 238.3m² based on 23.8 children x 10sqm. The applicant has confirmed there is no option for providing this on site and therefore an off-site contribution is proposed. Noting the £30K contribution for application 19/00797/FUL towards local children's play facilities the applicant has proposed that on a pro-rata basis the level of contribution is increased to £44k to reflect the increased number of units. This offer has been accepted by officers and the contribution will focus on improving local children's play facilities at the Sue Bramley Centre or Newlands Park as noted above.
- 2.21 On balance that the shortfall in children playspace is adequately offset with the financial contribution of £44k and the exemplar high quality design proposed on site.

- 2.22 Officers therefore consider that the contribution would not only provide playspace for over 12-year olds living in the future development but will also benefit other local residents in the locality. Overall, the proposed playspace strategy for this scheme is considered satisfactory. A condition is also to be secured for the applicant to submit details of child playspace equipment for the on site provision and its permanent implementation thereafter.

3.0 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

- 3.1 The NPPF, London Plan Policies D1, D2, D3, D4 and D7 expect all development to be of high-quality design. This is echoed at local level through Policy BP11 of the Borough Wide policies and Policy SP4 of the emerging local plan (Reg 19 stage).
- 3.2 Specifically, Policy D1 of the London Plan requires development to have regard to the form, function and structure of the local context and scale, mass and orientation of surrounding buildings. It is also required that in areas of poor or ill-defined character, that new development should build on the positive elements that can contribute to establishing an enhanced character for future function of the area.
- 3.3 The previous scheme for 54 units (18/00003/FUL) was refused with one of the reasons being “The height of the building would be noticeably taller than existing buildings in the vicinity of the site, resulting in a development out of character with its context, thereby detracting from the character and appearance of the area”. The scheme comprised a 6 storey building.

Scale and Massing

- 3.4 The reduction in building height to part 4/part 5 storey is welcomed and achieves a more comfortable fit with the surrounding context than previous proposals. The measures taken to break up the appearance of mass by introducing stepped elements on the principal elevation are acknowledged. In order to ensure that an appropriate relationship with neighbouring buildings is achieved confirmation of the distance between the proposed development and the existing Thames View Health Centre should be provided.
- 3.5 To the east of the site the recent redevelopment of The Short Blue Pub (16/02007/FUL) comprises a part 3/4/5 storey corner building at the junction of Bastable Avenue and Endeavour Way. It is considered that the proposed development is sympathetic to the massing and scale of this development and both buildings complement each other along this part of Bastable Avenue. They both provide context for any future developments that may emerge in this part of the borough whilst providing much needed housing.

Layout

- 3.6 The proposed redevelopment of a vacant site to provide a new community centre and residential accommodation with an active frontage and enhanced public realm is welcomed. The reconfiguration of the ground floor plan increasing the size of the community space and reducing the number of car parking spaces from earlier iterations in response to previous comments made is supported. The revised layout provides a more flexible, functional and efficient use of space.

Appearance

- 3.7 The contextual analysis carried out to date in order to inform materiality and detailing is acknowledged. As previously advised the use of high quality brickwork with mixed tones and contrasting textures is strongly encouraged, the rationale for darker brick at lower levels and lighter brick for upper floors is accepted. Architectural detailing is key to breaking up the mass of the building, the use of brick patternation, stone coping and bands of detailing to provide depth and visual interest are welcomed. The introduction of full height glazing to the circulation cores

provides natural daylight and visual breaks, this helps to animate the west elevation fronting Samuel Ferguson Place.

- 3.8 Similarly, the introduction of a green wall is key to the southern elevation, without which the rear elevation would have an unappealing 'back of house' feel at ground level. Its delivery, long term ownership and maintenance requirements should be conditioned. The introduction of a lighter balustrade for the balconies is welcomed and reduces the 'heavy' appearance created by previous solid panel options. The quality of materials and detailing should be conditioned in order to ensure that the design intent is delivered. A condition to secure details of a communal television and satellite system will also be applied to protect the external visual appearance of the building. A condition to secure the details and maintenance of the green wall is also proposed to ensure a high quality visual appearance.

Internal Design

- 3.9 At ground floor level the distance between the front entrance doors and the lift/stairs in the communal cores is not ideal, however, the removal of additional sets of doors in response to previous comments made is noted. The arrangement of ancillary spaces serving the community hall would benefit from further consideration. Increasing the floor to ceiling height in order to visually differentiate between uses (community and residential) and to aid noise level mitigation is supported. Revisions made to the end units at first floor level to create more efficient internal room layouts are welcomed. The rationale for introducing 3 bedroom family units at third floor level in order to utilise the larger private roof terrace amenity spaces is on balance accepted.
- 3.10 Changes made to the north facing units at fourth floor level to provide additional 3 bedroom units in place of 2 bedroom units is not supported given that the reconfigurations result in some awkward internal spaces with the larger units served by only modest sized external amenity space.

Landscape

- 3.11 The aspirations for proposed improvements to the public realm outside the red line boundary (fronting Bastable Avenue) are welcomed, however, these need to be achievable with a suitable planning mechanism in place to ensure that the design intent can be delivered. Further details will be secured via a legal agreement to ensure these public realm/highworks are delivered.
- 3.12 A financial contribution towards improving existing nearby amenity/playspace (i.e. to the rear of Thames View Clinic and Sue Bramley Children's Centre) is favoured in combination with the proposed play-on-the-way elements integrated within the landscape strategy. This will be secured by legal agreement and details noted in section 2 of this report.
- 3.13 As previously advised the landscape strategy should seek to integrate high quality landscaping with natural sustainable urban drainage measures, the proposed wildflower planting and green walls will help contribute to local biodiversity. Details of the hard and soft landscaping and a tree planting strategy will be secured by condition.
- 3.14 In summary, officers support the revised design and it is considered that the proposed development addresses the shortfalls of the previously refused 54 unit scheme (18/00003/FUL) The design of the proposed development is well considered and acceptable.

4.0 Impacts to neighbouring amenity:

- 4.1 Paragraph 17 of the NPPF details within its core planning principles that new development should seek to enhance and improve the health and wellbeing of the places in which people live their lives. Paragraph 180 outlines that development proposals should mitigate and further reduce potential adverse impacts resulting from noise from new development and to avoid noise giving rise to significant adverse impacts on health and quality of life.
- 4.2 Policies D13 and D6 of the London Plan states that development should not cause unacceptable harm to neighbouring residential buildings in relation to loss of privacy and overlooking. Policy BP8 of the Borough Wide Policies and Policy DMD1 of the emerging Local Plan (Reg 19 stage) specifically relate to ensuring neighbourly development, specifying various potential impacts that

development proposals shall take into account and avoid or minimise. The policy also emphasises adequate access to daylight and sunlight.

Privacy, Outlook, Noise and Disturbance

- 4.3 The site is bounded by a community facility to the west, the Thames View Health centre to the east and the Thames View School to the south. To the north across Bastable Avenue are 3 storey flats which are approximately 25m away. Due to the nature of the uses and distance away from the neighbouring sites officers consider that there are no significant concerns with regards to privacy, outlook, noise or disturbance which would have a detrimental impact.
- 4.4 No neighbour representations were received with regards to raising such concerns. Notwithstanding this however, the application site is situated within an urban environment therefore, on balance, the proposed housing scheme, given the relative siting of neighbouring properties, it is considered that the development would maintain adequate separation to safeguard the outlook and privacy of their occupiers.
- 4.5 Officers are also satisfied that the activity and noise associated with the residential use and replacement Class F1 use of the proposed development would be consistent with existing and surrounding uses and would not result in detrimental impacts to surrounding occupiers.
- 4.6 The Council's Environmental Health department has no objection to the document and has recommended the following conditions which will reduce the impact and protect potential occupiers and the surrounding neighbouring amenity during and after construction:
- Submission of Contaminated Land assessments
 - Submission of a Construction Environmental Management plan and Site Waste Management Plan
 - Submission of a Scheme of Acoustic Protection
 - Submission of an Air Quality Assessment
 - Submission of Noise Insulation details of Party Construction
 - Submission of scheme of External Lighting
 - Submission of scheme to protect Noise from Non-Residential Uses and Plant and Structure Borne Noise Emissions
 - Details to be submitted if CHP or Biomass is proposed.
 - Details of Any Commercial Kitchen Extract Ventilation System
 - Emissions from Non-road mobile machinery (NRMM).
 - Hours of operation for the non-residential use
 - Hours of operations for servicing and deliveries

Health and Safety

- 4.7 Officers consider that the new development will improve the security to the area. Currently, the site is vacant and has been so for some time. The proposed development seeks to maximise the site and would result in outward and inward facing natural surveillance. The scheme would potentially reduce the risk of crime through the design at ground floor level specifically.
- 4.8 Notwithstanding this, a Crime Prevention Scheme is to be secured by condition for the proposed development which would secure a good standard of security to future occupants and visitors to the site and to reduce the risk of crime. A condition to secure an external lighting strategy is also proposed to improve security for occupiers and visitors.
- 4.9 In terms of fire safety the London Fire Brigade has requested that the scheme meets the requirements of Fire Safety Approved Document B. A condition will therefore be applied to secure the submission of a Fire Strategy for the scheme.

Daylight, Sunlight and Overshadowing

- 4.10 The Mayor's 'Housing' SPG states that an appropriate degree of flexibility needs to be applied when using Building Research Establishment (BRE) guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in accessible locations, and should consider local circumstances, the

need to optimise housing capacity, and the scope for the character and form of an area to change over time.

- 4.11 Officers note neighbour representations have been received with regards to the concern of loss of sunlight/daylight and overshadowing of adjacent properties in the locality. These concerns are addressed below.
- 4.12 The Daylight and Sunlight Assessment submitted with the application initially sought to assess the 54 unit scheme where the massing and scale of the building was greater. As such the findings of this daylight and sunlight report would present a worse case scenario to the building seeking permission as part of this application as it was overall been reduced in height and scale.
- 4.13 The results of our daylight, sunlight and overshadowing assessment for 119 and 135, 121 and 137, 123 and 139, 125 and 141, 127 and 143, 129 and 145, 131 and 149, 151 and 155 and 153 and 157 Bastable Avenue demonstrate full compliance with the BRE Guidelines following construction of the proposed development.
- 4.14 The results of the daylight quality within the proposed development demonstrate an excellent level of compliance with the BRE Guidelines (90% for the ADF and 99% for the NSL). To provide superior living spaces, spacious open plan living areas have been designed to accommodate modern living. As a consequence, there are some technical deviations from the guidelines. However, the results do not realistically reflect the future amenity and feel within the space, as the main living space would most likely meet the suggested daylight criteria. Furthermore, each apartment has been designed with access to a private amenity space for further daylight availability.
- 4.15 In terms of sunlight, all main living kitchen diners relevant for assessment will demonstrate full compliance with the BRE Guidelines following construction of the proposed development.
- 4.16 As suggested by the BRE Guidelines, natural lighting is only one factor in site layout design and care should be taken to apply the guidance flexibly, taking into consideration the context of the site and advantages of the scheme.
- 4.17 Overall, the proposed development meets the BRE Guidelines and is acceptable in daylight, sunlight and overshadowing terms. It is therefore considered on balance that the proposed development would have an overall acceptable impact on daylight and sunlight received by neighbouring and future occupiers and generally achieves a satisfactory level of compliance.

5.0 Sustainable Transport:			
<i>Net gain/loss in car parking spaces:</i>	Net gain of 20	<i>PTAL Rating</i>	2
<i>Proposed number of cycle parking spaces:</i>	84	<i>Closest Underground Station / Distance (miles)</i>	1.7miles walk
<i>Restricted Parking Zone:</i>	E (surrounding locality)	<i>Parking stress survey submitted?</i>	No

- 5.1 The NPPF recognises that sustainable transport has an important role to play in facilitating sustainable development but also contributing to wider health objectives. It is expected that new development will not give rise to conflicts between vehicular traffic and pedestrians.
- 5.2 London Plan Policies T1 and T6 seek to ensure that impacts on transport capacity and the transport network, at both a corridor and local level, are fully assessed. Furthermore, development should not adversely affect safety on the transport network.
- 5.3 This is also echoed by Policies BR9, BR10 and BR11 of the Borough Wide policies and Policy DMT1 of the emerging local plan (Reg 19 stage), which require proposals to have consideration to the local environment and accessibility of the site, on-street parking availability, access and amenity impacts and road network capacity constraints while supporting the Council's commitment to reduce the need to travel and encourage modal shift away from the private car towards healthy and sustainable transport initiatives and choices, notably walking and cycling.

- 5.4 The site is bounded on three sides by public highway roads Bastable Avenue and Samuel Ferguson Place. Bastable Avenue is subject to a 30mph speed limit, has a series of speed reducing 'speed cushions' for its entire length and is well lit. Parking is restricted by 'At Any Time' double yellow line restrictions over its entire length except where bus stops, formal designated bays and pedestrian crossing are in place. There is a Zebra crossing immediately outside the site frontage. It is also part of the East London Transit routes EL1 and EL2 providing 8-9 min frequency services to Barking.
- 5.5 Samuel Ferguson Place is a cul-de-sac and is primarily a service access to Thames View Junior school and the community hall car park. The parking restrictions consist of double yellow lines "At Any Time", 3 blue badge spaces, school keep clear and a single yellow line restriction covering school collection and pick up times.
- 5.6 The Public Transport Accessibility Level for the proposed site, which has been determined using the standard methodology issued by Transport for London (TfL), gives a PTAL level of 2, indicating a low level of accessibility to public transport. The site is surrounded by CPZ E to the north and there are also parking restrictions on the main thoroughfare of Bastable Avenue.
- 5.7 The proposed scheme proposes an access point from Samuel Ferguson Way. There is no widening of this thoroughfare as part of the proposal. A total of 20 car parking spaces are proposed of which 5 will be for designated for blue badge parking.
- 5.8 The applicant has not submitted a transport assessment for this site. The applicant has relied on the previous scheme comprising of the 54 unit proposal and that the proposed highway design relate to that similar scheme were acceptable in principle. The applicant has however submitted a Site Accessibility Statement which confirms that the viability splays of the access point from Samuel Ferguson Way and general car parking layout is acceptable. The limited approach by the applicant has therefore resulted in numerous conditions and legal obligations proposed as part of the permission so as to ensure highway safety and that the development does not detrimentally impact on the surrounding locality.

Car Parking

- 5.9 Council policy in terms of parking states that parking standards for new developments are to coincide with the London Plan with reduced vehicle dominance and car dependency which should encourage more trips to be made by foot, cycle, or public transport with the aim to increase active, efficient, and sustainable travel.
- 5.10 The no.20 residential parking spaces for the site is provided at a ratio of 0.4 spaces per unit (20 for 50 units), which is considered relatively low but does mean there is a focus on travel by sustainable modes, and therefore in support of the objectives of the local and London plan in promoting sustainable travel.
- 5.11 It should be noted on both the previous schemes 33 car spaces were proposed in a basement car park. This scheme would see a reduction on the previous car parking numbers to support the car lite/car free planning policies but whilst acknowledging the site's low PTAL rating of 2. On balance officers welcome the reduction in car parking but whilst acknowledging the need for some car use on this site. Officers note the introduction of family housing which would warrant justification for 40% of the car parking spaces alone.
- 5.12 The London Plan provides greater flexibility for implementing blue badge spaces at new residential developments, with 3% of residential units requiring at least one blue badge space from the outset, providing a further 7% could be implemented in the future should demand require it. The proposal is to provide 5 bays for Blue Badge holders only which is acceptable and these need to be designed in accordance with the design guidance in BS8300 vol. 1 and this should be secured by condition.

Car Park Design and Management Plan

- 5.13 There is no reference to how the onsite communal parking will be managed or allocated. A Car Park Design and Management Plan will need to be submitted in accordance with Transport for London guidance on car parking management and car parking design. These car parking facilities should be leased rather than sold to occupiers of the development so as to allow greater

flexibility for their intended users. This will be secured by condition and through the legal agreement.

Car Club Provision

- 5.14 Officers also seek as part of the mitigation measures to support the objectives of sustainable travel, prior to occupation the applicant provides free car club membership for a two calendar years on application to the nearest car club operating in the Borough and is to be provided to each future household so that they can have access to a car for infrequent journeys. This will be secured in the s106 legal agreement. The location of the car club space is to be agreed with officers before occupation.

Restriction of CPZ parking

- 5.15 With car-lite housing developments as proposed the potential impact on on-street car parking must be mitigated to minimise the impact of overspill parking, maintain street safety and avoid inconvenience to pedestrians and cyclists. Overspill on-street parking is a recognised concern and therefore, its essential the implementation and enforcement of parking controls and appropriate permit free agreements are required to allow existing residents to make efficient and safe use of their streets. A legal agreement to exclude residents/occupiers associated with the proposed development from applying for a CPZ permit for the nearest CPZ zone E (or equivalent CPZ should there be boundary changes) is required and will be secured within the S106. Officers also seek that in the legal agreement the CPZ restriction is detailed in tenancy leases or sales deeds whichever is the most relevant.

Cycle Parking

- 5.16 The scheme proposes 84 cycle spaces and will need to be provided with reference to the London Plan at the appropriate level fit for purpose and laid out in accordance with the guidance contained in the London Cycling Design Standards. There is no reference made in the information submitted and so this information will be secured by a condition.

Electric Vehicles

- 5.17 Electric vehicle charging points (EVCP) will need to be provided in accordance with the standards set out within the London Plan, with 20% active spaces shall thereafter be retained permanently and the remainder benefitting from passive provision to ensure that they can be converted to EVCP at a later stage if deemed necessary and this will be secured with a condition.

Deliveries and Servicing

- 5.18 It is considered for the purpose of refuse collections the development would need to have a collection on a weekly basis and on an ad-hoc basis for other deliveries. It is proposed that deliveries and servicing will take place via a kerbside arrangement managed and restricted from Bastable Avenue. It is understood this scheme will provide traditional storage and collection methods in line with policy and existing practices currently employed within the Borough. The applicant will need to formal refuse servicing arrangements with LBBDD before the layby becomes operational. A servicing and deliveries management plan will be secured by condition.
- 5.19 To accommodate servicing vehicles likely to be a 10m rigid truck at worst, but predominantly 7.5 tonne box vans will need to be provided within Bastable Avenue. The layby should exceed the proposed length and width shown so these vehicles can safely access and egress the loading/servicing bay. To prevent abuse of the layby, restrictions will be required to limit the amount of time a vehicle can set down here. It is considered that a 20-minute restriction is likely to be sufficient. Further details of the safe and fit for purpose delivery of this layby will be secured by legal agreement as part of the highway improvements as noted below.

Highway Improvements

- 5.20 There is a need for alterations and improvements to the existing highway infrastructure to enable the development to take place. Also, there are other identified mitigation measures officers consider to be appropriate to justify the application credentials and compatibility with the Healthy Streets Approach to create a healthy, inclusive environment to encourage their suggested modal switch to walking, cycling and use public transport. For example, not to inconvenience pedestrians and improve street safety along the pedestrian route to the school, an at grade

crossing in the form of a pedestrian table across the junction of Samuel Ferguson Place and Bastable Avenue will be secured. This will be secured by legal agreement and has been agreed with the applicant.

- 5.21 In terms of highway alterations and improvements the highway authority will require a highway agreement with the applicant. This will need to be secured with the applicant separately in a section 38/278 agreement (Highways Act 1980). In the interests of highway safety no works shall commence until the developer has submitted this information to the Local Planning Authority for approval in writing, in consultation with the Local Highway Authority, a scheme of highway works associated with the development. This will be secured by legal agreement.
- 5.22 Officers need to be clear to the applicant that due to the lack of detailed transport information, the Council will secure all off site highway works which will facilitate and deliver the indicative layout as shown on 20002-103-PL04 dated 09/09/20 as part of a legal obligation. This legal obligation must be agreed with the Council before the commencement of works as it is fundamental to minimising the potential impact on the surrounding highway.

Construction Logistic Plan

- 5.23 A Construction Logistic Plan and relevant information in terms of showing the layout for the operational use connected with the proposed build out of this development should be provided. This will be secured by condition in the interests of highway safety.

Travel Plan

- 5.24 The applicant has not submitted a travel plan or referenced how the scheme would promote sustainable transport. To realise this proposal as submitted it will require a robust set of mitigation measures to be secured to avoid any ambiguity about what is expected to promote sustainable transport and result in traffic calming around the school to provide a layout that is both safe and acceptable. Officers seek the submission and implementation of Travel Plans prior to occupation of both the residential and community uses and this will be secured by legal agreement. The Travel Plans will also be monitored in the 2nd year.
- 5.25 Officers are overall satisfied that the proposed development adopts a sustainable approach to transport, to promote walking and cycling, whilst minimising its impact on local road infrastructure and parking amenity, in accordance with relevant policy subject to the legal agreement and conditions.

6.0 Meeting the needs of local residents:

- 6.1 Officers have received two letters of support from local community groups; Thames View Tenants and Residents Association and the Thames View Muslim Association.
- 6.2 The Thames View Tenants and Residents Association support the scheme due to the proposed provision of affordable housing proposed and the overall redevelopment of the site. The Thames View Muslim Association supports the redevelopment of the site together whilst expressing an interest in the community space at ground floor level.
- 6.3 The site has been vacant for a number of years and it appears there is a local desire for the site to be redeveloped not only from a public amenity perspective but also to support the provision of affordable housing in the area. The proposal offers the greatest percentage and most diverse mix and tenure of affordable housing when compared to previous schemes.
- 6.4 The community space measures 327sqm and has been designed to maximise its use in terms of the efficient layout. Whilst the Thames View Muslim Association has expressed an interest in the community space it clarifies to officers there is a need for this use in this location. Further details in terms of the principle of the community use are detailed in section 1 of this report. A management plan for the community use will be secured by legal agreement to ensure that local amenity is protected.
- 6.5 There have been no other expressions of interest from any other interested parties or neighbours received on this application. Officers are therefore of the view that there is a local desire for the site to be developed together with the positive view that the affordable housing provision and provision of community floorspace is to meet a desired need.

Employment and Skills

- 6.6 The proposed development will also contribute to employment for residents within the borough. Officer will secure an Employment, Skills and Suppliers Plan ensuring that a minimum of 25% of labour and suppliers required for the construction of the development are drawn from within the Borough, to maximise opportunities for local residents and businesses. This will be secured by legal agreement.
- 6.7 It is therefore considered by officers that on balance that the proposal will be provide far reaching benefits beyond the description of development.
- 6.8 It is therefore considered that the proposal accords with London Plan Policies GG1, GG4, H4 and Emerging Local Plan Policies SPDG1 and Policy SP4 with regards to affordable housing and building inclusive communities.

7.0 Waste Management and Refuse Collection

- 7.1 Policies CR3 and BR15 of the Core Strategy and Borough Wide policy document outline the need for development in the Borough to minimise waste and work towards a more sustainable approach for waste management. These objectives are further emphasised in the emerging Local plan (Reg 19 stage) through Strategic Policy SP7 and Policy DMSI9. Policy SI7 of the London Plan seeks a wider goal for all development proposals in London.
- 7.2 In lieu of any submitted details, it is considered for the purpose of refuse collections the development would need to have a collection on a weekly basis and on an ad-hoc basis for other deliveries. It is proposed that deliveries and servicing will take place via a kerbside arrangement managed and restricted from Bastable Avenue. It is understood this scheme will provide traditional storage and collection methods in line with policy and existing practices currently employed within the Borough. The refuse servicing arrangements need to be discussed with LBBD. Conditions to secure the refuse and recycling areas and servicing/delivery plan will be placed on the permission.
- 7.3 On balance, officers consider that the site can be adequately serviced subject to the submission of further details and the carrying out of the faciiliatory highway works.

8.0 Delivering Sustainable Development (Energy / CO2 reduction / Water efficiency):

Renewable Energy Source / %

43.88%

Energy and CO2 Reduction

- 8.1 Chapter 5 (London's response to climate change) of the London Plan and Chapter 9 (Sustainable infrastructure) of the Draft London Plan require development to contribute to mitigation and adaptation to climate change. Specifically, Policy 5.2 of the London Plan and Policy SI2 of the Draft London Plan set out the energy hierarchy development should follow – '1. Be Lean; 2. Be Clean; 3. Be Green'. The policies require major residential development to be zero-carbon, with a specific requirement for at least 35% on-site reduction beyond Building Regulations. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on site, any shortfall should be provided through a cash in-lieu contribution to the borough's carbon offset fund and / or off-site, provided that an alternative proposal is identified and delivery is certain. These objectives and targets are also outlined in Policy DMSI of the emerging local plan (Reg 19 stage).
- 8.2 Policy 5.3 of the London Plan requires development proposals to demonstrate that sustainable design standards are integral to the proposal, including its construction and operation and ensure that they are considered at the beginning of the design process. Policy 5.6 states that development proposals should evaluate the feasibility of Combined Heat and Power (CHP) systems. Major development proposals should select energy systems in accordance with the following hierarchy – '1. Connection to existing heating or cooling networks; 2. Site wide CHP network; 3. Communal heating and cooling'. Policy 5.7 seeks an increase in the proportion of energy generated from renewable sources and states that major development proposals should provide a reduction in expected carbon dioxide emissions through the use of on-site renewable energy generation, where feasible.

- 8.3 Policy 5.9 states that major development proposals should reduce potential overheating and reliance on air conditioning systems and demonstrate this in accordance with the following cooling hierarchy – ‘1. Minimise internal heat generation through energy efficient design; 2. Reduce the amount of heat entering a building in summer through orientation, shading, albedo, fenestration, insulation and green roofs and walls; 3. Manage heat within the building through exposed internal thermal mass and high ceilings; 4. Passive ventilation; 5. Mechanical ventilation; 6. Active cooling systems (ensuring they are the lowest carbon options)’.
- 8.4 The Energy Statement confirms how the proposed development implements the sequential energy hierarchy set out in the London Plan and Draft London Plan: sustainable design principles and optimum design of the building fabric and form (‘Be Lean’) and provision of air source heat pumps (‘Be Green’). A condition is recommended to ensure the renewable energy infrastructure (CHP and PVs), delivering a minimum 43.88% reduction in CO2 emissions over Part L of the Building Regulations 2013 is implemented prior to first occupation of the dwellings. This will be secured by legal agreement and condition.
- 8.5 The applicant’s energy report does not measure the total percentage reduction in carbon emissions site-wide and whether the scheme exceeds the 35% on-site requirement set out in London Plan policy. As such there is no data on whether the scheme achieves zero-carbon on the residential element. Officers will therefore secure the submission of an energy report which assesses the overall reduction in carbon emissions site wide. If the report concludes that the scheme is not zero carbon then an offset through a cash in-lieu contribution to secure CO2 savings elsewhere will be secured. Any resulting carbon offset fund payment for the development will be secured as part of the S106 Agreement.

Air Quality

- 8.6 Policy 7.14 of the London Plan emphasises the importance of tackling air pollution and improving air quality and states that development proposals should minimise increased exposure to existing poor air quality and make provision to address local problems of air quality (particularly within Air Quality Management Areas). Similarly, Policy S11 of the Draft London Plan also states that all development should be air quality neutral as a minimum.
- 8.7 The applicant has not submitted an Air Quality Report. A condition has therefore been added for the applicant to submit an assessment prior to the commencement of works. If the proposed development is not expected to meet the Air Quality Neutral Standards, a marginal abatement cost of £29,000 per tonne of NOx over the established benchmark figure shall be paid to the Local Planning Authority. This payment shall be used for air quality improvement projects in the area and will be secured by the legal agreement.

9.0 Biodiversity & Sustainable drainage:

Biodiversity, Arboriculture and Landscaping

- 9.1 Policy G6 of the London Plan require new developments to make a positive contribution to the protection, enhancement, creation and management of biodiversity wherever possible. Policies CR2 and BR3 of the Core Strategy and Borough Wide policies echo the London Plan in its strategic approach to protect and enhance biodiversity and to provide a net gain in the quality and quantity of the Borough’s natural environment. This approach is also set out in Policy SP6 of the emerging local plan (Reg 19 stage).
- 9.2 The applicant has only submitted a The Ecological Scoping Assessment and this document has found that the Site contains suitable habitats for nesting birds. Recommendations have been made to undertake clearance outside of the nesting bird season and subject to a bird nesting survey being approved prior to commencement of any works. A condition will secure this.
- 9.3 Notwithstanding the above, and in absence of a full ecology assessment a condition will also be applied which is similar to that of the 34 unit scheme for the provision of at least 2 bat boxes and 2 bird boxes. Planning policies seek to promote net biodiversity gain and hence the provision of bat boxes would support this objective whilst the provision of bird boxes will aid future populations of birds to nest at this already recognised location for nesting birds.

- 9.4 Officers also consider that a Landscape and Ecological Management Plan (LEMP) for the site would also be appropriate and will be secured through a planning condition to preserve and enhance the biodiversity on site.
- 9.5 In terms of trees, the proposed development would result in the removal of 14 assessed trees and 3 groups. They are detailed as follows:

Tree	Type	Category
T1	Swedish whitebeam	B
T2	Silver birch	C
T3	Birch Cherry	C
T4	Field Maple	B
T5	Field Maple	C
T6	Field Maple	C
T7	Hawthorn	C
T8	Cherry Plum	C
T9, T10	Lombardy	B
T10	Oriental Plan	C
T11, T12, T13	Sweet Chestnut	C
G1, G2	Hazel	C
G3	Hawthorn	C

- 9.6 The report assesses the 4 trees located north of the site on highway land. This application does not give permission for the removal of these trees which fall outside of the red line boundary.
- 9.7 The onsite tree removals are compensated for by replacement tree and shrub planting as indicatively shown on Proposed Ground Floor Plan 20002-103-PL04 dated 09/09/20. The scheme proposes 8 new trees on site (and 7 off site on the adjacent highway land to the north subject to Council removal). A total of 15 trees are potentially proposed to compensate for the overall loss.
- 9.8 Officers consider that a scheme of soft landscaping is submitted, including a tree planting strategy which addresses the potential loss of visual public amenity where tree removal is unavoidable. The tree selection should be appropriate to the site and chosen from a species palette to be approved by the Council as part of a condition. The tree planting strategy will also include details of aftercare and maintenance, including irrigation, as well as protection and formative pruning during establishment.
- 9.9 The redevelopment of the site which will result in the improvement to the street scene and overall public realm of the area is supported. Officers consider that the level of ecology on the site will be improved in terms of amount and variety and result in a net gain.
- 9.10 Overall, it is considered that the proposed development will positively contribute to the increase of biodiversity, arboricultural and environmental value of the site and complies with relevant policy.

Sustainable Drainage

- 9.11 Policy SI13 of the London Plan states that development should utilise sustainable urban drainage systems (SuDS) unless there are practical reasons for not doing so and should aim to achieve

greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible in line with the drainage hierarchy set out within this policy. The policy aspirations are also reiterated at local level by Policies CR4 and BR4 of the Core Strategy and Borough Wide Policies and Policy DMSI6 of the emerging Local plan (Reg 19 stage).

- 9.12 The application site is located within Flood Zone 3 and the development is for new residential accommodation, which is classed as being More Vulnerable. The applicant has submitted a Flood risk assessment which recommends appropriate SuDS measures should be incorporated in the development to minimise surface water discharges.
- 9.13 In the applicant's submitted drainage report it is proposed to connect foul drainage from the new development to the public foul sewer within Bastable Avenue, subject to the approval of Thames Water.
- 9.14 Based on the information available, it is proposed to provide an attenuation-based surface water drainage system, utilising an element of permeable paving for some of the proposed hard standing areas and a small element of green roofing.
- 9.15 The main design principals and proposals as set out in this document have been accepted by officers. Officers however would like to approve the detailed drainage design prior to commencement of construction work on site and this will be secured by condition. Also, an additional condition to secure that the surface water drainage works shall be carried out and the sustainable urban drainage system shall thereafter be managed and maintained in accordance with the agreed management and maintenance plan shall be added.
- 9.16 Officers are also seeking that the following objectives are secured to reduce and mitigate against flood related issues, as recommended in the applicant's Flood risk report, and are to be secured by condition:
- SuDs tree pits details
 - Details of the green roof/wall system
 - Submission of Emergency flood plan
- 9.17 Thames Water has also responded to the proposal and have no objection to the proposal subject to a condition relating to the submission of a method statement if piling is proposed and a condition relating to details of petrol and oil interceptors to be submitted. This is to protect the underground pipework and to minimise any pollutants into the water network.
- 9.18 Officers therefore consider that the proposed development can be successfully accommodated on the site without impacting on existing residential amenity.

10.0 Archaeology

- 10.1 NPPF Section 16 and the Draft London Plan (2017 Policy HC1) recognise the positive contribution of heritage assets of all kinds and make the conservation of archaeological interest a material planning consideration. NPPF paragraph 189 says applicants should provide an archaeological assessment if their development could affect a heritage asset of archaeological interest. NPPF paragraphs 185 and 192 and London Plan Policy HC1 emphasise the positive contributions heritage assets can make to sustainable communities and places. Where appropriate, applicants should therefore also expect to identify enhancement opportunities. Paragraph 199 of the NPPF says that applicants should record the significance of any heritage assets that the development harms. Applicants should also improve knowledge of assets and make this public.
- 10.2 The London Plan policy HC1 recognise that heritage assets including archaeological remains and memorials should be identified, so that the desirability of sustaining and enhancing their significance and of utilising their positive role in place shaping can be taken into account.
- 10.3 Adopted Local Plan policies CP2 and BP3 and emerging local plan policy DMD 4 seek to conserve or enhance archaeological remains and their settings will be secured by requiring an appropriate assessment and evaluation to be submitted as part of the planning application for any developments in areas of known or potential archaeological interest.

- 10.4 The planning application lies in a Tier 3 Archaeological Priority Area. The former Thameside Health Centre was built in 1950×69 during a major period of post-war urban expansion; it was demolished in 2008×9 and the site is vacant. The site is located within an extensive area of reclaimed saltmarsh that formerly belonged to the Abbey at Barking (est. AD666) and which was embanked and drained during the medieval period. The historic maps suggest the site is located just to the west of a major watercourse within that drained landscape. The modern history of the site would strongly indicate the buried archaeological potential is low or negligible. However, at a depth of 1.5-2m below current ground levels peat deposits of Neolithic and Bronze Age date are likely to survive; the proximity of the former watercourse could also indicate the present of buried palaeochannels in this area. Therefore, the palaeoenvironmental potential of the site is high.
- 10.5 The site has archaeological potential and therefore the imposition of a condition (matching that of the archaeology condition imposed on the 34 unit approved scheme) to secure an archaeological written scheme of investigation will be secured.

Conclusions:

The redevelopment of the site for new and improved community space within Class F1 and residential use is acceptable in principle and would contribute to the Borough’s housing stock through the provision of 50 good quality units compliant with relevant standards. The proposal would comprise 39% affordable units on a habitable room basis which is considered to meet an identified need in the Borough.

The scale, siting and design of the development is considered appropriate to the site’s context and will result in a high-quality finish, whilst respecting the amenity of neighbouring occupiers. The proposed landscaping strategy will positively contribute to the appearance and public realm of the area and enhance the arboricultural, biodiversity and environmental value of the site.

The development adopts a sustainable approach to transport whilst ensuring an acceptable impact on local highways and infrastructure. The proposal is also considered acceptable in terms of sustainability and air quality, with a financial contribution secured to mitigate any shortfall in carbon reduction.

It is therefore recommended that planning permission be granted subject to the conditions and Heads of Terms of the unilateral undertaking, as listed in Appendix 5 and Appendix 6.

Appendix 1:

<p>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:</p>	
<p><i>National Planning Policy Framework (NPPF) (MHCLG, Feb 2019)</i></p>	
<p><i>The Mayor of London's Draft London Plan - Intend to Publish version December 2019 is under Examination. Having regard to NPPF paragraph 48 the emerging document is a material consideration and appropriate weight will be given to its policies and suggested changes in decision-making, unless other material considerations indicate that it would not be reasonable to do so.</i></p>	
<p><i>The London Plan – March 2021</i></p>	<p>Policy GG1 - Building strong and inclusive communities Policy GG2 - Making the best use of land Policy GG3 - Creating a healthy city Policy GG4 - Delivering the homes Londoners need Policy D1 - London's form, character and capacity for growth Policy D2 – Infrastructure requirements for sustainable densities Policy D3 – Optimising site capacity through the design-led approach Policy D4 – Delivering good design Policy D5 – Inclusive design Policy D6 – Housing Quality Standards Policy D7 – Accessible Housing Policy D8 – Public Realm Policy D11 – Safety, security and resilience to emergency Policy D12 – Fire Safety Policy D14 - Noise Policy H1 - Increasing housing supply Policy H2 - Small sites Policy H4 – Delivering affordable housing Policy H5 – Threshold approach to applications Policy H6 – Affordable housing tenure Policy H7 – Monitoring of affordable housing Policy H10 – Redevelopment of existing housing and estate regeneration Policy H12 - Housing size mix Policy S1 -Developing London's social infrastructure Policy S3 – Education and childcare facilities Policy G1 - Green infrastructure Policy G5 - Urban greening Policy G6 - Biodiversity and access to nature Policy SI7 - Reducing waste and supporting the circular economy Policy SI8 - Waste capacity and net waste self-sufficiency Policy T1 - Strategic approach to transport Policy T2 - Healthy Streets Policy T3 - Transport capacity, connectivity and safeguarding Policy T4 - Assessing and mitigating transport impacts Policy T5 - Cycling Policy T6 - Car parking</p>
<p><i>Local Development Framework (LDF) Core Strategy (July 2010)</i></p>	<p>Policy CM1 - General Principles for Development Policy CR2 - Preserving and Enhancing the Natural Environment</p>

	<p>Policy CR3 - Sustainable Waste Management Policy CP3 - High Quality Built Environment Policy CC2: Social Infrastructure to Meet Community Needs</p>
<p><i>Local Development Framework (LDF) Borough Wide Development Plan Document (DPD) (March 2011)</i></p>	<p>Policy BR1 - Environmental Building Standards Policy BR3 - Greening the Urban Environment Policy BR4 - Water Resource Management Policy BR9 - Parking Policy BR10 - Sustainable Transport Policy BR11 - Walking and Cycling Policy BR15 - Sustainable Waste Management Policy BP8 - Protecting Residential Amenity Policy BP11 - Urban Design Policy BC6- Loss of Community Facilities</p>
<p><i>The London Borough of Barking and Dagenham's Draft Local Plan: (Regulation 19 Consultation Version, October 2020) is at a "mid" stage of preparation. Having regard to NPPF paragraph 216 the emerging document is now a material consideration and considerable weight will be given to the emerging document in decision-making, unless other material considerations indicate that it would not be reasonable to do so.</i></p>	
<p><i>The London Borough of Barking and Dagenham's Draft Local Plan: (Regulation 19 Consultation Version, October 2020).</i></p>	<p>Policy SPDG1 - Delivering Growth Policy SP4 - Delivering Homes that Meet People's Needs Policy SP2 - Delivering High Quality Design in the Borough Policy SP6 – Green and Blue Infrastructure Policy SP7 - Securing a Sustainable and Clean Borough Policy SP4- Delivering social infrastructure in the right locations Policy DMH1 - Affordable Housing Policy DM2 - Housing Size and Mix Policy DMD1 - Responding to Place Policy DMNE1 - Protecting and Improving Parks and Open Spaces Policy DMNE2 Urban greening Policy DMNE3- Nature Conservation and Biodiversity Policy DMNE5 - Trees Policy DMSI 2 - Energy, Heat and Carbon Emissions Policy DMSI4 - Improving Air Quality Policy DMSI6 - Managing Flood Risk, including Surface Water Management Policy DMSI9 - Managing our Waste Policy DMT1 - Making Better Connected Neighbourhoods Policy SP4: Planning for social infrastructure Policy DMS1- Protecting or enhancing facilities</p>
<p><i>Supplementary Planning Documents</i></p>	<p>DCLG Technical Housing Standards (nationally described space standard) (DCLG, March 2015) (as amended) London Borough of Barking and Dagenham Archaeological Priority Area Appraisal dated July 2016 by Historic England.</p>

Additional Reference:

Human Rights Act

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.

Equalities

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).

For the purposes of this application there are no adverse equalities issues.

Appendix 2:

Relevant Planning History:			
<i>Application Number:</i>	18/00003/FUL	<i>Status:</i>	Refused
<i>Description:</i>	Erection of a six-storey building comprising community uses at ground floor level (Class D1 community use) plus 54 residential flats (3 x studio, 32 x 1-bed and 19 x 2-bed) and associated access, basement level parking and landscaping.		
<i>Application Number</i>	19/00797/FUL	<i>Status:</i>	Approved
<i>Description:</i>	Erection of 4 storey building comprising ground floor community use (Class F1) and 34 upper floor flats (21 x 1 bed, 13 x 2 bed), creation of new vehicular access, basement level car park, and associated landscaping.		

Appendix 3:

The following consultations have been undertaken:

Summary of Consultation responses:		
Consultee and date received	Summary of Comments	Officer Comments
Met Police Dated 29 th October 2020	<p>No objection advisory comments with regards to the following:</p> <ul style="list-style-type: none"> • Vehicle Parking • Active Street scenes • Public Realm • External lighting and CCTV • Commercial ground floor units • Bin and cycle storage • CCTV standards and preferred locations. • Residential Communal ground floor entrances. • Residential windows and doors specification 	Condition will secure the submission of proposed crime prevention measures, and the delivery of a safe and secure scheme
Urban Design	<ul style="list-style-type: none"> • Conditions relating to submission of materials and hard and soft landscaping plan. 	The relevant conditions have been added.
Drainage Dated 04/12/20	<p>No objection subject to conditions relating to:</p> <ul style="list-style-type: none"> • Detailed drainage scheme • Implementation and maintenance plan of drainage scheme • Details of the green roof/wall system, SUD tree pit • Submission of Emergency flood plan 	The relevant conditions have been added
Thames Water Dated 29 th October 2020	<p>No objection subject to conditions relating to:</p> <ul style="list-style-type: none"> • Piling method statement • Petrol and oil interceptors 	The relevant conditions have been added.
LBBD Environmental Health Dated 12/11/2020	<p>No objection subject to conditions relating to:</p> <ul style="list-style-type: none"> • Contaminated Land • Construction Management • Scheme of Acoustic Protection • Air Quality Assessment • Noise Insulation of Party Construction • External Lighting • Noise from Non-Residential Uses and Plant and Structure Borne Noise Emissions • CHP or Biomass 	The relevant conditions have been added.

	<ul style="list-style-type: none"> • Details of Any Commercial Kitchen Extract Ventilation System • Emissions from Non-road mobile machinery (NRMM). • Hours of operation for the non-residential use 	
<p>BeFirst Highways Dated 30th November 2020</p>	<p>No objection subject to the following conditions:</p> <ul style="list-style-type: none"> • Restrictions to CPZ parking • Submission of a detailed parking design and a management plan reflecting the highways marking and restrictions • Prior to above ground works of the development the developer shall submit to the council a detailed highway design and enter into a s278 agreement to undertake highway improvements and off site highway works seeking to ensure a detailed design • Submission and implementation of a Travel Plan prior to occupation and secured by condition. • recommend that the applicant provides free car club membership for two calendar years on application to the nearest car club operating in the Borough and is to be provided to each future resident/household so that they can have access to a car for infrequent journeys. This should be secured in the Unilateral Undertaking / legal agreement. • EVCP provision will be in accordance with the Draft New London Plan this equates to twenty percent of the onsite parking provision will be active Electric Vehicle Charging Parking bays and the applicant has agreed the remaining 80% will be equipped as passive bays and this should be secured by condition. • Submission and implementation of a Construction Logistics Plan and Delivery and Servicing Plan prior to commencement of any works and to be in accordance with Transport for London 	<p>The relevant conditions and legal obligations have been applied.</p>

	<p>guidance and this should be secured by condition.</p> <ul style="list-style-type: none"> • that the applicant makes the necessary provisions for cycle parking provision in accordance with the London Plan to be secured by condition. • Blue badge provision • Car parking spaces are not sold but leased. 	
<p>London Fire Brigade Dated 3/11/20</p>	<p>No objection provided the applicant meets Fire Safety Approved Document B</p>	<p>A condition will be added to secure the submission of Fire Strategy for the building.</p>
<p>Access Dated 2/11/20</p>	<p>No objection but advisory general comments on the residential unit layouts and commercial space. A majority will be addressed through building regulations and through other conditions such as fire strategy.</p>	<p>The applicant has been made aware of the comments and are aware of the relevant regulations.</p>

Appendix 4:

Neighbour Notification:	
Date of Press Advertisement:	28 th October 2020
Number of neighbouring properties consulted:	177 on 28 th October 2020
Number of responses:	3
Address:	Summary of response:
<i>Thames View Tenants and Residents Association, 3 Ray Gardens, Barking IG110PW</i>	<i>Support the redevelopment of the site and provision of affordable housing on the site</i>
<i>Thames View Muslim Association</i>	<i>Support the redevelopment of the site. Expressed interest in occupying the ground floor community space.</i>
<i>27 Farr Avenue, Barking IG11 0NY</i>	<i>Confirmation of the location of the former Thames View Clinic site. Officers have sent the neighbour a copy of the site location plan.</i>

Appendix 5:

Conditions

Conditions:

Mandatory Conditions

1. Statutory Time Limit - Planning Permission

The development hereby permitted shall 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. Development in Accordance with Approved Plans

The development hereby approved shall only be carried out in accordance with the approved plans listed below:

- Location Plan 17/5520/LP rev A dated Oct 2017
- Proposed ground floor 20002-103-PL04 dated 09/09/20
- Proposed first floor 20002-204-PL02 dated 23/03/21
- Proposed Second floor 18008 205 PL02 dated 23/03/21
- Proposed third floor 20002-206-PL02 dated 23/03/21
- Proposed fourth floor 20002-207-PL02 dated 23/03/21
- Proposed front elevation 20002-110-PL01 dated 09/09/20
- Proposed rear elevation 20002-111-PL02 dated 09/09/20
- Proposed west and east side elevations 20002-112-PL01 dated 09/09/20
- Proposed roof plan 18008-108-PL01 dated 09/09/20
- Schedule of Accommodation RE5 dated 230321
- Topographical Survey Plan Drawing ref: 3611 dated 18/11/2017
- Site accessibility statement by Traffic and Highway Emergency Ltd dated 09/10/20
- Flood risk assessment by WtFR Ltd dated 28th October 2020
- Planning statement by P&D Associates dated 8th October 2020
- Planning statement addendum by P&D Associates dated January 2021
- Ecology Scoping Survey by Prime Environment ref 0244001 Rev 0 dated Nov 2016
- Daylight, sunlight and overshadowing report dated 29th January 2019 by The Chancery Group
- Arboricultural Impact Assessment by Expert Arboriculture ref 379 dated 08/12/2017
- Drainage Report by Turner Jomas and Associates dated Oct 2018
- Drainage and water enquiry assessment by Thames Water dated 31/01/2017
- Due Diligence Report by Argyll Environmental dated 22/12/16
- Design and Access Statement by Open London dated June 2020
- Archaeology Desk Top assessment by Southwest Archaeology ref 171114 dated 14/11/2017
- Energy and Sustainability Assessment by ERS Consultants dated 06/04/21

No other drawings or documents apply.

Reason: To ensure that the development is undertaken in accordance with the approved drawing(s) and document(s) to ensure that the finished appearance of the development will enhance the character and visual amenities of the area and to satisfactorily protect the residential amenities of nearby occupiers.

Prior to Commencement Conditions

3. Site Contamination

No development (with the exception of demolition works above ground level only) shall commence until:

(a) an investigation and risk assessment, in addition to any assessment provided with the planning application, has been 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, and
- (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', and

(b) 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, has been prepared and submitted to the Local Planning Authority for approval in writing. 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.

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

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority. The report shall include results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met.

(d) 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 (a), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of (b), 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: Contamination must be identified prior to commencement of development to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors.

4. Construction Management

No development shall commence until a Construction Environmental Management Plan (CEMP) and a Site Waste Management Plan (SWMP) have been submitted to and approved in writing by the Local Planning Authority. These Plans shall incorporate details of:

- a) construction traffic management,
- b) the parking of vehicles of site operatives and visitors,
- c) loading and unloading of plant and materials,
- d) storage of plant and materials used in constructing the development,
- e) the erection and maintenance of security hoarding(s) including decorative displays and facilities for public viewing, where appropriate,
- f) wheel washing facilities,
- g) measures to control the emission of dust, dirt and emissions to air during construction; such measures to accord with the guidance provided in the document "The Control of Dust and Emissions during Construction and Demolition", Mayor of London, July 2014; including but not confined to, non-road mobile machinery (NRMM) requirements,
- h) noise and vibration control,
- i) a scheme for recycling/disposing of waste resulting from demolition and construction works,
- j) the use of efficient construction materials,
- k) methods to minimise waste, to encourage re-use, recovery and recycling, and sourcing of materials, and
- l) 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.

Once approved the Plans shall be adhered to throughout the construction period for the development.

Demolition and construction work and associated activities, other than internal works not audible 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.

Reason: In order to reduce the environmental impact of the construction and the impact on the amenities of neighbouring residents.

5. Air Quality and Air Quality Neutral Assessment

a) Before development commences, an air quality assessment report, written in accordance with the relevant current guidance, for the existing site and proposed development shall be submitted to and approved by the Local Planning Authority. The development shall be at least "Air Quality Neutral" and an air quality neutral assessment for the building and transport shall be included in the report. The assessment shall have regard to the most recent air quality predictions and monitoring results from the Authority's Review and Assessment process and London Atmospheric Emissions Inventory. The report shall include all calculations and baseline data and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

b) A scheme for air pollution mitigation measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to development. This shall include mitigation for when air quality neutral transport and building assessments do not meet the benchmarks.

c) The approved mitigation scheme shall be implemented in its entirety in accordance with details approved under this condition before any of the development is first occupied or the use commences and retained as such hereafter.

Reason: To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity.

6. Drainage Strategy

No development shall commence until a detailed drainage scheme (to include the disposal of surface water by means of sustainable methods of urban drainage systems) has been submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with such approved details.

Reason: To prevent an increased risk of flooding and to prevent pollution of the water environment.

7. Emergency Flooding Plan

No development shall commence until an emergency flooding plan has been submitted to, and approved in writing by, the LPA. The scheme shall as a minimum include:

a) Details of advanced flood warning measures,

b) Advanced site preparation measures to be undertaken in the event of a flood warning,

c) Site evacuation measures,

d) Measures to monitor the surface water drainage system and drainage ditch system in the wider area,

e) Dedicated named flood wardens who will be on site during all operational hours of the development, responsible for flood safety measures in accordance with emergency flood management plan.

The approved emergency flooding plan shall be relayed to all site workers and shall be implemented for the life of the development.

Reason: For health and safety purposes

8. SUD's Tree Pits

Prior to the commencement of development details of sustainable urban drainage tree pits shall be submitted and approved by the Local Planning Authority. Once approved the details shall be implemented in accordance with the approved details.

Reason: To prevent an increased risk of flooding.

9. Green walls and Green Roof Systems

Prior to the commencement of development details and a maintenance plan of the green wall and green roof systems shall be submitted and approved by the Local Planning Authority. Once approved the maintenance plan shall be implemented.

Reason: To promote biodiversity on the site and to prevent an increased risk of flooding.

10. A Landscape and Ecological Management Plan (LEMP)

A Landscape and Ecological Management Plan (LEMP) shall be submitted to and be approved in writing by the local planning authority prior to the commencement of the development. The approved plan will be implemented in accordance with the approved details. The content of the LEMP shall include the following:

Standard LEMP information, including:

- I. Description and evaluation of features to be managed.
- II. Ecological trends and constraints on site that might influence management.
- III. Aims and objectives of management.
- IV. Appropriate management options for achieving aims and objectives.
- V. Prescriptions for management actions.
- VI. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- VII. Details of the body or organization responsible for implementation of the plan.
- VIII. Ongoing monitoring and remedial measures.
- IX. The funding mechanism by which the long-term implementation of the plan will be secured.

Reason: To preserve and enhance the Borough's natural environment.

11. Construction Logistics Plan and Delivery and Servicing Plan

Prior to commencement of any works and to be in accordance with Transport for London guidance the submission of a Construction Logistics Plan and Delivery and Servicing Plan shall be submitted and approved in writing by the Local Planning Authority. Upon approval the Construction Logistics Plan and Delivery and Servicing Plan shall be implemented before commencement of works.

Reason: In the interests of highway safety.

12. Archaeology

a) No demolition or development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of

Investigation (WSI) which has been submitted by the applicant and approved in writing by the Local Planning Authority.

b) No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under Part a).

c) If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved in writing by the Local Planning Authority. For land that is included within the stage 2 WSI, no development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

- i. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works, and
- ii. The programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

d) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part a), and if relevant under Part c), and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: Archaeology must be identified prior to the commencement of development to ensure that archaeological investigation is initiated at an appropriate point in the development process and that any areas of archaeological preservation are identified and appropriately recorded/preserved, and the results published in accordance with Policies BP2 and BP3 of the Borough Wide Development Policies Development Plan Document.

13. Nesting Birds Survey

No vegetation or site clearance shall take place between 1 March and 30 September without a nesting bird survey being carried out by a suitably qualified ecologist no more than 2 days prior to commencement of the development.

If nesting birds are found, a strategy should be agreed with the Local Planning Authority to ensure the nesting birds are not disturbed by works taking place on the site.

Reason: The survey is required prior to commencement of the development to protect the ecology of the area as nesting birds may be present on the site.

14. Acoustic Protection

Prior to commencement of residential units, full details of a scheme of acoustic protection of habitable rooms against noise shall be submitted to and approved in writing by the Local Planning Authority. The scheme of acoustic protection shall be sufficient to secure internal noise levels no greater than:

- a. 35 dB LAeq in living rooms and bedrooms (07:00 hours to 23:00 hours) with windows closed, and

b. 30 dB LAeq in bedrooms (23:00 hours to 07:00 hours) with windows closed.

The approved scheme shall be fully implemented before the first occupation of the residential unit to which it relates and shall be maintained at all times thereafter.

Reason: To ensure that the proposed residential units are adequately protected from noise

Prior to Above Ground Works Conditions

15. Noise Insulation of Party Construction

No above ground new development shall commence until a scheme of noise insulation of party construction between the residential units and the non-residential uses has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the first occupation of the non-residential / residential unit(s) to which it relates.

Reason: To ensure that the proposed residential units are adequately protected from noise. Plan.

16. Materials and Balcony Details

No above ground new development shall take place until details of balconies and 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 and balcony details. Minor amendments may be agreed in writing from time to time by the Local Planning Authority.

Reason: To protect or enhance the character and amenity of the area.

17. Fire Safety Scheme

No above ground new development shall commence until a Fire Statement has been submitted to and approved in writing by the Local Planning Authority. The Fire Statement shall be produced by an independent third party suitably qualified assessor which shall detail the building's construction, methods, products and materials used; the means of escape for all building users including those who are disabled or require level access together with the associated management plan; access for fire service personnel and equipment; ongoing maintenance and monitoring and how provision will be made within the site to enable fire appliances to gain access to the building. The Fire Safety Scheme shall be implemented in accordance with the approved detailed prior to first occupation of the development and permanently maintained thereafter.

Reason: In order to provide a safe and secure development.

18. Electric Vehicle Charging Points Details

No above ground new development shall take place until details of Electric Vehicle Charging Points have been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate how active electric charging points will be provided for 20% of the car parking spaces, with passive provision for the remaining 80% of the spaces. 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.

19. Trees

No above ground new development shall commence until a Tree Planting Strategy is submitted to and approved in writing by the Local Planning Authority.

Reason: To secure the provision of landscaping in the interests of the visual amenity of the area, to preserve and enhance the Borough's natural environment and to ensure a high-quality built environment.

20. Hard/Soft Landscaping Details

No above ground new development shall commence until detailed soft and hard landscaping strategies are submitted and approved in writing by the Local Planning Authority.

Any plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To secure the provision and retention of landscaping in the interests of the visual amenity of the area, to preserve and enhance the Borough's natural environment and to ensure a high-quality built environment.

21. Carbon Emissions

Prior to the commencement of development an energy statement to confirm the percentage reduction in site wide CO2 emissions shall be submitted and approved in writing.

Reason: To ensure measures are implemented to reduce carbon emissions.

Prior to First Occupation / Use Conditions

22. Children's Playspace Implementation

Prior to the first occupation of the development, details of child play associated equipment shall be submitted to and approved in writing by the Local Planning Authority. The children's play space and approved associated equipment shall be permanently retained thereafter.

Reason: To ensure suitable provision for children's play.

23. Car Parking Design and Management Plan and Implementation

Prior to the first occupation of the development a Car parking Design and Management plan shall be submitted and approved in writing by the Local Planning Authority.

Once the car parking design and management plan is approved the car parking areas shall be constructed and marked out prior to the first 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. The parking spaces should be clearly delineated with raised kerbs to avoid encroachment on surrounding footpaths and damage to trees.

The five proposed blue badge car parking spaces shall be constructed and marked out prior to the first occupation of the development as accessible parking bays (to be clearly marked with a British Standard disabled symbol).

Reason: To ensure that sufficient off-street parking areas are provided and not to prejudice the free flow of traffic or conditions of general safety along the adjoining highway, to ensure and promote easier access for disabled persons.

24. Cycle Parking Implementation

Prior to the first occupation of the development the applicant makes the necessary provisions for the 84 cycle spaces as shown on drawing 20002-103-PL04 dated 09/09/20 is in accordance with the London Plan to determine an appropriate levels of cycle parking which should be to the minimum standards set out, secure and well-located. The cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards.

Reason: In the interests of promoting cycling as a sustainable and non-polluting mode of transport.

25. Refuse and Recycling Implementation

The refuse and recycling stores shown on drawing 20002-103-PL04 dated 09/09/20 shall be provided before the first occupation of the development and thereafter permanently retained.

Reason: To provide satisfactory refuse and recycling storage provision in the interests of the appearance of the site and locality.

26. Sustainable Drainage Implementation

Prior to the occupation of the buildings hereby approved the surface water drainage works shall be carried out and the sustainable urban drainage system shall thereafter be managed and maintained in accordance with the agreed management and maintenance plan.

Reason: To prevent an increased risk of flooding and to prevent pollution of the water environment.

27. Crime Prevention Scheme

The proposed development shall achieve a Certificate of Compliance in respect of the Secured by Design scheme (silver), or alternatively achieve security standards (based on Secured by Design principles) to the satisfaction of the 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.

Reason: In order to provide a good standard of security to future occupants and visitors to the site and to reduce the risk of crime.

28. Communal Television and Satellite System

The development hereby permitted shall not be occupied until details of a communal television and satellite system have been submitted to and approved in writing by the Local Planning Authority. The approved system shall be provided prior to occupation and be made available to each residential unit. No antennae or satellite dishes may be installed on the exterior of the building, with the exception of a single antennae or satellite dish per block to support the communal television and satellite system. The proposed antennae or satellite dishes shall be designed to minimise their visual impact and shall not be mounted on any publicly visible façade.

Reason: To safeguard the external appearance of the building.

29. External lighting

The development hereby permitted shall not be occupied until details showing the provisions to be made for external lighting has been submitted to and approved in writing by the Local Planning Authority. The lighting 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, page 25 of the guide, relating to Environmental Zone E2 Low district brightness areas-Rural, small village or relatively dark urban locations. The development shall not be occupied until the approved scheme has been

implemented. Thereafter the approved measures shall be permanently retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to provide a good standard of lighting and security to future occupants and visitors to the site and to reduce the risk of crime.

30. Details of Any Commercial Kitchen Extract Ventilation System

Prior to occupation of any non-residential unit hereby permitted with a commercial kitchen, details of any ventilation system for the removal and treatment of cooking odours from any commercial catering, including its appearance and measures to mitigate system noise, are to be submitted to and approved in writing by the Local Planning Authority. The measures shall have regard to and be commensurate with guidance and recommendations in:

- The current edition of publication "Specification for Kitchen Ventilation Systems", DW/172, Heating and Ventilating Contractors Association, or other relevant and authoritative guidance; and
- Publication, "Control of Odour and Noise from Commercial Kitchen Exhaust Systems – Update to the 2004 report prepared by NETCEN for the Department for Environment, Food and Rural Affairs", Ricardo.com, 2018.

The approved details shall be fully implemented before the first use of the relevant non-residential unit and shall thereafter be permanently retained in an efficient manner.

Reason: To safeguard the appearance of the premises and minimise the impact of cooking smells, odours and noise.

31. Petrol and Oil Receptors

The development hereby permitted shall not be occupied until details of petrol and oil interceptors for all car parking, servicing and loading areas have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied.

Reason: To prevent pollution of the water environment in accordance with Policy BR4 of the Borough Wide Development Policies DPD (March 2011).

32. Bird and Bat Boxes

Prior to the occupation of the development details and locations of 2 bird and 2 bat boxes shall be submitted to the LPA and agreed in writing. Once approved the bird and bat boxes shall be installed and permanently retained thereafter.

Reason: In the interest of promoting and enhancing biodiversity on the site.

Monitoring and Management Conditions

33. Accessible Housing

All new build dwellings shall be constructed to comply with Building Regulations Optional Requirement Approved Document M4(2) Category 2: Accessible and adaptable dwellings (2015 edition) as a minimum.

Five (10%) dwellings, identified as Units 1.3, 1.5, 2.5, 3.2 and 3.4 shall be constructed to, or capable of easy adaptation to, Building Regulations Optional Requirement Approved Document M4(3) Category 3: Wheelchair user dwellings (2015 edition).

Reason: To ensure that sufficient accessible housing is provided.

34. Water Efficiency

The proposed dwellings shall comply with the water efficiency optional requirement in paragraphs 2.8 to 2.12 of the Building Regulations Approved Document G.

Reason: To minimise the use of mains water.

35. Noise from Non-Residential Uses and Plant and Structure Borne Noise Emissions

Noise from the non-residential uses hereby permitted, including, but not limited to, live and amplified music shall be controlled so as to be inaudible inside adjoining and other noise-sensitive premises in the vicinity of those uses. The initial test for compliance with the 'inaudibility' criterion will be that noise should be no more than barely audible outside those noise-sensitive premises. In the event there is disagreement as to whether such noise is or is not audible the following numerical limits shall be used to determine compliance with this condition:

- the LAeq (CUAN) shall not exceed LA90 (WCUAN); and
- the L10 (CUAN) shall not exceed L90 (WCUAN) in any 1/3 octave band between 40Hz and 160Hz.

CUAN = Commercial/Community Use Activity Noise Level, WCUAN = representative background noise level without commercial/community use activity noise, both measured 1 metre from the façade of the noise-sensitive premises.

The combined rating level of the noise from any plant installed pursuant to this permission (other than plant which is only to be operated in emergency circumstances) shall not exceed the existing background noise level outside the window to any noise-sensitive room.

Any assessment of compliance in this regard shall be made according to the methodology and procedures presented in BS4142:2014.

Any machinery and equipment installed pursuant to this permission shall be designed and installed to ensure that structure borne (re-radiated) noise emissions shall not exceed 35 LAeq dB (5 min) when measured in any habitable room in adjoining residential premises.

Reason: To ensure that the proposed and surrounding residential properties and other noise-sensitive premises in the vicinity of site are adequately protected from noise.

36. Renewable Energy Infrastructure

The development hereby permitted shall be carried out in accordance with the submitted Energy Statement prepared by ERS Consultants dated 06/04/21 to achieve a minimum 43.88% reduction in carbon dioxide emissions over Part L of the Building Regulations (2013) (when applying updated SAP 10 emission factors). The renewable energy infrastructure must be implemented prior to occupation of the residential units.

Reason: To ensure measures are implemented to reduce carbon emissions.

37. Hours of Use of Non-Residential Uses and Delivery/Collection Hours

Other than with the prior written approval of the Local Planning Authority, the proposed non-residential uses hereby permitted are to be permitted to trade between the hours of 07:00 and 23:00 on any day and at no other time.

The delivery/collection of goods associated with the non-residential uses hereby permitted shall only be permitted to take place between the hours of 07:00 hrs and 21:00 hrs on any day.

Reason: To protect the amenity of the surrounding residential buildings

38. Emissions from Non-road mobile machinery (NRMM)

Any major development within the London Borough of Barking and Dagenham is required to have non-road mobile machinery (NRMM) condition.

No NRMM shall be used on the site unless it is compliant with the NRMM Low Emission Zone requirements (or any superseding requirements) and until it has been registered for use on the site on the NRMM register (or any superseding register).

Reason: To ensure that air quality is not adversely affected by the development in line with London Plan policy 7.14 and the Mayor's SPG: The Control of Dust and Emissions during Construction and Demolition.

39. Piling Method Statement

No piling shall take place until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility Infrastructure.

40 CHP or Biomass

Should the development have CHP or biomass, the CHP and or biomass boilers must not exceed the Band B Emission Standards for Solid Biomass Boilers and CHP Plant as listed in Appendix 7 of the London Plan's Sustainable Design and Construction SPG document. Prior to the development commencing, evidence to demonstrate compliance with these emission limits will be submitted to the Local Planning Authority for approval.

Reason: To comply with the London Plan's SPG on Sustainable Design and Construction and Policy 7.14 of the London Plan in relation to air quality.

Appendix 6:

Legal Agreement Proposed Heads of Terms:

The proposed heads of terms to be secured through a Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 (as amended) and Section 16 GLC (General Powers) Act 1974 (as amended) (agreed between the Council and the Applicant) are set out below:

Administrative

1. Pay the Council's professional and legal costs, whether or not the deed completes.
2. Pay the Council's reasonable fees of £9,000.00 for monitoring and implementing the Section 106, payable on completion of the deed.

3. Indexing – all payments are to be index linked from the date of the decision to grant planning permission to the date on which payment is made, using BCIS index.

Affordable Housing

4. Secure 39% affordable housing on a habitable room basis as shown on drawings 20002-204-PL02 dated 23/03/21 and 18008 205 PL02 dated 23/03/21 comprising:

- 9 no. units provided at London Affordable Rent: Unit numbers: 1.6, 1.7, 1.9, 1.13, 1.14, 2.1, 2.10, 2.11, 2.12.
- 9 no. units provided at Shared Ownership Unit numbers: 1.1, 1.2, 1.3, 1.4, 1.5, 1.8, 1.10, 1.11, 1.12.

Transport

5. Secure restrictions preventing future residents from obtaining parking permits from controlled parking zone E (CPZ) (or the equivalent CPZ at the time of reassessment).

6. Offsite Highway works - To realise and deliver the 'in principle' plan of works as shown on the ground floor plan drawing 20002-103-PL04 dated 09/09/20 this proposal as submitted will require alterations to highway which will go beyond the extent of the red line boundary of the application. Prior to any ground works on the site of the development in the interest of highway safety the developer shall submit to the council a) A scope of highway works to be approved by the Highway Authority and this shall include the provision of a pedestrian table crossing at the junction of Samuel Ferguson Way and Bastable Avenue b) a detailed highway design and enter a s38/278 agreement (Highways Act 1980) to undertake highway improvements seeking to ensure design works are in accordance with the Design Manual for Roads and Bridges with the relevant road safety audits stage 1 and 2 as well as TSRGD compliant scheme both in term of the loading bay and the accompanying signage and markings and c) implement all the off-site highway works as defined in (b) prior to any construction of the development.

7. Prior to occupation of the development, free car club membership for two calendar years on application to the nearest car club operating in the Borough is to be provided to each future household so that they can have access to a car for infrequent journeys. The location of the nearest car club space is to be agreed with the Council before occupation.

8. Six months prior to the operation of the residential use, the applicant shall secure the submission of a Travel Plan for the occupiers/tenants to demonstrate how sustainable modes of transport will be promoted and car parking managed. Once approved the Travel Plan must be implemented on the first occupation of the residential units.

9. On the 2nd anniversary of the commencement of the operation of the residential use, the applicant or successive owner in title shall submit a Travel Plan monitoring report to demonstrate that best and reasonable endeavours have been undertaken to ensure that the occupiers/tenants have aimed to engage and encourage active, inclusive, and carbon-free sustainable travel to and from the site with their associated users.

The Travel Plan monitoring report will:

- Provide a breakdown of all occupier/tenants to the site and how they have aimed to mitigate and reduce impact from the proposed development on the transport network through their travel plans.
- Provide recommendations to how the applicant or successive owner in title) could help tenants and occupiers to continue and improve the engagement and encouragement of active, inclusive, and carbon-free sustainable travel to and from the site.

10. The car parking spaces hereby approved shall not be sold to the occupiers of the development. The car parking spaces shall be leased to occupiers and tenants only. This will ensure that the parking spaces will meet the needs of the occupiers and maximised the use of the spaces themselves.

Employment and Skills

11. Six months prior to the commencement of works the applicant shall submit an Employment, Skills and Suppliers Plan ensuring that: minimum of 25% of labour and suppliers required for the construction of the development are drawn from within the Borough, to maximise opportunities for Barking and Dagenham residents and businesses.

Sustainability

12. The development shall achieve a minimum 43.88% reduction in carbon dioxide emissions over Part L of the Building Regulations 2013 (when applying updated SAP 10 emission factors) through on-site provision. A monetary contribution shall be made to the Local Authority's carbon offset fund to offset the remaining carbon emissions if the scheme is not zero carbon.

13. Air Quality off-setting contribution. A payment at the off-setting contribution rate of £29k per tonne of NOx over the benchmark (or the equivalent rate at the time of reassessment) will be applied if the scheme does not meet air quality neutral standards.

Operation of the Community Facilities

14. Six months prior to the operation of the community use, the applicant shall secure the submission and implementation of a Management and Travel Plan for the use of the ground floor for community use, including an event management plan for events which will exceed 40 attendees to demonstrate how sustainable modes of transport will be promoted and car parking managed.

15. On the 2nd anniversary of the commencement of the operation of the community use, the applicant or successive owner in title shall submit a Travel Plan monitoring report to demonstrate that best and reasonable endeavours have been undertaken to ensure that the occupiers/tenants have aimed to engage and encourage active, inclusive, and carbon-free sustainable travel to and from the site with their associated users.

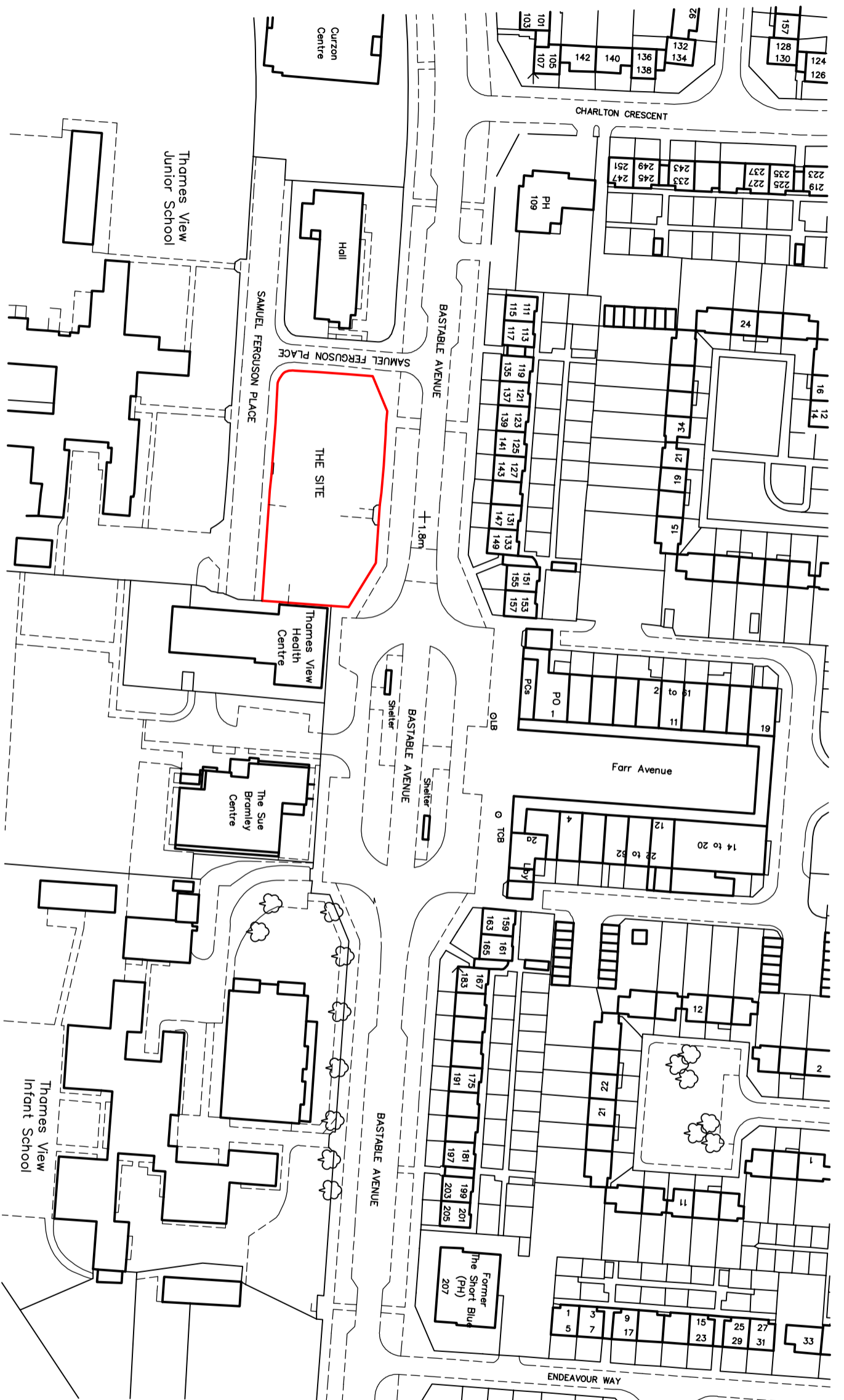
The Travel Plan monitoring report will:

- Provide a breakdown of all occupier/tenants and their associated users/visitors to the site and how they have aimed to mitigate and reduce impact from the proposed development on the transport network through their travel plans.
- Provide recommendations to how the applicant or successive owner in title) could help tenants and occupiers to continue and improve the engagement and encouragement of active, inclusive, and carbon-free sustainable travel to and from the site.

Playspace Contribution

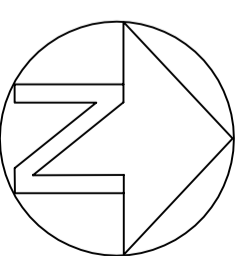
16. Secure a play space contribution of £44k to offset the shortfall of child playspace on the site.

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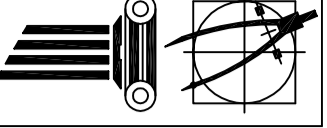
Phone/Fax: 01582 616457
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Client :	Evergreen Construction (UK) Ltd		
Address :	Development At: Thames View		
Clinic Site, Bastable Ave. Barking IG11 0LG			
Title :	Location Plan		
Drawn By :	KJP	Scale :	1:1250 @ A3
Date :	Oct 2017	Drwg N ^o .	17/5520/LP
		Rev.	A

NOTES :

All dimensions must be checked on site and not scaled from this drawing

Any discrepancy found between drawings or details should be reported to DesignHouse as soon as possible where the correct information will be given.



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+1.8m

BASTABLE AVENUE

Copyright: All rights reserved. This drawing must not be reproduced without permission. Only the original drawing should be relied upon. Contractors, sub-contractors and suppliers must verify all dimensions on site before commencing any work or making any shop drawings. All shop drawings to be submitted to the architect for comment prior to fabrication. This drawing is to be read in conjunction with the architect's specification, bills of quantities / schedules, structural, mechanical & electrical drawings and all discrepancies are to be reported to the architect. Do not scale from this drawing. Dimensions are in millimetres unless otherwise stated.

NOTES

1 Bed / 2 Person

Accessible M3 1 Bed / 2 Person

2 Bed / 3 Person

Accessible M3 2 Bed / 3 Person

3 Bed / 4 Person

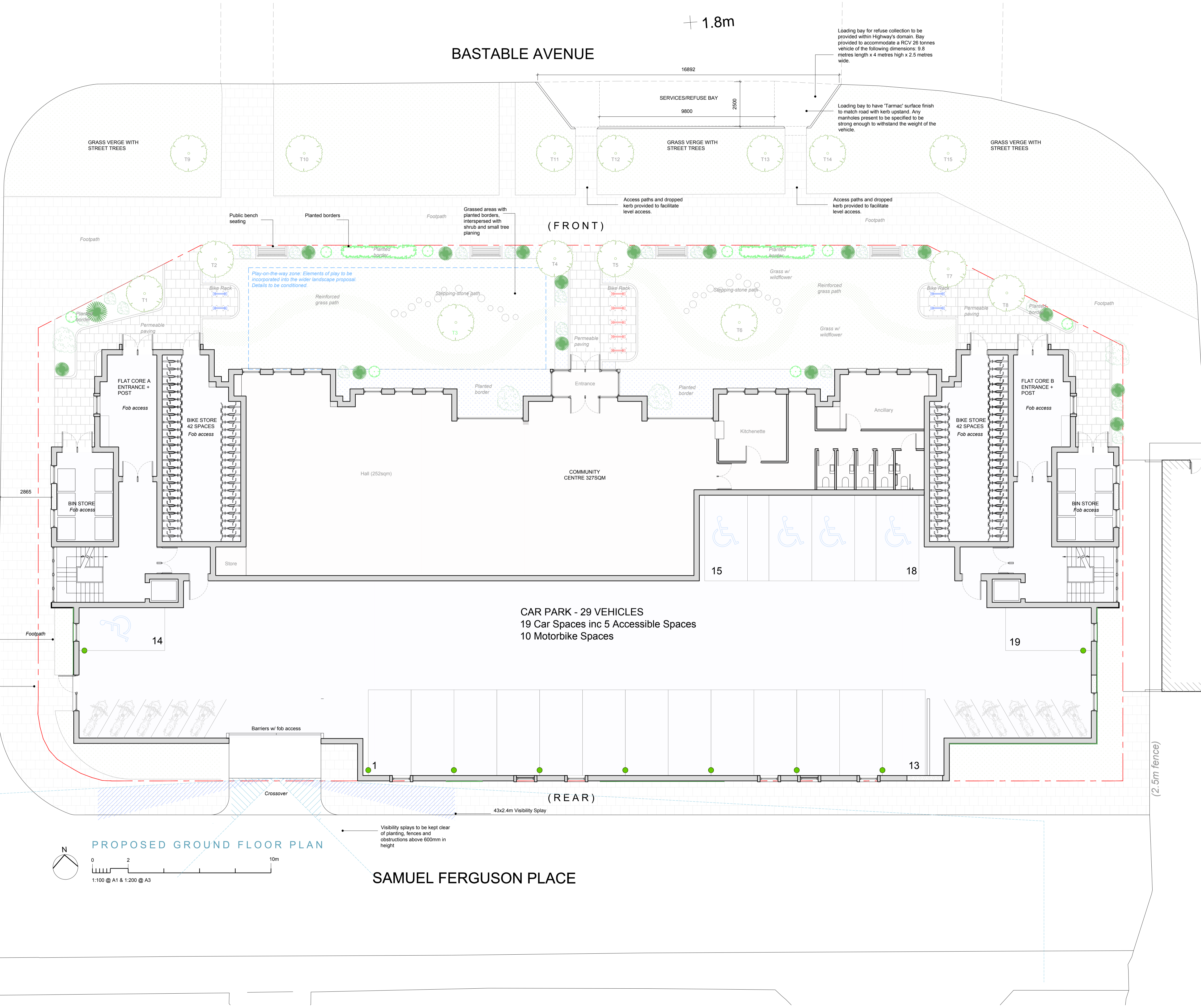
3 Bed / 6 Person

Community

Communal

Residential 'Short-Stay' Bike Stand

Community 'Short-Stay' Bike Stand



PROPOSED GROUND FLOOR PLAN



SAMUEL FERGUSON PLACE

(2.5m fence)

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project
Bastable Avenue
Barking, IG11 0LG

client
Evergreen Construction (UK) Ltd.

drawing title
Proposed Ground Floor Plan
50 Unit Scheme

drawing status
Planning

scale date drawn by checked by
1:100 @ A1 09/09/20
1:200 @ A3

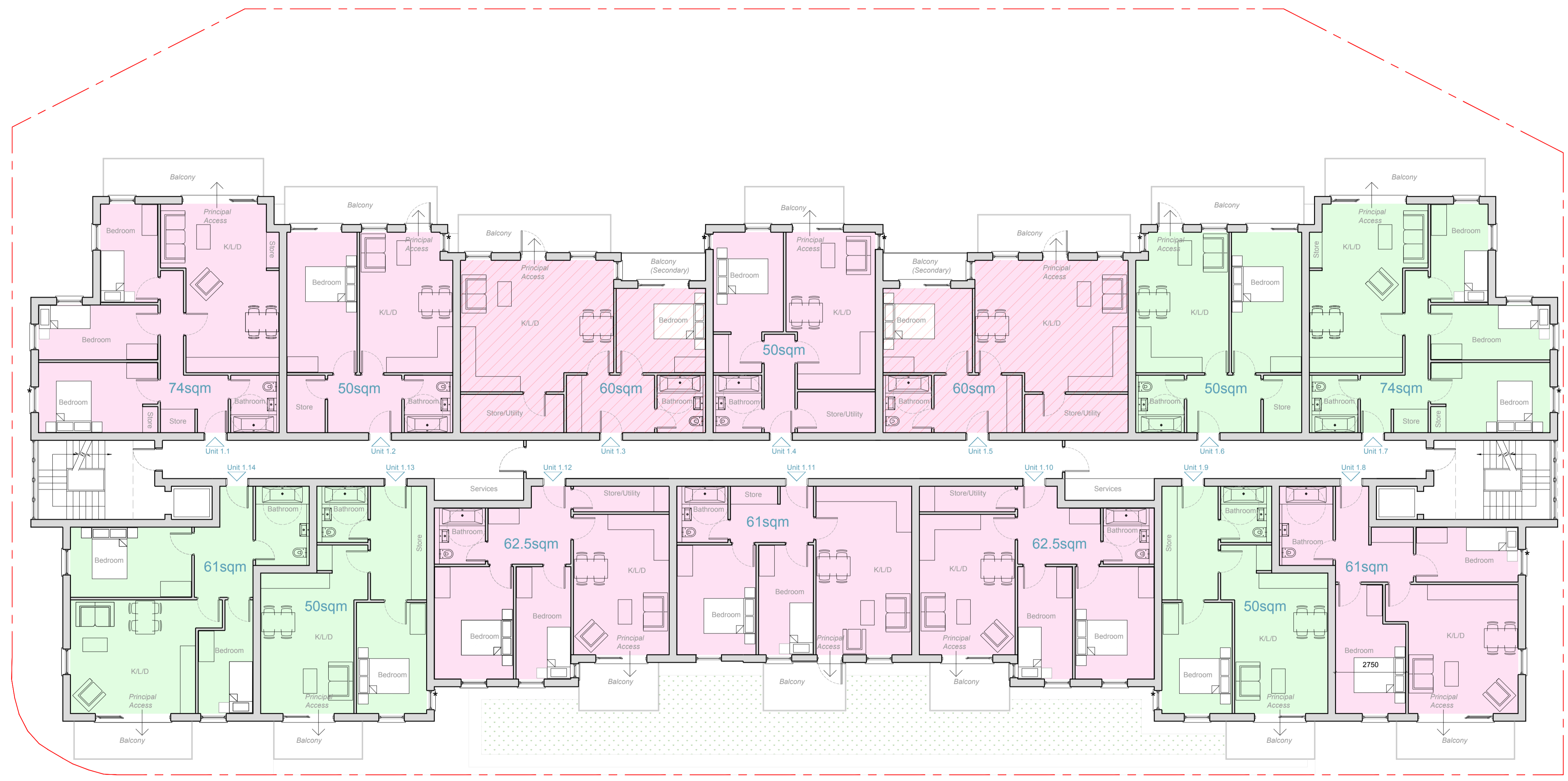
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NOTES

(FRONT)



(REAR)

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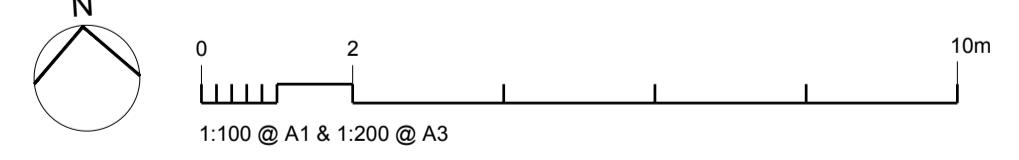
drawing title
Proposed First Floor Ownership Proposals

drawing status
Planning

scale date drawn by checked by
 1:100 @ A1 23/03/21
 1:200 @ A3

job no. drawing no. revision
 2002 204 **PL 02**

PROPOSED FIRST FLOOR - GENERAL ARRANGEMENT



- 7number 1 BED 2 PERSON (inc 2number accessible)
- 5number 2 BED 3 PERSON
- 2number 3 BED 4 PERSON

* Windows noted with asterisk to have external louvered privacy screen.

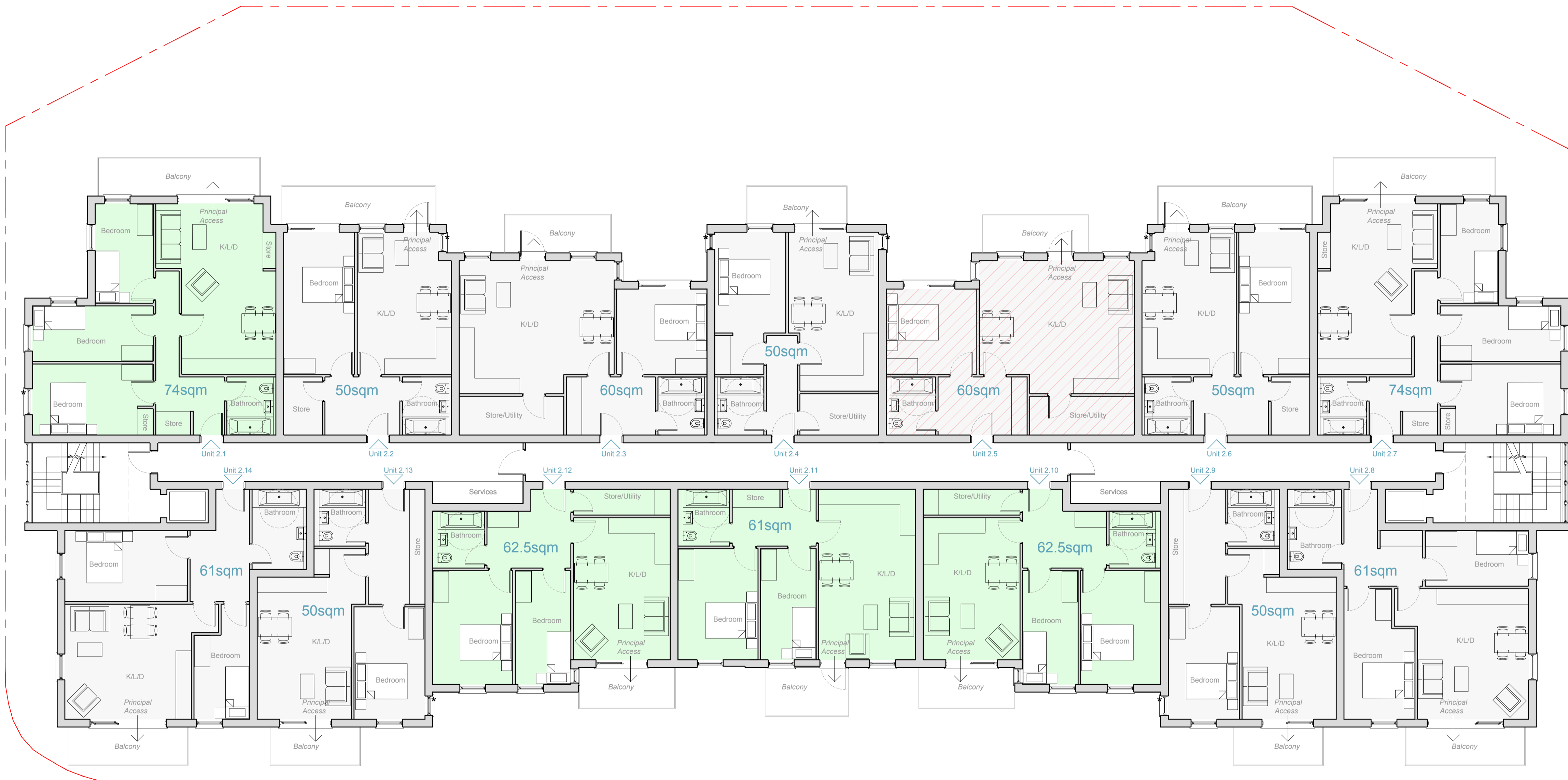
- SHARED OWNERSHIP
- LONDON AFFORDABLE RENTAL
- PRIVATE
- M4(3) COMPLIANT

*dwelling communal/ancillary areas shared between all ownership types.

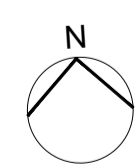
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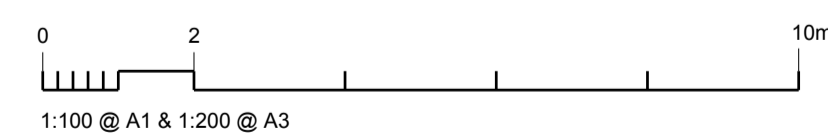
NOTES



(REAR)



PROPOSED SECOND FLOOR - GENERAL ARRANGEMENT



- 7number 1 BED 2 PERSON (inc min 1number accessible)
- 5number 2 BED 3 PERSON
- 2number 3 BED 4 PERSON

* Windows noted with asterisk to have external louvered privacy screen.

- SHARED OWNERSHIP
- LONDON AFFORDABLE RENTAL
- PRIVATE
- M4(3) COMPLIANT

*dwelling communal/ancillary areas shared between all ownership types.

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project			
Bastable Avenue Barking, IG11 0LG			
client			
Evergreen Construction (UK) Ltd.			
drawing title			
Proposed Second Floor Ownership Proposals			
drawing status			
Planning			
scale	date	drawn by	checked by
1:100 @ A1 1:200 @ A3	23/03/21		
job no.	drawing no.	revision	
18008	205	PL 02	

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NOTES

- 1: Cast stone coping detail
- 2: Brick facade - colours tbc
- 3: 'Textured' brick detail
- 4: Cast stone cladding detail
- 5: PPC Alu windows/doors
- 6: Balustrades
- 7: Linear band detail
- 8: Timber doors
- 9: Recessed panel
- 10: Opaque glazed blocks
- 11: 'Honeycomb' brick ventilation
- 12: Herringbone brick pattern
- 13: Curtain glazing
- 14: Green Roof



PROPOSED STREET ELEVATION
 0 2 10m
 1:200 @ A1 & 1:400 @ A3

Page 129

Height of previous 54 Unit (appeal) scheme

Stepped elevation line to break up mass

Differing shades of the same brick palette helps define the stepped elevation whilst keeping a cohesive and consistent material palette.
 Textured brick detail caps the stepped elevation detail.

Recessed panels to tie in with balcony balustrading help soften material palette.

Linear band detail with herringbone brick pattern between delineates storeys and breaks up the visual mass of the proposal.

Slender balustrading to private balconies softens the material palette.

High quality composite stone surrounds project to frame principal entrances.
 Generous areas of glazing 'lead' people to the principal entrances of the building.
 Textured brick detail to denote Ground Floor and add visual interest.



PROPOSED NORTH ELEVATION
 0 2 10m
 1:100 @ A1 & 1:200 @ A3

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Project			
Bastable Avenue Barking, IG11 0LG			
Client			
Evergreen Construction (UK) Ltd.			
Drawing title			
Proposed Front Elevation			
Drawing status			
Planning			
scale	date	drawn by	checked by
1:100 @ A1	09/09/20		
1:200 @ A3			
job no.	drawing no.	revision	
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- 14: Green Roof

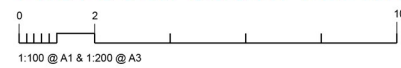


PROPOSED STREET ELEVATION



- Stepped elevation to break up visual massing.
- Textured brick detail caps the stepped elevation detail.
- Recessed panels to tie in with balcony balustrading help soften material palette.
- Linear band detail with herringbone brick pattern between delineates storeys and breaks up the visual mass of the proposal.
- Slender balustrading to private balconies softens the material palette.
- Biodiverse Green Wall to rear GF
- Textured brick projection to car parking with obscure glazing, community display panels and green wall panels.

PROPOSED SOUTH ELEVATION



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project
Bastable Avenue
 Barking, IG11 0LG
 client
Evergreen Construction (UK) Ltd.

drawing title
Proposed Rear Elevation

drawing status

Planning

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Working in partnership


**Barking &
Dagenham**
LONDON BOROUGH OF BARKING & DAGENHAM
PLANNING COMMITTEE
26 April 2021
Application for Planning Permission

Case Officer:	Olivia St-Amour	Valid Date:	28/01/2021
Applicant:	Mobin Properties Ltd	Expiry Date:	29/04/2021
Application Number:	21/00159/FULL	Ward:	Abbey
Address:	34-42 East Street, Barking, IG11 9EP		

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 34-42 East Street, Barking.

Proposal:

Redevelopment of site to provide a 5-9 storey building comprising up to 65 residential units (Use Class C3) with retail units (Use Class E) at ground and part first floors, with associated landscaping and highway works.

Officer Recommendations:

1. Delegate authority to the London Borough of Barking & Dagenham's Director of Inclusive Growth (or authorised Officer) in consultation with the Head of Legal Services to refuse planning permission for the reasons set out below.

Reasons for refusal:

1. The proposed development by virtue of its siting, location, and high density will be a stark, crude and isolated development that is piecemeal in nature and represents poor place-making which will unduly impact on the setting of the Grade II listed former Barking Magistrates Court, does not seek to preserve or enhance the character of the Abbey and Barking Town Centre Conservation Area and does not maximise opportunities within the key regeneration area of Barking Town Centre and as such would be contrary to policies CM1, CM2 and CP3 of the Core Strategy, policies BTC16 and BTC19 of the Barking Town Centre Area Action Plan, policy BP11 of the Borough Wide Development Policies Development Plan Document, draft policies SPP1, SP2, DMD1, DMD2, DMD3, DMD4, DMD5 of the Regulation 19 Draft Local Plan, London Plan policies D1, D3, D4, D8, D9, HC1, SD1 and the London Riverside Opportunity Area Planning Framework and the NPPF.
2. The proposed development will result in the loss of sunlight and daylight to neighbouring residential occupiers and in particular flats contained within the former Barking Magistrates Court and the Bath House buildings. The proposal is considered to impact on the living standards of the neighbouring residential occupiers and potential occupiers of the proposed development, contrary to policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document and the NPPF.
3. Insufficient information has been submitted and the application has failed to demonstrate that there would not be an unacceptable impact on highway safety particularly in respect of the location of the blue badge car parking spaces conflicting with access to the market, contrary to

the NPPF.

4. The proposed application has not been accompanied by an adequate Archaeological Written Scheme of Investigation to inform Historic England of the impact of the design proposals on this Archaeological Priority Area, contrary to policy BP3 of the Borough Wide Development Policies Development Plan Document and the NPPF.

OFFICER REPORT

Planning Constraints:

Adopted Proposals Map:
Conservation Area
Primary Shopping Area
Barking Town Centre Boundary
Barking Town Centre Area Action Plan Boundary
Barking Town Centre Key Regeneration Area
Priority Archaeological Area
Epping Forest Special Area of Conservation (SAC) Zone of Influence

Emerging Local Plan (Regulation 19):
Draft Allocation DJ – Clockhouse Avenue

Site, Situation and relevant background information:

The application site measures approximately 0.16 hectares and is located on the south-eastern side of East Street, Barking. The site is broadly square-shaped and currently comprises a 3-storey building comprising two retail units (Iceland and a pound store) at ground floor with ancillary office accommodation above. The building is served by a service yard for Iceland which is accessed from Clockhouse Avenue and runs to the south of the building. There is also a 'folly' attached to the southern elevation of the building providing a semi-concealment to the service yard.

The application site is located within the Abbey and Barking Town Centre Conservation Area and is bound by the pedestrianised retail area of East Street to the north-west and the former Barking Magistrates Court building to the north-east. The former Barking Magistrates Court building including its railings, lampholders and lamps is a Grade II listed building. The building has been refurbished and extended in the form of a 6-storey linked building to provide residential accommodation. There are access roads linking Clockhouse Avenue and East Street on both sides of the site namely Grove Place to the west and Clockhouse Avenue to the east. Grove Place separates the application site from 32 East Street which is a 2.5-storey building occupied by the NatWest Bank with ancillary offices above.

Barking Town Hall is located a short distance to the south-west of the site. To the rear and east of the site is the Bath House building which forms part of the Barking Town Square development. The Bath House building (9-storeys) comprises ground floor commercial floorspace with residential units above.

The site is covered by the Barking Town Centre Area Action Plan designation.

Background

This application is a resubmission of application 19/00770/FUL for the *Redevelopment of site to provide a 6-9 storey building comprising 79 residential units (35 x 1 bed, 15 x 2 bed and 29 x 3 bed flats) with 1210m² of retail space (Use Class A1) at ground and part first floors.* The application was refused 19/02/2020, with 8 reasons for refusal, summarised as:

1. Poor placemaking, design and density
2. Poor outlook from south west first floor flats
3. Loss of daylight/sunlight to neighbouring properties
4. Poor first floor layout – isolated residential units
5. Insufficient children's playspace
6. Location of blue badge spaces
7. Requirement for Archaeological Field Evaluation
8. Failure to provide breakdown of affordable housing tenure

The full reasons for refusal of the previous application are contained at Appendix 2.

The changes between the previously refused scheme and the current application are assessed in the relevant sections below.

Proposal

The application proposes a 5-9 storey building comprising up to 65 residential units (Use Class C3) with retail units (Use Class E) at ground and part first floors, with associated landscaping and highway works. The ground floor retail uses would comprise 6 separate units:

- Unit 1 - 339sqm, fronting onto East Street (north west elevation)
- Unit 2 - 51sqm, fronting onto East Street (north west elevation)
- Unit 3 - 118sqm, fronting onto East Street (north west elevation)
- Unit 4 - 123sqm fronting onto Clockhouse Avenue (north east elevation)
- Unit 5 – 103sqm, fronting onto Clockhouse Avenue (north east elevation)
- Unit 6 – 70sqm, fronting onto Clockhouse Avenue (south east elevation)

The proposed development has 3 separate residential entrances, 3 bin stores and 2 residential cycle stores. In terms of cycle parking provision, the development includes 118 cycle spaces for residents (long stay) and 27 spaces for retail staff, retail visitors and residential visitors (short stay). The application is car free, with the exception of 2 disabled bays that are proposed with electric vehicle charging.

The proposed residential units are proposed as build-to-rent and a minimum provision of 38% affordable housing is proposed, by habitable room.

The northern corner of the proposed development is proposed to be red brick, with the retail element framed by a series of grey/white cast masonry arches, turning the corner from East Street onto Clockhouse Avenue. This element of the building is essentially surrounded by the black brick part of the building which also fronts onto East Street and wraps around Grove Place and Clockhouse Avenue. The building steps up in height along the southern end of East street and towards Clockhouse Avenue, where it reaches 9 storeys in height.

Key issues:

- Principle of the proposed development
- Dwelling mix and Quality of accommodation
- Design and quality of materials
- Impacts to neighbouring amenity
- Sustainable Transport
- Meeting the needs of local residents
- Employment
- Impact to existing Education Provision
- Accessibility and Inclusion
- Waste management
- Delivering Sustainable Development (Energy / CO₂ reduction / Water efficiency)
- Biodiversity & Sustainable drainage
- Habitat Regulation Assessment: Epping Forest Special Area of Conservation (SAC)

Planning Assessment:

Principle of the development:	
<i>Existing use(s) of the site</i>	Two retail units (GIA 1,336sqm)
<i>Proposed use(s) of the site</i>	65 residential units and 1,314sqm retail (Use Class E) floorspace (GIA)
<i>Net gain/loss in number of jobs</i>	The application form estimates that the existing site employs 67 FTE and the proposed site would employ 78 FTE.

- 1.1 National Planning Policy Framework (NPPF) (MHCLG, February 2019) seeks to promote delivery of a wide choice of high-quality homes which meet identified local needs (in accordance with the evidence base) and widen opportunities for home ownership, and which create sustainable, inclusive and mixed communities.
- 1.2 The NPPF introduces a presumption in favour of sustainable development, which for decision-taking means approving development proposals that accord with an up-to-date development plan without delay, or where the development plan policies are out of date, granting permission unless the policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing development, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole (paragraph 11).
- 1.3 The NPPF introduces the Housing Delivery Test (HDT) as a measurement of housing delivery, engaging the presumption in favour of sustainable development where insufficient homes have been built over the previous three-year period, irrespective of whether the LPA has a five year housing land supply. The HDT 2020 results show that LBBB have reached 58% of the target, and thus the presumption in favour of sustainable development is enacted and the adopted housing policies ‘fall away’.
- 1.4 The London Plan policy GG2 encourages the best use of land to enable the development of brownfield land, particularly in Opportunity Areas and on surplus public sector land, and sites within and on the edge of town centres. Policy GG4 seeks to ensure that more homes are delivered. The policies outlined in Chapter 4 (Housing) further acknowledges the stress on housing demand and provides increased targets for Local Authorities and revised policies in respect of ensuring additional housing contribution according to local needs. The site is also within London Riverside Opportunity Area.
- 1.5 On a local level, Policy CM1 of the Core Strategy DPD that development should meet the needs of new and existing communities and deliver a sustainable balance between housing, jobs and social infrastructure, with Policy CM2 further emphasising the specifying housing growth targets of the Borough. Policy BP10 of the Borough Wide DPD further supports this by emphasising the need to optimise suitable sites to help deliver suitable housing for the Borough’s high levels of identified housing need. Barking Town Centre Area Action Plan Policy BTC13 seeks to identify land to help meet the target of 6,000 homes in Policy CM2.
- 1.6 Strategic Policy SPP1 of the Draft Local Plan (Regulation 19) identifies an indicative capacity for 15,000 new homes to be delivered in Barking Town Centre and the River Roding area across the plan period, stating that the Council will support development that contributes to the delivery of varied retail, cultural and community offer alongside office and residential development, and continued improvements to public realm between key buildings.
- 1.7 In respect of the ground floor uses the NPPF supports the role that town centres play, encouraging policies and decisions to take a positive approach to their growth management and adaptation, and sets out a sequential test for town centre uses. London Plan Policy SD6 promotes the vitality and viability of London’s town centres. Core Strategy policies CM1 and CM5 focus retail development to town centres and identify Barking as a major town centre. Policy CE1 seeks to promote, strengthen and enhance the status of Barking Town Centre. Barking Town Centre Area Action Plan policy BTC2 identifies primary and secondary shopping frontages, including primary shopping frontages at 1-35, 41-67, 2a-42, 54-68 East Street.
- 1.8 The application proposes a residential led mixed-use development with commercial retail (use Class E) within Barking Town Centre, the principle of the development accords with the development plan and is supported.

Dwelling mix and Quality of accommodation:			
<i>Proposed Density u/ph:</i>	n/a	<i>Overall % of Affordable Housing:</i>	38% by habitable room, 35% by unit
<i>LP Density Range:</i>	n/a	<i>Comply with London Housing SPG?</i>	Yes
<i>Acceptable Density?</i>	No	<i>Appropriate Dwelling Mix?</i>	Yes

Density

- 1.9 London Plan policy GG2 promotes higher density development, particularly in locations that are well-connected to jobs, services, infrastructure and amenities. Policy D2 directs that the density of proposals should consider planned levels of infrastructure and be proportionate to the site's connectivity and accessibility. Policy D3 requires development to make the best use of land by following a design-led approach that optimises the capacity of the site, which means that the development is of the most appropriate form and land use for the site. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth.
- 1.10 Locally, Core Strategy Policy CM1 states that residential development (particularly higher density development) will be focussed in the Key Regeneration Areas, including Barking Town Centre, and on previously developed land in other areas with high PTAL levels. Strategic Policy SP2 of the emerging Local Plan (Regulation 19) promotes high-quality design, optimising a design-led approach to optimising density and site potential by responding positively to local distinctiveness and site context.
- 1.11 The site is not allocated in the adopted Proposals Map but is proposed to be allocated in the Regulation 19 Draft Local Plan as part of allocation DJ 'Clockhouse Avenue', which identifies a potential delivery of a residential-led mixed use development involving office, retail and community floorspace alongside approximately 250 (net) homes over an area of 0.7ha, of which this site is 0.16ha.
- 1.12 In reducing the number of residential units from 79 to 65 and reducing part of the height of the proposal from 6 storeys to 5 storeys, the density of the proposed development has reduced when compared to the refused scheme.
- 1.13 The Planning Statement assesses the density of the site in terms of the draft site allocation, noting that the site comprises 21.5% of the site allocation area, and represents 26% of the proposed number of residential units and as the site allocation is an approximate target, the density of the proposal is in line with the draft allocation. The Statement further notes that this part of the site would be best suited for any higher proportion of massing in townscape and heritage terms in order not to concentrate massing too near to the Barking Abbey grounds. However, whilst this is indicated in the Planning Statement, no design/visual studies have been submitted as part of the planning application to demonstrate that alternative massing options have been tested across the proposed allocation site. Furthermore, in terms of density it should be acknowledged that this site is immediately adjacent to a Grade II listed building (former Magistrates Court). Officers therefore do not accept this approach to determining whether the proposed development represents the optimal and appropriate density of development for the site, particularly as the appropriate option studies have not been undertaken in line with the London Plan (which has been adopted since the previous refusal) and the draft site allocation in the emerging Local Plan (Regulation 19 version) which has also been published for consultation since the refusal of application 19/00770/FUL, gaining more weight than the Regulation 18 version which also identified the location as a potential development site.
- 1.14 In terms of the 'design-led' approach to achieving an appropriate form of density required by the London Plan, it is noted that the applicant has not sought to engage in pre-application discussions following the previous refusal. Following the submission of this current application, officers sought to engage the applicant in a placemaking/design meeting with architects Peter Bishop and DaeWha Kang who have been involved in various master planning exercises in Barking, particularly in relation to East Street and Town Quay, for which vision documents have been produced. Officers emphasise that the vision documents are not adopted planning documents and do not hold material weight and do not consider that this application need directly reflect what is shown on the site in the vision documents. However, we considered that the experience and knowledge of the area gained by Peter Bishop and DaeWha Kang could be put to positive use in examining this application, and as such offered the applicant a meeting to discuss how the proposed development delivers placemaking and how far it addresses the previous reasons for refusal. Unfortunately, the applicant was unprepared to cover the cost for the meeting and as such this exercise could not take place.

1.15 The application represents a high-density development in a key town centre site. Policy encourages high density development to be focussed on key regeneration areas and accessible and sustainable town centre locations. However appropriate density is intrinsically linked with design and site constraints, and policy is clear that a design-led approach to density is required to optimise density, with the adoption of the London Plan and publication of the Regulation 19 Draft Local Plan since the refusal of the previous application, this policy position has strengthened. Whilst the Design and Access Statement contains some development/massing studies for the site, no wider design options have been assessed taking into consideration the proposed site allocation as a whole. As discussed further in the design section below, officers do not consider that the planning application has been designed to integrate appropriately and respond positively to the site context to justify the proposed high-density development of the site.

Dwelling mix

1.16 The NPPF seeks “to deliver a wide choice of high-quality homes”. It recognises “Government attaches great importance to the design of the built environment” and that “good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people”.

1.17 London Plan Policy H12 sets out all the issues that applicants and boroughs should take into account when considering the mix of homes on a site. In particular H12C states the following: “Boroughs should not set prescriptive dwelling size mix requirements (in terms of number of bedrooms) for market and intermediate homes”.

1.18 Similarly, Policy CC1 of the Core Strategy seeks to secure the delivery of a mix and balance of housing types, including a significant increase in family housing. The policy requires major housing developments (10 units or more) to provide a minimum of 40% family accommodation (3-bedroom units or larger). Nevertheless, it should be acknowledged that not all sites are suitable for family sized accommodation. Barking Town Centre Policy Emerging Local Plan (at Regulation 19 stage) SP4 also supports the delivery of family accommodation, Policy DMH2 requires development proposals to provide a range of units in accordance with the Council’s preferred dwelling size mix, which seeks family housing at 25% for private, 38% intermediate and 50% social housing.

1.19 The application proposes the following unit mix:

Unit size	Number of units	Percentage
1 bed 2 person	29	44.6%
2 bed 3 person	17	26.2%
3 bed 4 person	16	24.6%
3 bed 5 person	3	4.6%
Total	65	100%

1.20 The development would deliver a good proportion of family units, in line with the aims of local policy, which encourages the delivery of family units. The proposed development is considered acceptable in terms of dwelling mix, in accordance with policy.

Affordable Housing

1.21 Chapter 5 of the NPPF requires local authorities to identify affordable housing need and set policies for meeting this need. Paragraph 57 states: “Where up to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments,

including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.”

- 1.22 London Plan Policy H4 sets a strategic target for 50% of all new homes to be delivered as genuinely affordable. Specific measures to achieve this aim include:
- Requiring major developments that trigger affordable housing requirements to provide affordable housing through the threshold approach
 - Public sector land delivering at least 50% affordable housing on each site.
- 1.23 The threshold approach, in policy H5 sets out a Fast Track Route, whereby applications do not need to be viability tested, where they:
- Meet or exceed the relevant threshold level of affordable housing on site without public subsidy
 - Are consistent with the relevant tenure split in Policy H6
 - Meet other relevant policy requirements and obligations to the satisfaction of the borough and Mayor, where relevant.
 - Demonstrate that they have taken account of the strategic 50% target in policy H4.
- 1.24 Policy H6 sets out the tenure split required to meet the Fast Track Route, which requires a minimum of 30% low cost rented homes, as either London Affordable Rent or Social Rent, a minimum 30% intermediate products which meet the definition of genuinely affordable housing, including London Shared Ownership, and the remaining 40% to be determined by the borough as low cost rented homes or intermediate products.
- 1.25 London Plan Policy H11 (Build to Rent) sets out criteria for a scheme to qualify as a Build to Rent scheme, including that the scheme must be over 50 units and has a unified ownership and unified management of the private and affordable housing elements of the scheme. Where the criteria are met, the policy states that the affordable housing offer can be solely Discounted Market Rent (DMR), preferably London Living Rents (LLR). To meet the Fast Track Route the proposal must deliver at least 35% affordable, with at least 30% of the DMR to be provided at an equivalent rent to LLR with the remaining 70% at genuinely affordable rents.
- 1.26 The Draft Local Plan (regulation 19 version) policy DMH1 seeks to meet an overarching 50% on-site affordable housing provision, by applying the London Plan threshold approach. The policy seeks to ensure that new developments contribute to the delivery of a range of housing tenures in accordance with the following tenure split:
- 50% mix of social housing including London Affordable Rent,
 - 50% mix of intermediate housing including London Shared Ownership
- 1.27 Application 19/00770/FUL included a reason for refusal (reason 8) on the basis that the application failed to provide details of the breakdown of the proposed affordable housing tenure.
- 1.28 The current application provides a breakdown of the units in the form of a schedule of accommodation appended to the Affordable Housing Statement, proposing a tenure split of 30% London Living Rent (LLR) and 70% discount market rent (DMR) and the Planning Statement confirms that discussions have been initiated with affordable housing providers and would include exploration of grant availability.
- 1.29 The affordable housing provision comprises 23 units and 71 habitable rooms out of 185 habitable rooms, which equates to 38.38% of the development calculated on a habitable room basis. The breakdown by unit is as follows:

Size	London Living Rent	Discount Market Rent	Total
1 bed	3	4	7

2 bed	1	6	7
3 bed	3	6	9
Total	7	16	23

- 1.30 The quantum of affordable housing and the tenure split accords with the threshold approach to meet the Fast Track route within the London Plan and is therefore considered appropriate. If minded to approve the development, this could be secured through a Section 106 obligation, and plans would be requested to clearly identify the location of the affordable housing units in line with the accommodation schedule appended to the Affordable Housing Statement.

Quality of Accommodation

- 1.31 The MHCLG Technical Housing Standards – nationally described space standard specifies the space standards required for new dwellings. The London Plan, Policy H6 and Housing SPG require new housing development to meet these standards as a minimum and provides further criteria to ensure an acceptable quality of accommodation is provided for users. The Council’s Local Plan reiterates the need for housing development to conform to these requirements. The Technical Housing Standards stipulate minimum gross internal floor areas (GIAs) for dwellings/units based on the number of bedrooms, intended occupants and storeys, minimum bedroom sizes of 7.5m² for single occupancy and 11.5m² for double/twin occupancy, plus further dimension criteria for such spaces. Built in storage is required for all units with minimum sizes depending on the number of bedrooms and occupants, and minimum floor to ceiling heights are stipulated as at least 2.3m for at least 75% of the GIA.
- 1.32 Policy D6 of the London Plan seeks minimum standards in relation to private internal space and private outdoor space. London Plan Policy D5 seeks to ensure that at least 10 per cent of new build dwellings meet Building Regulation requirement M4(3) ‘wheelchair user dwellings’ and that all other new build dwellings meet Building Regulation requirement M4(2) ‘accessible and adaptable dwellings’.
- 1.33 The London Housing SPG requires all dwellings to be accompanied by adequate private open space (i.e. outdoor amenity area). Standard 26 of the Housing SPG sets a minimum space requirement of 5 sq. m per 1-2 person dwelling with an extra 1 sq. m for each additional occupant.
- 1.34 The London Plan specifically through Policies GG4, D1, D2, D4 and D6 all emphasise the importance of high-quality design in development. Policy D4 reiterates and includes further requirements of the Technical Housing Standards within the policy itself and the minimum 2.5m floor to ceiling height is stipulated as a requirement rather than merely strongly encouraged.
- 1.35 The space standards outlined in the London Plan are expressed as minimums and should be exceeded where possible. They should be a basis to promote innovative thinking about designing space and how it is to be used within the home. Additionally, the Mayor’s Housing SPG stipulates developments should avoid single aspect dwellings that are north facing.
- 1.36 In terms of minimum space standards, these are met, the size of the units are summarised in the table below:

Type and bed spaces	GIA (m ²)	Minimum space standards / Nationally Described Space Standards (m ²)
1B2P Apartments	50-58	50
1B2P Duplex	61	58
2B3P Apartments	61-69	61
3B4P Apartments	74-76	74

3B4P Duplex	93	84
3B5P Apartments	101	86
3B5P Duplex	95-97	93

- 1.37 The proposal would provide 45 dual aspect units (69%) and 3 single aspect units, the remaining 15 units would not be directly dual aspect but receive secondary aspect via inset balconies. There would be no single aspect north facing units. Officers consider that the number of single aspect units have been appropriately minimised on a site of this constrained nature.
- 1.38 The first floor of the development incorporates only 4 residential units served by 3 independent stair/lift cores, the remainder of this floor is largely taken up by plant, back-of-house areas and retail floorspace. The design of this floor does not create an inclusive environment given the isolated nature of these flats in comparison to all other floors on this development and was previously included as a reason for refusal.
- 1.39 The Mayor's Housing SPG Standard 12 advises that 'each core should be accessible to generally no more than eight units on each floor'. The Good Quality Housing For All Londoners London Plan Guidance, Draft for Consultation October 2020 advises that development proposals accessed from a single core does not exceed eight per floor (C3.1.2). The updated guidance advises that the threshold between public realm of the street and the private realm of the home affects people's sense of security and ownership and that entrances should feel welcoming. The guidance further notes "within residential blocks, the number of dwellings served by a single core needs careful consideration as it affects both security and people's sense of community and ownership" and advises "in terms of the number of homes per floor, groups of two to eight dwellings are usually desirable. In these smaller groups, residents tend to enjoy a greater sense of privacy, security and ownership, and may be more likely to take an active interest in the upkeep of shared spaces."
- 1.40 Officers still hold concerns with regards to the desirability and residential feel of the first-floor apartments, which have cores shared with commercial plant rooms and back of house retail areas rather than other residential units. In this respect, the development would not achieve an inclusive environment, or indoor and outdoor environments that are comfortable and inviting for people to use, as required by London Plan Policy D3. However, in light of the updated London Plan housing guidance which to some extent encourages smaller groups, it is not considered that this reason for refusal would still hold, particularly when considered against the borough's Housing Delivery Test position. Offers therefore do not recommend that the application is refused on this basis.

Crime and Safety

- 1.41 The Designing Out Crime Office has reviewed the application and raised some concerns/made recommendations to mitigate crime, particular areas of concern are the safety and security of the cycle store and the accessibility to the communal roof terrace. However, these matters can be addressed by the imposition of a planning condition requiring a Secure by Design accreditation should planning permission be granted for this development.

Amenity Space

- 1.42 All residential units have private amenity space comprising of a balcony in accordance with the Mayor's Housing SPG.
- 1.43 The proposal incorporates a communal courtyard area at second floor level which has the potential to provide attractive and useable outdoor space for the new residents to enjoy. The area would be accessed via each of the residential cores, and as above, a Secure by Design condition would be required to ensure that there would be no safety issues resulting from the communal use of the terrace. The communal courtyard would be separate from the playspace area, which is located on the fifth floor.

Child Play Space

- 1.44 London Plan policy S4 requires developments for schemes that are likely to be used by children and young people should increase opportunities for play and informal recreation and incorporate

good-quality accessible play provision for all ages for residential development, providing at least 10sqm of playspace per child. The GLA Playspace Calculator generates a population yield of 13 children on the basis that the development comprises private and intermediate products and a requirements of 130sqm child playspace. The application proposed 312sqm of child playspace to be provided on site, on the fifth floor communal terrace. The delivery of high-quality playspace could be secured by condition.

- 1.45 Officers consider this provision acceptable, in accordance with London Plan requirements, as such the previous reason for refusal (no.5) no longer stands.

Accessible Units

- 1.46 The application proposed 12% of the units to be wheelchair user dwellings, with the remaining units to be accessible and adaptable, in accordance with policy requirements. If the application were to be approved, a condition would be imposed to ensure that this would be delivered.
- 1.47 LBBD's Access Officer has reviewed the application and raises some concerns with regards to the location of some of the wheelchair accessible units along with the mix of wheelchair accessible units, for example none of the affordable housing units are to be provided as wheelchair accessible and there are no 2bed wheelchair accessible units, with the mix comprising 7x 1bed and 1 x 3bed. It is noted that no objections were received from the Access Team in response to the previously refused application, and accessibility of the units did not comprise a reason for refusal of the scheme. If planning permission were to be granted for this development, it is considered that this matter can be addressed via a suitably worded condition to ensure that a suitable mix and tenure of wheelchair accessible units could be delivered.

Design and quality of materials:	
<i>Does the proposed development respect the character and appearance of the existing dwelling?</i>	No
<i>Does the proposed development respect and accord to the established local character?</i>	No
<i>Is the proposed development acceptable within the street scene or when viewed from public vantage points?</i>	No
<i>Is the proposed development acceptable and policy compliant?</i>	No

- 1.48 Objective 124 of the NPPF states that “good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.
- 1.49 Objective 125 states “plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable”.
- 1.50 Objective 127 details that planning policies and decisions should aim to ensure that developments:
- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development,
 - are visually attractive as a result of good architecture, layout and appropriate and effective landscaping,
 - are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities),
 - establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit,
 - optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks, and

- create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 1.51 Objective 129 states: “Local planning authorities should ensure that they have access to, and make appropriate use of, tools and processes for assessing and improving the design of development. These include workshops to engage the local community, design advice and review arrangements, and assessment frameworks such as Building for Life”.
- 1.52 Further, objective 130 states: “Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used)”.
- 1.53 Policy D1 of the London Plan states that development design should respond to local context by delivering buildings and spaces that are positioned and of a scale, appearance and be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan, through appropriate construction methods and the use of attractive, robust materials which weather and mature well. This is also reiterated in Policy D2 of the London Plan which seeks good design.
- 1.54 Policy D3 outlines the need for development to take a design led approach that optimises the capacity of sites. This accordingly requires consideration of design options to determine the most appropriate forms of development that responds to the site’s context and capacity for growth. Proposals should enhance the local context delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape with due regard to existing and emerging street hierarchy, building types, forms and proportions.
- 1.55 Policy D4 has regard to securing sufficient level of detail at application stage to ensure clarity over what design has been approved and to avoid future amendments and value engineering resulting in changes that would be detrimental to the design quality.
- 1.56 Policy D5 of the London Plan seeks to deliver an inclusive environment and meet the needs of all Londoners. Development proposals are required to achieve the highest standards of accessible and inclusive design. Policy D6 considers the importance of achieving and maintaining a high quality of design through the planning process and into delivery stage.
- 1.57 Tall and large buildings should always be of the highest architectural quality, (especially prominent features such as roof tops for tall buildings) and should not have a negative impact on the amenity of surrounding uses. Additionally the London Plan policy D9 and states that tall buildings should not be less than 6 storeys or 18 metres measured from ground to the floor level of the uppermost storey.
- 1.58 Policy D8 of the London Plan states that development proposals should ensure the public realm is safe, accessible inclusive, attractive, well connected, easy to understand and maintain, and that it relates to the local and historic context. Public realm should be engaging for people of all ages, with opportunities for play and social activities during the daytime, evening and at night as well as maximising the contribution that the public realm makes to encourage active travel. This should include identifying opportunities for the meanwhile use of sites in early phases of development to create temporary public realm.
- 1.59 London Plan Policy D9 seeks to ensure tall buildings are sustainably developed in appropriate locations and are of the required design quality having regard to local context as specified in Development Plans. Policy D12 of the London Plan states to development proposals must achieve the highest standards of fire safety. Policy D14 of the London Plan seeks to reduce, manage and mitigate noise to improve health and quality of life.

- 1.60 This is further supported by policy BP11 of the Borough Wide DPD, policy CP3 of the Core Strategy DPD and policy DM16, SP4 and DM11 of the Draft Local Plan Regulation 19 which ensures that development is designed in a sensitive and appropriate manner which minimises impact on surrounding neighbours and respects the character of the area. Barking Area Action Plan policy BTC18 states that public realm improvements undertaken by the Council and developers as part of their schemes, should use the materials and methods in the Barking Code, including artists within design teams, to seek to raise the profile of historic street and spaces. Policy BTC16 highlights that the Council will expect all new developments in the AAP to be of a high standard that reflect the principles of good architecture and urban design, thereby contributing towards a dramatic improvement in the physical environment.
- 1.61 Draft Local Plan (Regulation 19) Strategic Policy SPP1 identifies the development potential in Barking Town Centre and the River Roding, stating that development in Barking Town Centre should contribute to creating a thriving 21st century town centre with an intensified range of activities and uses to support existing and new communities. Development should be informed by its rich history and heritage, revealing, restoring and telling Barking's story. Part E of the policy supports the delivery of continued improvements to public realm between key buildings, and introduction of urban greening and the creation of lively street culture and safe environment in East Street – reinforcing the role of this area as an important social asset for the borough. Chapter 4 of the Draft Local Plan (regulation 19) sets out the borough's design policies. Strategic Policy SP2 promotes high quality design that recognises and celebrates local character and heritage, adopting a design-led approach to optimising density and site potential by responding positively to local distinctiveness and site context. The policy encourages the use of local context to inform detail and seeks to protect identified views and vistas. Policy DMD1 encourages early engagement with planners and the Barking and Dagenham Quality Review Panel. Policy DMD3 specifically addresses development in town centres, stating that developments should co-ordinate and consolidate elements of street furniture to streamline the public realm where relevant and appropriate. DMD4 addresses heritage and archaeology and Policy DMD5 requires development to seek to positively contribute to the characteristics and composition of identified local views
- 1.62 The site is located between two distinct areas of the town centre, each with its own character. To the north-west the site fronts East Street which has a 'market town' character and to the south-east the site faces the Town Hall and the Town Square where there is a much more 'civic' presence which is emphasised by the cluster of nearby tall buildings which stand proud around the immediate vicinity of the square. These include the Barking Learning Centre, the Ropeworks and the Lemonade and the Arboretum buildings.
- 1.63 As identified in the Council's Barking Town Centre Strategy, East Street is a commercial, pedestrianised street in the town centre which, as well as being Barking's main high street, is the home to Barking Market, a vibrant street market. It is also a key east-west connection linking Barking Station to the historic Abbey Green and onwards to the River Roding. East Street lies in the Abbey and Barking Town Centre Conservation Area which includes many architectural buildings of some art-nouveau style dating back from the early 20th Century which gives the street a distinct character above the parade of retail shops.
- 1.64 In recent years, East Street has undergone some upgrade to improve the quality and appearance of East Street including the removal of street clutter and the introduction of a catenary lighting scheme across the length of East Street further reinforcing its importance at the heart of the Borough and this Opportunity Area.
- 1.65 Given the importance of East Street at the heart of this Opportunity Area and the Housing Zone, Officers consider that where development proposals come forward of a significant nature such as this scheme, proposals need to adopt an overarching holistic approach in order to establish greater connectivity and legibility between key sites and provide a cohesive identity to Barking Town Centre. The joint opportunities and shared constraints mean that individual sites and adjacent plots cannot be treated in isolation, resulting in poor place-making which does not contribute to establishing a cohesive, interlinked and coordinated approach to the creation of buildings and spaces within the town centre.
- 1.66 The site forms part of a wider town centre place-making strategy with Supplementary Planning Document 'Barking Station Masterplan' established in 2012. Subsequent to this, the wider vision

for the town centre has been updated by both the designation of the town centre forming part of the London Riverside Opportunity Area, the Barking Town Centre Housing Zone status.

Height Scale and Massing

- 1.67 East Street, which is located in the Conservation Area comprises buildings that are generally two to three storey terraces with some larger footprint and taller buildings on the south side of East Street. Outside the Conservation Area and away from East Street, a number of buildings have an increased height and massing, including Bath House (9 storeys), Ropeworks Arboretum (8 storeys) and the Lemonade building on Ripple Road which rises to 19 storeys.
- 1.68 The proposed development has been reduced in height along the East Street frontage – where the refused scheme was previously 7 storeys alongside the Former Magistrates building, the current application is 5 storeys, rising up to 6 storeys along the southern end of East Street and stepping up to a maximum 9 storeys along Clockhouse Avenue.
- 1.69 The reduction in height of the proposed development around the East Street frontage is welcomed, however as the building steps up, this would still represent departure from the character of East Street and would still dominate views along East Street, particularly where the 6-storey frontage on East Street is retained to the southern end of the development, notable in View 11 of the Heritage, Townscape and Visual Assessment. Views 3 and 4 also highlight that whilst the height has been stepped back, the 9 storey element is still highly prominent in views around East Street and in the immediate context of the former Magistrates Court. Whilst officers acknowledge the quantum of housing proposed in the emerging allocation DJ, as noted in the density section above, in the absence of wider master planning option studies it is not considered this is fully justified in the context of this wider allocation.

Layout

- 1.70 The site is of significant importance and is located adjacent to an urban block (2-32 East street), marked for redevelopment as part of emerging allocation DJ which combines the two sites. The proposed layout and façade treatment of the residential units facing Grove Place do not create a pleasant aspect for the proposed residents of blocks D and C. Further to this the proposal does consider the impact or implications of this future development.
- 1.71 The ground floor layout of the current application is broadly similar to the previously refused scheme, interspersing 6 retail units of varying size amongst the 3 residential cores and associated cycle and bin stores, with access to the building from all sides.
- 1.72 The opportunity to activate/replace the existing dead frontage and service yard to the rear of the site is acknowledged which shows some consideration on how to respond to the constraints of the site, with the proposed refuse strategy helping to reduce the need for the 'back of house/ service yard that currently exists. However, as with the previously refused scheme, the relationship between the proposed ground floor layout and the existing folly wall is considered to be poor, largely obscuring the visibility of Unit 5. The folly wall is a valued artistic reference to Barking's historic fabric. Its status as a key public art installation dictates that careful consideration should be given to its integration/relocation as part of future development proposals. The retention of the folly is welcomed, however, while the proposal begins to create the opportunity to complete the town centre square in a meaningful way, it does not go far enough in proposing and embedding itself into a wider holistic placemaking strategy. It is unclear whether the implications of the approved plans for closure of Grove Place have been considered
- 1.73 'Retail Unit 6' would initially be isolated given the existing function of Clockhouse Avenue (a street dominated by rear servicing). Visual prominence/identity for a commercial unit in this location is therefore important. Given the prominent location of 'Retail Unit 6' the proposal lacks consideration to the architectural articulation and function of this space as an important part of the town square.
- 1.74 In the upper floors it is also noted that the proposal relies on south facing views that directly face no.32 East Street with a 6-metre separation distance. As highlighted above, this represents a missed opportunity for placemaking to interact with not only the existing surroundings but also the emerging allocation.

Architecture

- 1.75 The architecture of the proposal has advanced from the previously refused scheme in respect of the architectural strategy, particularly in relation to the northern corner adjacent to the former Magistrates Court.

Landscape and Public Realm

- 1.76 The communal roof terraces within the scheme as welcomed, and the quality of the landscaping provided could be conditioned to ensure it offers high quality landscaping to create welcome communal spaces.
- 1.77 In terms of the ground floor landscaping, the proposal would see the loss of four lime trees by the folly. The trees are old town centre trees that go back many decades. LBBD's Arboricultural Officer has reviewed the application and has accepted the loss of the trees on the basis that there is a good landscaping package in place as a replacement. This would include six new semi-mature trees and an additional contribution of £7,785 as a tree contribution to ensure the replacement valuation is akin to the trees lost; the money should be made available to LBBD Parks and Environment.
- 1.78 With respect to the public realm, the application takes a piecemeal approach with no improvements proposed beyond the red line boundary and does not appear to consider how elements of the public realm interact with the space. This site is a crucial town centre location that provides the opportunity to create a positive connection between East Street and the Town Square/Town Hall, but this connection and opportunity to improve the public realm surrounding the building is not utilised as part of this scheme, which sits isolated from its surroundings. The development is therefore a missed opportunity to cohesively connect the two key distinctive elements of the town centre and form part of a holistic regeneration strategy for the town centre.

Heritage

- 1.79 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) places a general duty on the Council in respect of listed buildings in exercising its planning functions. In considering whether to grant planning permission for development which affects a listed building or its setting, the LPA shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 1.80 In accordance with Section 72 Planning (Listed Buildings and Conservation Areas) Act 1990, in the assessment of the proposal the Council has paid special attention to the desirability of preserving or enhancing the character or appearance of that area.
- 1.81 Chapter 16 of the NPPF (Conserving and enhancing the historic environment) advises Local Planning Authorities to recognise heritage assets as an "irreplaceable resource" and to "conserve them in a manner appropriate to their significance" (para.184). Paragraphs 189-192 require the significance of any affected heritage assets to be described, identified and assessed. Paragraph 193 of the National Planning Policy Framework (NPPF) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 195 goes on to say LPAs need to consider whether a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset. Paragraph 194 requires any harm to a designated heritage asset to be clearly and convincingly justified. Paragraph 196 states that 'less than substantial harm' to designated heritage assets should be weighed against the public benefits of the proposal.
- 1.82 London Plan Policy HC1 states that "development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings."
- 1.83 The above policies are reiterated at a local scale within, Policies BP2 and CP2 of the Local Plan, policy DM14 of the Draft Local Plan which seek to conserve heritage assets and avoid harm.

- 1.84 The Former Magistrates Court (Grade II listed) is identified as a landmark building in the Abbey and Barking Town Centre Conservation Area Appraisal (ABTCCAA), due to its detached nature and position. The building is a large building of grand Flemish Renaissance style which presides over East Street featuring in views all along the street and from the open public space in front of the building. The Town Hall (locally listed) is also located in the Conservation Area, to the south of the site is identified as a landmark building due to its grand scale, austere architecture and prominent clocktower which appears in views across the Conservation Area and beyond. Part of the site itself is identified as a positive contributor to the Conservation Area.
- 1.85 In terms of new development the (ABTCCAA) advises that new and replacement development needs to take account of and be sensitive to, the significance of any building proposed to be removed, the significance of any relationship between any building to be removed and adjacent structures and spaces, potential impact of the new design on known or potential archaeological remains, the potential impact of the new design on the setting of any neighbouring listed or locally listed buildings, the potential impact on important views and in relation to landmark buildings, the materiality and architectural detailing characteristics of the area and the scale and grain of the surrounding area.
- 1.86 The application is supported by a Heritage, Townscape and Visual Assessment which assesses the significance of heritage assets and the likely effects of the proposed development.
- 1.87 Historic England have been consulted on the application. Historic previously supported investment along the historic high street in principle and recognised the opportunities to improve the poor townscape quality of the building at the site, however concerns were raised about the overall scale, massing and design of the proposed development, which would fail to preserve or enhance the character and appearance of the Conservation Area or preserve the setting of the Grade II listed Magistrates Court. Whilst some increased height and mass could be supported to the rear part of the site, the street-facing elements should seek to respond to the prevailing scale of buildings along East Street.
- 1.88 In response to the current proposals, Historic England welcome the refinements to the scheme, which are an improvement to the previous iteration and would notably sit more comfortably alongside the Grade II Magistrates Court. Changes to the design and materiality are also welcomed. However, Historic England consider that the redevelopment as a whole remains of a very large scale for a high street plot, and whilst acknowledging that building height and density is increasing around Barking Town Centre, this development site is particularly sensitive due to its positioning along the historic high street. There remains a somewhat stark juxtaposition in scale with the surrounding historic buildings that is likely to result in some harm to the appreciation of Barking's historic market town grain, scale and character. Harm would also result from the loss of the existing building at 34 East Street (with reference to Para 201 of the NPPF) due to its identification as a Positive Contributor in the Council's recently updated Conservation Appraisal and Management Plan.
- 1.89 Officers consider the amendments to the East Street frontage to be an improvement, particularly the amendments to the northern corner which are immediately adjacent to the Grade II listed Magistrates Court. As such, in comparison to the previously refused scheme, it is considered that the harm on the setting of this heritage asset has lessened in terms of impact on this listed building. However, the proposed development overall is still of a substantial massing, density and stark appearance such that there would still be harm to the setting of the Grade II listed building, resulting in 'less than substantial' harm. The proposed development would create a dominating presence adjacent to the listed building, which is particularly evidenced in views from the south of East Street.
- 1.90 Any harm to or loss of a heritage asset requires justification (para 194 NPPF). In this instance, officers consider the proposed development would lead to 'less than substantial harm' to the setting of the Grade II former Magistrates building and 'less than substantial harm' to the Conservation Area'. As such, this harm must be balanced against the 'public benefits' derived from the scheme, which in this case are notably the delivery of 65 new homes including family housing and affordable housing to assist in the borough meeting its targets for much needed housing. There would also be short-term benefits associated with the creation of construction jobs. However, despite the Council's shortfall in housing delivery (as confirmed by the recent HDT

results) it is not considered that this outweighs the harm to the setting of this listed building and the conservation area, which must be given considerable importance and weight.

- 1.91 The proposed development would result in the loss of No.34 East Street, which dates back to the 1920s. This building has both historical and architectural significance and is identified as a positive contributor to the Conservation Area in the ABTCCAA. Whilst the rationale for adopting a contemporary architectural approach (avoiding pastiche design) is accepted; the proposed development overall does not relate well to the conservation area and fails to enhance the character and setting of the conservation area or respond positively to its immediate surroundings.
- 1.92 Officers have paid special attention to the desirability of preserving features of special architectural or historic interest, and in particular, listed buildings and the preservation and enhancement of the character or appearance of the Abbey and Barking Town Centre Conservation Area in accordance with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Officers have concluded that the development by virtue of its siting, design and piecemeal nature will impact on the setting of the Grade II listed former Barking Magistrates Court and will not protect or enhance the character of the Abbey and Barking Town Centre Conservation Area, resulting in less than substantial harm which would not be outweighed by any public benefits resulting from the proposal.

Summary

- 1.93 In summary, officer concerns in relation to design, remain. Whilst we consider some positive progress has been made where the proposed development sits alongside the former Magistrates Court, the height, scale and massing is still considered substantial in the setting of this application on a key high street site in the Conservation Area. The application fails to demonstrate that design options have been explored to assess the distribution of height and massing across the wider proposed allocation. It is considered that the proposal still represents a stark and isolated development that results in a missed opportunity to cohesively connect the two key distinctive elements of the town centre and form part of a holistic regeneration strategy for the town centre. The application represents a piecemeal approach to development that fails to preserve and enhance the setting of the conservation area and would have a less than substantial impact on the setting of the Grade II former Magistrates Court that would not be outweighed by public benefits.

Impacts to neighbouring amenity:

- 1.94 NPPF paragraph 170 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of pollution, including noise, water and air.
- 1.95 London Plan Policy D3 sets out that developments should deliver appropriate outlook, privacy and amenity and help prevent or mitigate the impacts of noise and poor air quality. Policy D6 part D states “the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.”
- 1.96 Adopted Policy BP8 of the Borough Wide Development Management Policies DPD seeks to protect residential amenity, and Draft Local Plan Policy DMD1 ‘Securing high quality design’ (Regulation 19 version) sets out that among other things, all development proposals should consider the impact on the amenity of neighbouring properties with regard to significant overlooking, privacy and immediate outlook, and should mitigate the impact of air, noise and environmental pollution.
- 1.97 In respect of daylight and sunlight, the NPPF states that authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards) (Paragraph 123c). London Plan Housing SPG states that “An appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density

development, especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets. This should take into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time. The degree of harm on adjacent properties and the daylight targets within a proposed scheme should be assessed drawing on broadly comparable residential typologies within the area and of a similar nature across London. Decision makers should recognise that fully optimising housing potential on large sites may necessitate standards which depart from those presently experienced, but which still achieve satisfactory levels of residential amenity and avoid unacceptable harm.”

Daylight and Sunlight

- 1.98 One of the reasons for refusal of application 19/00770/FUL was in relation to the loss of sunlight and daylight to neighbouring residential occupiers, in particular flats contained within the former Barking magistrates Court and the Bath House buildings. The reason for refusal also pertained to the failure to demonstrate the proposed flats with the development and the courtyard area would receive adequate sunlight levels.
- 1.99 A Daylight and Sunlight Assessment prepared by CPMC Chartered Surveying, which highlights that the BRE Guidelines should be applied flexibly and in the context of a major centre and London Riverside Opportunity Area, it is reasonable to assume that the density in the area is likely to increase and the BRE targets are unlikely to be met in all instances. The report highlights the importance of context when assessing daylight/sunlight factors and have reviewed daylighting levels enjoyed by nearby properties in order to provide a more in depth understanding of the context. The buildings reviewed are:
- The east elevation of the Magistrates Court. The first floor has an average VSC 11.21 and the second floor has an average VSC 13.08.
 - The east elevation of The Bath House. The first floor has an average VSC 11.71 and the second floor has an average VSC 13.92.
 - The western elevation of Arboretum Place. The second floor has an average VSC 10.23 and the third floor has an average VSC 13.74.

Daylight and sunlight assessment on surroundings

- 1.100 The Assessment submitted summarises that the majority of neighbouring windows, rooms and amenity spaces comfortably fulfil all of the planning guidance. However, the assessment acknowledges that the most significant impact is caused to the Barking Magistrates Court building, which contains a residential element, noting that whilst the impact is relatively significant, the design of the building makes some windows and rooms more sensitive than we would ordinarily expect and that the residual light levels are in keeping with other nearby facades, including the eastern façade of the same building.
- 1.101 The submitted assessment does not directly compare the current application with the previously refused scheme but seeks to contextualise the scheme to justify the numerous ‘transgressions’ to the neighbouring buildings. In addition to the contextual analysis of sunlight received to neighbouring properties (above), the report highlights the impact of balconies in exacerbating loss of light. Officers accept that the context of the development is an important factor to consider and the close-knit nature of the immediately surrounding buildings are a material consideration. However, it is worth noting that in the examples provided the windows assessed at Arboretum Place are inward looking towards the same building, and as such these windows were never afforded greater levels of sunlight. Similarly, the Bath House development was approved within 2 years of Arboretum Place and both schemes were approved under planning policy that pre-dates the current national, regional and local policy framework. Crucially no cohesive wider master planning work has been undertaken as part of this planning application to demonstrate that this form of development is the most appropriate form for the proposed site allocation, and that the quantum of development in the emerging site allocation cannot be distributed without this level of daylight/sunlight impacts.
- 1.102 It is acknowledged that in historic city centre environments may not be possible to achieve the 27% VSC target and that some level of change is likely to be necessary if the proposed levels of housing area to be accommodated on this site, and within the town centre more generally.

However, daylight/sunlight impacts must be scrutinised, particularly if VSC value is below 27%, and if the reduction is greater than 20% (or 1/5th its former value), when the reduction is likely to be noticeable, as the BRE guidance advises.

- Arboretum Place – 3 VSC window transgressions (where BRE targets are not passed) are caused, all of which are considered by the applicant to be ‘marginal’ and exacerbated by the balconies above. In undertaking an additional calculation without the balcony in place, all windows pass. In terms of the annual probable sunlight hours test (APSH), all tested windows are either orientated north or pass.
- Bath House – 26 VSC window transgressions are caused to this property as a result of the proposal, of which the assessment notes 19 windows remain above 0.7 of their former value (but below 0.8). Of the 7 windows that have losses more significant than 0.7m the windows are located under balconies, which naturally causes greater restriction. When assessed without the balcony obstruction, all windows are above 0.7 of their former value. For APSH, all tested windows are either orientated north or pass.
- Former Magistrates Court – 40 VSC window transgressions occur to this property. The applicant seeks to justify the transgressions through contextualising a number of the windows, for example presence of basement windows or recessed mezzanine floors. Whilst officers acknowledge the design of basement development and recessed mezzanine floor rooms are difficult to achieve high VSC ratings, there are a number of other transgressions occurring on all floors, including the fourth floor that would have a noticeable and significant impact to the occupiers of the development. The assessment notes that the Former Magistrates Court is due north of the proposed development and therefore inevitable that the proposal will cause more significant sunlight impacts to this property than neighbouring properties. In terms of APSH, the proposal results in 9 annual and 9 winter transgressions to this property, however this includes that basement room and rooms that are lit by numerous windows, thus translating to 6 annual and 4 winter room transgressions.

1.103 In terms of sun on the ground to neighbouring amenity space, the current application assesses amenity space at The Bath House and Barking Magistrates Court. The assessment concludes that there would be no change to The Bath House amenity space but that there would be a transgression to the amenity space at the Former Magistrate Court, reducing from 5% to 0%. Officers consider this to be a significant change which would result in a poor amenity space.

Daylight and sunlight assessment for the development proposal

1.104 In relation to internal daylight levels within the proposed development, all the flats will have a combined living room/kitchen area whereby the BRE guidelines advise a target average daylight factor (ADF) level of 2% however, in practice, the principal use of rooms designed as a ‘living room/kitchen/dining room’ is as a living room and accordingly it would be reasonable to apply a target of 1.5% to such rooms.

1.105 The current application contains an assessment of the proposed accommodation, which summarises that of the 185 habitable rooms proposed, 179 pass the ADF test (97%) and 170 habitable rooms (92%) pass the daylight distribution test. An assessment of the sunlight received to the living/kitchen/dining space found that 80% of the rooms tested meet the annual probable sunlight guidance and 82% meet the winter hour guidance, with 79% of rooms passing both tests. The previous application considered the internal daylight/sunlight levels achieved within the proposed building, and in assessing the application, officers considered the internal daylight and sunlight to be acceptable. Officers consider the current application receive an acceptable level of daylight/sunlight to the rooms within the proposed development.

1.106 In assessing the previous application, officers considered that a sunlight assessment for the courtyard area should have been included as part of the assessment to ascertain whether adequate levels of sunlight is achieved to this area, and the absence of this formed part of the reason for refusal.

1.107 BRE guidelines commend that at least half of a garden or amenity space should receive at least two hours of sunlight on 21 March. The two communal terraces proposed (on the second and fifth floors) have been assessed and the submitted report concludes that the BRE criteria is met.

1.108 In terms of the proposed development and associated amenity space, it is therefore considered acceptable in terms of daylight and sunlight. Officers would however note that the proposed development contains a large number of windows on the south west elevation facing the other part of the emerging site allocation, and as a piecemeal development with no master planning/placemaking work undertaken, officers are not assured that the proposed development would not prejudice future development coming forward on this site.

1.109 Daylight and sunlight summary

1.110 Even when applying the BRE guidance with the flexibility as intended, the impacts of the proposed development caused by the proposed development are noticeable and in many cases significant. It is not considered that the contextual justification provided or differences between this application and the previously refused application are significant or material enough for officers to remove the previous reason for refusal, particularly as no wider master planning options have been tested to demonstrate that this density and massing is the most appropriate form for the site.

Outlook/Privacy

1.111 The siting of the current application is located on broadly the same footprint as the previously refused scheme and as such the impacts in relation to privacy are akin to the previous scheme. There will be a separation distance of approximately 12 metres between the north-eastern elevation of the proposed development and the former Barking Magistrates Court building. It is therefore not considered that the development will have any material impact on the outlook and privacy of existing residential occupiers, particularly given the central town centre location. Whilst the Bath House is located directly to the south-east and within close proximity of the proposed development, it is not considered that there would be any direct overlooking or loss of privacy to the residents of this building.

1.112 The previous reasons for refusal included a reason pertaining to the outlook of the proposed flats facing onto Grove Place, which measures 6m wide. Officers considered that there would be a poor outlook from the flats facing south-west onto Grove Place, particularly at the first-floor level of the development, which would have a detrimental impact on the amenities enjoyed and the living standards of the future occupiers of the development. The first floor flats of the current application are all dual aspect with outlooks onto the town square or onto East Street. There is also a camber to the East Street side, which angles away from Grove Place. It is therefore no longer considered that outlook from the first floor units would justify a reason for refusal of the proposed development.

Noise

1.113 London Plan policy D13 (noise) sets out ways to manage noise within new developments. The policy ties into policy D12 (agent of change) which places responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise-sensitive development.

1.114 The Environmental Health Officer (EHO) has reviewed the submitted documentation and notes that the preliminary noise survey took place between 29-30 April 2019 which were a Monday and a Tuesday. As this development will be used at weekends it is considered that it would have been more representative to conduct a survey which would also cover these times which can be noisier, particularly in the evening/night time. In addition, the precise details of the mechanical services plant and refrigeration equipment (type and noise signature) are not known at this stage.

1.115 For the reasons highlighted above, the EHO recommends that the noise implications at the site will need revisiting and in the event planning permission is granted a number of noise based conditions are recommended, including a scheme of acoustic protection, noise limits for non-residential uses and plant structures. A condition is also recommended for a Construction Environmental Management and Site Waste Management Plan which should incorporate noise and vibration control details and restrict the demolition and construction hours to ensure there would be no undue construction noise at unneighbourly hours.

Lighting

- 1.116 No details of external lighting have been submitted. To enable the development to be safe, secure and inviting, whilst ensuring external lighting does not give rise to neighbouring amenity impacts, a condition requiring the submission of lighting details would be imposed if planning permission were granted.

Air Quality

- 1.117 The NPPF sets out at paragraph 181 that decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants taking into account the presence of AQMAs and the cumulative impacts from individual sites in local areas.
- 1.118 Policy SI1 of the London Plan also states that all development should be air quality neutral as a minimum. This is supported by Policy DMSI4 of the draft Local Plan (Regulation 19 version). Core Strategy CR1 sets a policy requirement to protect air quality.
- 1.119 The Environmental Health Officer has reviewed the position relative to air quality, advising that the Air Quality Neutral assessment will need revisiting once the end uses are known, and when the assumptions within the submitted report can be validated. As such, if planning permission were to be granted a condition is recommended for the submission of an Air Quality and Air Quality Neutral Assessment with a scheme for air pollution mitigation measures. A further condition is recommended for emissions from non-road mobile machinery.

Contaminated Land

- 1.120 If planning permission were to be granted, a condition would be required to ensure there would be no adverse impacts in terms of land contamination, involving the submission of an investigation and risk assessment, detailed remediation scheme and a verification report.

Sustainable Transport:			
<i>Net gain/loss in car parking spaces:</i>	2 disabled bays proposed	<i>PTAL Rating</i>	6a
<i>Proposed number of cycle parking spaces:</i>	143 long-stay cycle parking spaces	<i>Closest Rail Station / Distance</i>	Barking Station / 0.2 miles
<i>Restricted Parking Zone:</i>	Yes	<i>Parking stress survey submitted?</i>	No

- 1.121 The NPPF recognises that sustainable transport has an important role to play in facilitating sustainable development but also contributing to wider health objectives. In particular it offers encouragement to developments which support reductions in greenhouse gas emissions and those which reduce congestion. The NPPF also outlines that developments which generate significant vehicle movements should be located where the need to travel will be minimised and the use of sustainable transport options can be maximised. It is also expected that new development will not give rise to the creation conflicts between vehicular traffic and pedestrians.
- 1.122 London Plan Policies T1- T6, seek to promote sustainable modes of transport, encourage the effective use of land, reduce car dominance and be integrated with current and planned transport access, capacity and connectivity.
- 1.123 Core Strategy policy CR1 promotes the use of sustainable transport to assist in addressing the causes and potential impacts of climate change. Policies BR9, BR10 and BR11 of the Borough Wide Policies DPD set out the Council's approach to parking, sustainable transport and walking and cycling. Emerging Policy DMT1 'Making better connected neighbourhoods' of the Draft Local Plan (Regulation 19) sets out that development proposals should reduce the dominance of vehicles on London's streets. Emerging policy DMT2 'Car parking' states that development will be resisted where anticipated car parking and vehicle use will increase congestion and parking stress. Emerging policy DMM1 confirms that the Council may use planning obligations to address a development's impacts and to ensure it aligns with the development plan for the borough, including highways works or payments towards addressing any impacts as a result of the development and other transport requirements arising from transport assessments and travel plans.

- 1.124 Barking Area Action Plan Policy BTC8 states that the Council wish to encourage through traffic to remain on the primary road network and thereby reduce the levels of traffic using the roads in the Plan area as a short cut.
- 1.125 Strategic Policy SPP1 (Regulation 19 Draft Local Plan) promotes measures to improve access across the town centre, which includes prioritising pedestrian and cycle movement and safety around Town Quay, including restricting Highbridge Road to a minimum of one-way vehicular traffic.
- 1.126 The site has a PTAL rating 6a, which represents an excellent level of public transport accessibility.
- 1.127 Application 19/00770/FUL contained a reason for refusal pertaining to the location of the proposed blue badge spaces posing a potentially hazardous conflict with the existing turning head area on Clockhouse Avenue and the plant and refuse access to the former Magistrates Court building. The applicant has sought to address this reason for refusal by changing the location of the two blue badge spaces proposed.

Site Access

- 1.128 The building is proposed to be accessed from all elevations – East Street to the west, Grove Place to the south and Clockhouse Avenue to the north and east. The access strategy proposed includes 3 access points on Grove Place (back of house to retail unit 1, bin store and separate cycle store to the residential units). However, a previous planning application for the closure of Grove Place (16/00204/REG3) was given planning permission on 25/10/2018. This is still planned to be implemented and therefore the access strategy should demonstrate how the proposed closure of Grove Place has been taken into consideration, to avoid likely conflicts should the planning permission be implemented, and this area is closed off. This issue was raised in the previous planning report, where it was noted that the implementation of the consented scheme would have significant access and environmental implications for the ground and upper floor layouts of the proposed development and highlights the importance of adopting a holistic joined-up approach to development so as to maximise wider regeneration benefits.
- 1.129 Furthermore, officers note that two green electricity boxes on the east of the site should be relocated to the back of the footway to not cause a hindrance to pedestrians.

Car and Cycle Parking

- 1.130 The proposal includes the provision of 2 disabled parking spaces. These are located to the north and east of the site. Regarding the car parking space to the north of the site, it is unclear if the applicant is intending to remove some of the footway to enable the disabled parking space to be implemented and to allow continued access into the market for permitted vehicles. Further details that show the tracking of vehicles in order for vehicles to maintain access to the market are required to provide assurance that there would be no conflict. In accordance with the London Plan, officers would also expect these parking spaces to include electric vehicle charging infrastructure. The Transport Statement states that EV charging is proposed, however details of how this could be achieved within the public realm have not been submitted at this stage.
- 1.131 For the remainder of the proposed development, this will be car free. To ensure this is achieved, a car free obligation in the S106 should be secured to any permission granted that states that with every type of tenure and tenancy agreement, future occupiers will not be granted a permit, unless they qualify for disabled parking.
- 1.132 In terms of residential cycle parking, 143 long-stay cycle parking spaces, which is in line with minimum standards set out in the Intend to Publish London Plan. These cycle parking spaces should be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards. A condition should be attached to ensure that detailed plans are submitted and then implemented.
- 1.133 A Car and Cycle Parking Management Plan that should be secured by condition.

Other transport matters

- 1.134 If planning permission were to be granted, A full Delivery and Servicing Management Plan, full Construction Logistics Plan and full Framework Travel Plan should be secured by condition to

ensure that the outline/framework principles set out in the submitted documentation can be implemented and additional details reviewed by officers to ensure there would be no adverse impacts as a result of construction or servicing, and to ensure sustainable transport is promoted in accordance with policy requirements.

Summary

- 1.135 Based on the lack of information provided on the car parking arrangement and the site access strategy along Grove Plan, Transport Officers have substantially objected to the application on highways grounds. On the basis of this lack of clarity and potential conflict with vehicles accessing the market, officers are therefore not assured that there would not be an unacceptable impact on highway safety. The issues that resulted in the previous reason for refusal in terms of transport impacts have not been resolved and officers consider this a reason for refusal.

Archaeology:

- 1.136 NPPF Section 16 recognise the positive contribution of heritage assets of all kinds and make the conservation of archaeological interest a material planning consideration. NPPF paragraph 189 says applicants should provide an archaeological assessment if their development could affect a heritage asset of archaeological interest. Paragraph 199 of the NPPF says that applicants should record the significance of any heritage assets that the development harms. Applicants should also improve knowledge of assets and make this public. Policy HC1 of the London Plan echo the importance of archaeological contributions, as set out in the NPPF. NPPF paragraphs 185 and 192 and London Plan Policy HC1 emphasise the positive contributions heritage assets can make to sustainable communities and places. Where appropriate, applicants should therefore also expect to identify enhancement opportunities.
- 1.137 Borough Wide Development Policies DPD Policy BP3 looks to secure the conservation or enhancement of archaeological remains and their settings.
- 1.138 The previous application contained a reason for refusal pertaining to archaeology (reason 7). No further archaeological investigations have been undertaken in the intervening time prior to the submission of this application and as such Historic England (GLAAS)'s position remains the same as the previous application.
- 1.139 Historic England have not been able to assess the effects on archaeological interest resulting from the proposal. In order to inform on this issue, Historic England requires the applicants to carry out a programme of archaeological fieldwork to provide the necessary information to inform any design work. It is acknowledged that much of the site will be inaccessible due to the current building, however fieldwork could be possible within the service yard on site, with the potential for this to be accommodated when the service yard is not in use. As this application has not been accompanied by the relevant fieldwork, Officers are unable to ascertain whether the proposal would conserve or enhance any possible archaeological remains and is therefore contrary to Policy BP3 in this regard, and the relevant sections of the NPPF.

Employment:

- 1.140 London Plan Policy E11 promotes inclusive access to training, skills and employment opportunities for all Londoners. Core Strategy Policy CM1 states that development should meet the needs of new and existing communities and that a sustainable balance should be sought between housing, jobs and social infrastructure. Strategic Policy SP5 of the Draft Local Plan (Regulation 19) sets out that the Council will support businesses who seek to evolve, diversify and contribute to a more thriving and more inclusive local economy, including through the provision of employment and training opportunities for local people. Emerging policy DMM1 notes that the Council may request planning obligations to achieve construction-phase and occupation-stage employment and procurement targets.
- 1.141 The proposed development would contribute to employment for residents within the borough. If members were minded to approve the application, a Section 106 obligation would be sought to secure an Employments, Skills and Suppliers Plan ensuring that a minimum of 25% of labour and suppliers required for the construction of the development would be drawn from within the Borough, to maximise opportunities for local residents and businesses and to secure end-use jobs.

Impact to existing Education Provision:

1.142 The application proposes the delivery of 65 new homes, including 19 family units. LBBD School Investment Team have provided comments on the application, summarised in Appendix 3 below.

Waste management:

1.143 London Plan Policies D6 and S18 seek to ensure high standards of construction and design are achieved and seeks to ensure minimisation of generation of waste and maximisation of reuse and recycling. Policies CR3 and BR15 of the Core Strategy and Borough Wide policy document outline the need for development in the Borough to minimise waste and work towards a more sustainable approach for waste management. These objectives are further emphasised in the emerging Local plan (Regulation 19) through Strategic Policy SP7 and Policy DMS19.

1.144 No objections were raised to waste management in the previous application and it is considered that a detailed waste plan would be required to ensure that any waste collected in association with the proposed use would be managed and segregated in line with requirements.

Delivering Sustainable Development (Energy / CO2 reduction / Water efficiency):

<i>Proposed CO₂ Reduction</i>	38%
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1.145 The NPPF emphasises at paragraph 148 that the planning system should support the transition to a low carbon future in a changing climate and should help to shape places that contribute to radical reductions in greenhouse gas emissions, and encourage the reuse of existing resources, including the conversion of existing buildings.

1.146 The Mayor of London has set ambitious targets for London to be net zero-carbon. London Plan Policy SI2 ‘minimising greenhouse gas emissions’ directs that major development should be net zero-carbon, through reducing greenhouse gas emissions in accordance with the be lean, be clean, be green, be seen hierarchy. The policy requires a minimum on-site reduction of at least 35% beyond Building Regulations for major development. Policy SI states that major development proposals within Heat Network Priority Areas should have a low-temperature heating system. Policy SI4 sets policies to minimise adverse impacts on the urban heat island and requires major development proposals to demonstrate through an energy strategic how they will reduce potential for internal overheating, following a cooling hierarchy.

1.147 Policy CR1 of the Core Strategy sets out measures to address the causes and potential impacts of climate change, requiring all new development to meet high environmental buildings standards and encourage low and zero carbon developments. Policy BR2 ‘Energy and on-site renewables’ of the Borough Wide Development Policies DPD outlines the expectations for significant carbon reduction targets to be achieved. Draft Local Plan Policy DMS2 ‘Energy, heat and carbon emissions’ sets out the Council’s expectations for major development to contribute and where possible exceed the borough’s target of becoming carbon neutral by 2050 by maximising potential carbon reduction on-site and demonstrating the achievement of net zero carbon buildings. The policy also prioritises decentralised energy and sets an expectation for development proposals to connect to any existing or planned low carbon district energy networks.

1.148 Borough Wide Development Policies DPD policy BR1 sets a requirement for non-residential major developments to achieve BREEAM Very Good-Excellent. The Draft Local Plan (Regulation 19) seeks to go further, requiring all new non-residential development over 500sqm floorspace to be designed and built to meet or exceed a BREEAM Excellent rating.

1.149 An Energy and Sustainability Statement has been submitted as part of the planning application. The Statement sets out energy and sustainability measures to be incorporated into the development proposal. The statement sets out the expectation for the design to become connected in the future to a local heat network, proposing that a site-wide heating system with a single energy centre would be incorporated to connect to all residential units.

1.150 The Energy and Sustainability Statement confirms that the development would achieve 38% CO2 reduction overall, using SAP 10 factors through the provision of efficiency measures and rooftop solar PV, with the remainder to be offset through calculated contributions. The carbon offset to be paid is estimated to be £102,695 based on £95 tonne, in accordance with updated GLA figures. Other renewable energy options are reviewed but are considered unfeasible.

Officers consider that this position accords with policy and a planning obligation and planning condition could be secured to ensure the carbon reduction is met.

- 1.151 In terms of BREEM the Energy and Sustainability Statement acknowledges the policy requirements but states that as the retail units are all smaller than 1,000sqm and considers that exceptional cases where floor area is less than 1,000 that BREEM Excellent should not be sought, based on the LBB Sustainable Design and Construction Planning Advice Note 5 (2007). However, the reference in the advice note is in reference to the trigger for 'major developments' which this application meets, and the overall amount of commercial floorspace proposed is 1,314sqm. Furthermore, the more recently published Regulation 19 Draft Local Plan requires all new non-residential development over 500sqm to meet or exceed BREEM Excellent rating. If the application were approved, officers would seek to impose a condition requiring the non-residential floorspace to meet or exceed BREEM rating Excellent.

Biodiversity & Sustainable drainage:

- 1.152 The NPPF states that planning systems should minimise impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- 1.153 Policy G6 of the London Plan requires new developments to make a positive contribution to the protection, enhancement, creation and management of biodiversity wherever possible. Policy SI17 supports river restoration and biodiversity improvements, noting that developments along London's river network should respect their local character, environment and biodiversity. Policy D8 encourages the incorporation of green infrastructure to the public realm to support rainwater management. Policies CR2 and BR3 of the Core Strategy and Borough Wide policies echo the London Plan in its strategic approach to protect and enhance biodiversity and to provide a net gain in the quality and quantity of the Borough's natural environment. This approach is also set out in Policy SP6 of the emerging Local Plan (Regulation 19 stage). Emerging policy DMNE2 supports developments that maximise opportunities for urban greening; DMNE3.

Biodiversity and ecology

The site is of low ecological value and its biodiversity will need to be enhanced through proposed tree planting and landscaping to be provided within the development. Matters relating to biodiversity can be secured by condition.

Sustainable drainage

- 1.154 The NPPF states that new development should be planned for in ways that avoid increased vulnerability to the impacts arising from climate change, and highlights at paragraph 155 that inappropriate development in areas at risk of flooding should be avoided, and that where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
- 1.155 London Plan policy SI13 states that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to the source as possible. Drainage should be designed and implemented to promote benefits including urban greening, improved water quality and water efficiency. Policies CR4 and BR4 of the Core Strategy and Borough Wide Policies and Policy DMSI6 of the emerging Local plan (Regulation 19 stage), set out the local policy position.
- 1.156 The proposed development incorporates satisfactory Sustainable Urban Drainage solutions (SUDS) in principle. A detailed SUDS strategy and maintenance plan for drainage matters can be secured by condition, in line with the recommendations of the LLFA.

Planning Balance:

- 1.157 As assessed above, officers consider there is less than substantial harm to the former Magistrates Court heritage asset as a result of the proposed development and to the character and appearance of the Conservation Area that are not outweighed by public benefits. Officers also consider that the density, scale and massing has not been assessed against alternative options which consider wider masterplanning options. Further concerns include the impact in

terms of daylight and sunlight on the surrounding residential neighbours and the impacts in respect of transport as a result of lack of submitted information.

- 1.158 Given the position in respect of the Housing Delivery Test, the Council have published a Housing Delivery Test Action Plan which sets out how LBBD will increase housing delivery going forward. The Action Plan identifies barriers to housing delivery over the last 2 years and lists actions that the local authority has been and will continue to take to improve housing delivery in the borough. The Action Plan demonstrates that the Council is making significant progress to improving the delivery of homes through the increase in planning permissions, having granted permission for new homes over and above the London Plan target for the past 3 years.
- 1.159 As a result of the Council's housing position, paragraph 11a of the NPPF is engaged and the policies most important for determining the application are to be considered out of date, unless:
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*
- 1.160 Officers consider the approval of the application would be contrary to the above exceptions, which specifically seeks to protect designated heritage assets. Officers also consider the other adverse impacts identified in this assessment to significantly and demonstrably outweigh the benefits when considered against the policies in the NPPF as a whole, which therefore presents a clear reason for refusing the application.

Habitat Regulation Assessment: Epping Forest Special Area of Conservation (SAC)

- 1.161 Officers have considered the development type and proximity to Epping Forest Special Area of Conservation (SAC) and noting that the application is for new residential development within the 6.2KM Zone of Influence (ZoI) for the Epping Forest Special Area of Conservation have undertaken a Habitat Regulation Assessment. This assessment is detailed at **Appendix 8** and has been undertaken in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) and the emerging strategic approach relating to the Epping Forest Special Area of Conservation (SAC) Interim Mitigation Strategy Dated 06 March 2019.
- 1.162 The Habitat Regulation Assessment recognises that the proposed development either when considered alone, or in combination with other residential developments is likely to have a significant effect on the sensitive interest features of Epping Forest Special Area of Conservation (SAC) through increased recreational pressure.

Conclusions:

The application is a resubmission of application 19/00770/FUL which was refused on 8 grounds. The application relates to a residential-led redevelopment of a key town centre site that is part of and emerging allocation in the Draft Local Plan (Regulation 19). Officers accept the principle of development and acknowledge the progress that has been made since the refusal of planning application 19/00770/FUL, which has enabled the removal of 4 previous reasons for refusal. However, there are a number of areas of concern that have not been resolved through the resubmission of the current application, and as such four reasons for refusal are retained. The proposed development represents a piecemeal development that would result in poor place-making that is not considered to provide significant regeneration benefits or public benefits to the extent that this outweighs the harm of the development.

The application is not considered to comply with the relevant policies set out in the NPPF, London Plan 2021, or adopted and emerging local planning policies.

Officers therefore recommend refusal for the reasons listed at Appendix 6.

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:

National Planning Policy Framework (NPPF) (MHCLG, Feb 2019)

	<ul style="list-style-type: none"> GG1 Building strong and inclusive communities GG2 Making the best use of land GG3 Creating a healthy city GG4 Delivering the homes Londoners need GG5 Growing a good economy GG6 Increasing efficiency and resilience Policy SD1 Opportunity Areas Policy SD6 Town centres and high streets Policy SD7 Town centres: development principles and Development Plan Documents Policy SD10 Strategic and local regeneration Policy D1 London's form, character and capacity for growth Policy D2 Infrastructure requirements for sustainable densities Policy D3 Optimising site capacity through the designed approach Policy D4 Delivering good design Policy D5 Inclusive design Policy D6 Housing quality and standards Policy D7 Accessible housing Policy D8 Public realm Policy D9 Tall buildings Policy D11 Safety, security and resilience to emergency Policy D12 Fire safety Policy D13 Agent of Change Policy D14 Noise Policy H1 Increasing housing supply Policy H4 Delivering affordable housing Policy H5 Threshold approach to applications Policy H6 Affordable housing tenure Policy H7 Monitoring of affordable housing Policy H9 Ensuring the best use of stock Policy H10 Housing size mix Policy S1 Developing London's social infrastructure Policy S2 Health and social care facilities Policy S3 Education and childcare facilities Policy S4 Play and informal recreation Policy E1 Offices Policy E2 Providing suitable business space Policy E11 Skills and opportunities for all Policy HC1 Heritage conservation and growth Policy HC3 Strategic and Local Views Policy HC4 London View Management Framework Policy HC6 Supporting the night-time economy Policy E9 Retail, markets and hot food takeaways Policy G1 Green infrastructure Policy G4 Open space Policy G5 Urban greening Policy G6 Biodiversity and access to nature Policy G7 Trees and woodlands
<p><i>The London Plan (GLA, March 2021)</i></p>	

	<p>Policy SI 1 Improving air quality Policy SI 2 Minimising greenhouse gas emissions Policy SI 3 Energy infrastructure Policy SI 4 Managing heat risk Policy SI 6 Digital connectivity infrastructure Policy SI 7 Reducing waste and supporting the circular economy Policy SI 8 Waste capacity and net waste self-sufficiency Policy SI 12 Flood risk management Policy SI 13 Sustainable drainage Policy SI 14 Waterways – strategic role Policy SI 15 Water transport Policy SI 16 Waterways – use and enjoyment Policy SI 17 Protecting and enhancing London’s waterways Policy T1 Strategic approach to transport Policy T2 Healthy Streets Policy T3 Transport capacity, connectivity and safeguarding Policy T4 Assessing and mitigating transport impacts Policy T5 Cycling Policy T6 Car parking Policy T6.1 Residential parking Policy T6.5 Non-residential disabled persons parking Policy T7 Deliveries, servicing and construction Policy T9 Funding transport infrastructure through planning Policy DF1 Delivery of the Plan and Planning Obligations</p>
<p><i>Local Development Framework (LDF) Core Strategy (July 2010)</i></p>	<p>Policy CM1: General Principles for Development Policy CM2: Managing Housing Growth Policy CM4: Transport Links Policy CM5: Town Centre Hierarchy Policy CR1: Climate Change and Environmental Management Policy CR2: Preserving and Enhancing the Natural Environment. Policy CR3: Sustainable Waste Management Policy CR4: Flood Management Policy CC1: Family Housing Policy CC2: Social Infrastructure to Meet Community Needs Policy CC3: Achieving Community Benefits through Developer Contributions Policy CE1: Vibrant and Prosperous Town Centres Policy CP2: Protecting and Promoting our Historic Environment Policy CP3: High Quality Built Environment</p>
<p><i>Local Development Framework (LDF) Borough Wide Development Plan Document (DPD) (March 2011)</i></p>	<p>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 BR7: Open Space (Quality and Quantity) Policy BR9: Parking Policy BR10: Sustainable Transport Policy BR11: Walking and Cycling Policy BR13: Noise Mitigation</p>

	<p>Policy BR14: Air Quality Policy BR15: Sustainable Waste Management Policy BC1: Delivering Affordable Housing Policy BC2: Accessible and Adaptable Housing Policy BC7: Crime Prevention Policy BC8: Mixed Use Development Policy BC10: The Health Impacts of Development Policy BC11: Utilities Policy BE1: Protection of Retail Uses Policy BE3: Retail Outside or on the Edge of Town Centres Policy BE4: Managing the Evening Economy Policy BP2: Conservation Areas and Listed Buildings Policy BP3: Archaeology Policy BP4: Tall Buildings Policy BP5: External Amenity Space Policy BP6: Internal Space Standards Policy BP8: Protecting Residential Amenity Policy BP10: Housing Density Policy BP11: Urban Design</p>
<p><i>The London Borough of Barking and Dagenham’s Draft Local Plan: (Regulation 18 Consultation Version, November 2019) is at an “early” stage of preparation. Having regard to NPPF paragraph 216 the emerging document is now a material consideration and limited weight will be given to the emerging document in decision-making, unless other material considerations indicate that it would not be reasonable to do so.</i></p>	
<p><i>The London Borough of Barking and Dagenham’s Draft Local Plan: (Regulation 18 Consultation Version, November 2019)</i></p>	<p>STRATEGIC POLICY SPDG 1: Delivering growth in Barking and Dagenham STRATEGIC POLICY SPP1: Barking and the River Roding Area STRATEGIC POLICY SP 2: Delivering a well-designed, high-quality and resilient built environment POLICY DMD 1: Securing high-quality design POLICY DMD 2: Tall buildings POLICY DMD 3: Development in town centres POLICY DMD 4: Heritage assets and archaeological remains POLICY DMD 5: Local views STRATEGIC POLICY SP 3: Delivering homes that meet peoples’ needs POLICY DMH 1: Affordable housing POLICY DMH 2: Housing mix STRATEGIC POLICY SP 4: Delivering social and cultural infrastructure facilities in the right locations POLICY DME 5: Evening Economy POLICY DME 3: Encouraging vibrant, resilient, and characterful town centres POLICY SP6: Green and blue infrastructure POLICY DMNE 1: Parks, open spaces and play space POLICY DMNE 2: Urban greening POLICY DMNE 3: Nature conservation and biodiversity POLICY DMNE 4: Water Environment POLICY DMNE 5: Trees STRATEGIC POLICY SP7: Securing a clean, green and sustainable borough POLICY DMSI 1: Sustainable design and construction POLICY DMSI 2: Energy, heat and carbon emissions</p>

	<p>POLICY DMSI 3: Nuisance POLICY DMSI 4: Air quality POLICY DMSI 5: Land contamination POLICY DMSI 6: Flood risk and defences POLICY DMSI 7: Water management POLICY DMSI 9: Demolition, construction and operational waste POLICY DMSI 10: Smart Utilities STRATEGIC POLICY SP8: Planning for integrated and sustainable transport POLICY DMT 1: Making better connected neighbourhoods POLICY DMT 2: Car parking POLICY DMT 3: Cycle parking POLICY DMT 4: Deliveries, servicing and construction STRATEGIC POLICY SP 9: Managing development POLICY DMM 1: Planning obligations (Section 106)</p>
<i>Supplementary Planning Documents</i>	<p>DCLG Technical Housing Standards (nationally described space standard) (DCLG, March 2015) (as amended) Housing Supplementary Planning Guidance (GLA, March 2016, Updated August 2017) Housing (2016) Play and Informal Recreation (2012) Energy Assessment Guidance (GLA, October 2018) Sustainable Design and Construction SPG (GLA, April 2014) Abbey and Barking Town Centre Conservation Area Appraisal</p>

Additional Reference:

Human Rights Act

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.

Equalities

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).

For the purposes of this application there are no adverse equalities issues.

Appendix 2:

Relevant Planning History:			
<i>Application Number:</i>	19/00770/FUL	<i>Status:</i>	Refused
<i>Description:</i>	<i>Redevelopment of site to provide a 6-9 storey building comprising 79 residential units (35 x 1-bed, 15 x 2-bed and 29 x 3-bed flats) with 1,210m² of retail space (Use Class A1) at ground and part first floors</i>		
<i>Reasons for refusal</i>	<ol style="list-style-type: none"> 1. The proposed development by virtue of its siting, location, unexemplary design and high density will be a stark, crude and isolated development in the town centre that is piecemeal in nature and represents poor place-making which will unduly impact on the setting of the Grade II listed former Barking Magistrates Court, does not seek to preserve or enhance the character of the Abbey and Barking Town Centre Conservation Area and does not maximise opportunities within the key regeneration area of Barking Town Centre and as such would be contrary to policies CM1, CM2 and CP3 of the Core Strategy, policies BTC16 and BTC19 of the Barking Town Centre Area Action Plan, policy BP11 of the Borough Wide Development Policies Development Plan Document, London Plan policies 3.4, 7.4, 7.6 and 7.7, draft London Plan policies D1, D4, D3, D9, HC1, SD1 and the London Riverside Opportunity Area Planning Framework. 2. The proposed first floor flats on the south-western elevation facing Grove Place will be separated from the flank wall of 32 East Street by a distance of only 6 metres resulting in poor outlook from the proposed flats, detrimental to the amenities enjoyed and living standards of future occupiers of the development, contrary to policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document. 3. The proposed development will result in the loss of sunlight and daylight to neighbouring residential occupiers and in particular flats contained within the former Barking Magistrates Court and the Bath House buildings. The application has also failed to demonstrate that flats within the development and the courtyard area will receive adequate sunlight levels. The proposal is considered to impact on the living standards of the neighbouring residential occupiers and potential occupiers of the proposed development, contrary to policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document. 4. The proposed development by virtue of the first floor internal layout will result in four isolated residential units which provides an uninviting and poor quality environment and represents poor design for potential residents contrary to policy BTC16 of the Barking Town Centre Area Action Plan, policy BP11 of the Borough Wide Development Policies Development Plan Document, London Plan policy 3.5 and draft London Plan policies D1 and D6. 5. The application has failed to demonstrate that sufficient children's playspace provision will be provided for the development and as such will be detrimental to the living standards and amenities enjoyed by future occupants of the development, contrary to London Plan policy 3.6, draft London Plan policy S4 and the Mayor's Shaping Neighbourhoods: Play and Informal Recreation Supplementary Planning Guidance. 6. The location of the proposed blue badge spaces is considered unsatisfactory, posing a potentially hazardous conflict with the existing turning head area on Clockhouse Avenue and the plant and refuse access to the former Barking Magistrates Court 		

	<p>building, and as such is contrary to policies BR9 and BR10 of the Borough Wide Development Policies Development Plan Document and draft London Plan policies T6 and T6.1.</p> <ol style="list-style-type: none"><li data-bbox="555 219 1479 383">7. The proposed application has not been accompanied by an adequate Archaeological Written Scheme of Investigation to inform Historic England of the impact of the design proposals on this Archaeological Priority Area, contrary to policy BP3 of the Borough Wide Development Policies Development Plan Document.<li data-bbox="555 392 1455 553">8. The application has failed to provide details of the breakdown of the proposed affordable housing tenure and as such has not satisfactorily demonstrated that the proposal will accord with the Mayor's fast-track viability route, contrary to London Plan policies 3.10-3.13 and draft London Plan policies H4-H6.
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Appendix 3:

The following consultations have been undertaken:

- TfL
- LBBD Energy
- Designing Out Crime Officer, Metropolitan Police
- Historic England (Buildings)
- Historic England (Archaeology) (GLAAS)
- LBBD Access Officer
- Be First Transport Officers
- LBBD Flood Risk Manager (LLFA)
- LBBD Education Team
- LBBD Arboricultural Officer
- Environmental Agency
- LBBD Environmental Health Officer
- Thames Water
- Be First Urban Design Officers

Summary of Consultation responses:		
Consultee and date received	Summary of Comments	Officer Comments
TfL	No comment	
LBBD Energy	Requested the applicants engaged directly with LBBD Energy in respect of the proposed connection to the district heat network	This advice has been passed onto the applicant
Designing Out Crime Officer Letter, 03/02/2021	<p>Areas requiring mitigation:</p> <ol style="list-style-type: none"> 1. Ground floor bin room area – concerning levels of permeability on the ground floor between bin rooms, residential entrances, and cycle stores. Bin room interconnecting door sets must be removed. Bin and cycle stores must remain completely separate. 2. The proposed cycle storage should be sub divided in to smaller more manageable blocks or bays, with no more than 45 bikes per room/pen. To be access controlled. Robust external doorset. HD CCTV coverage 3. Ground floor public realm – semi public communal seating and planters need to be proportionate and grouped in smaller hubs. <p>The colonnade aspect is a vulnerability and may offer shelter for rough sleepers, beggars etc if not well designed. This aspect must be as high and open as possible and supported with lighting to BS 5489, to aid natural surveillance and encourage activity. Every effort must be made to design out legitimate places for individuals to dwell that are too close to the vulnerable aspects of the scheme, such as recesses or undercrofts adjacent to block entrances, as well as entrances to bin and cycle stores.</p>	It is understood that the DOCO met with the applicant to discuss the comments. Discussions with the DOCO have confirmed this, who confirmed that the main concerns were the compartmentation (security layering) and importance of controlled access to the communal amenity space on the podium, also concerns with regards to the access to the cycle storage. DOCO expressed that these issues could be resolved/controlled but that this is likely to be at a greater expense of the developer. Officers consider the recommended condition and a requirement for compartmentation would be crucial to ensure the

	<ol style="list-style-type: none"> 4. External communal entrance doorsets. To be constructed to standards. 5. Lighting – adequate uniform lighting. 6. Residential communal entrances and public realm. Secure post lobby at ground floor to be designed with air-lock design. Suitable mail room. Secure doors 7. Security compartmentation – residential apartments over 25 units featured in this proposal must be subject to destination control that prohibits uninvited guests from freely moving around the entire building. *Please be mindful that without some form of security compartmentation the proposed scheme will possibly fail the SBD scheme, something that may become a challenge if an SBD condition is added by the planning committee. It would be prudent for the applicant to seek our advice on this matter* 8. Fire escape routes and security – must be aware that where a level of access is required in an area that is part of a fire route, extra care must be taken over how doorsets are secured. 9. Residential Unit – apartment doors. Requirement. 10. Accessible window requirement. 11. Roof terraces or podium gardens – to be supported with access control etc. 12. Ground floor commercial units <ol style="list-style-type: none"> a. Public realm – ensure outside activates if any are conducted at the front of each unit/property with seating to be supervised by staff b. Doors and windows – constructed to standards. <p><u>Security condition:</u> The development shall achieve a Certificate of Compliance to a Secure by Design scheme where one exists. Or alternatively achieve secure by design standards to the satisfaction of the Metropolitan Police and the local authority, details of which shall be provided in writing to the Local Planning Authority prior to first habitation or use. All security features are to be retained and maintained for the lifetime of the development.</p> <p>REASON: To provide a safer environment for future residents and visitors to the site and reduce the fear of crime.</p>	<p>development is safe and secure.</p>
<p>Historic England (buildings) 22/02/2021</p>	<p>Historic England provided comments on the previous proposals for this site last year (your ref: 19/00770/FUL, our ref: P01147470) which involved the demolition of all buildings on site and the erection of a residential development with retail at ground floor comprising of buildings between six and nine storeys in height. In our advice letter, Historic England expressed in-principle support for the investment along the historic high street, and recognised the opportunities to improve upon the poor townscape quality of the existing building at 36-42 East Street. However, concerns were</p>	<p>Heritage issues are assessed in the report above.</p>

raised about the overall scale, massing, and design of the proposed development which would fail to preserve the setting of the neighbouring Grade II listed Magistrates Court, and would also fail to preserve or enhance the character and appearance of the Abbey and Barking Town Centre Conservation Area.

Historic England therefore considered that the scheme failed to comply with the key heritage policies set out in the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (specifically Sections 66 and 72), and the National Planning Policy Framework (February 2019) (specifically Paras 192, 194, 196 and 200).

Whilst Historic England considered that the rear part of the site could support some increased density and mass (given the emerging context around Barking Town Hall), we felt that the street-facing elements should seek to respond to the prevailing scale of buildings along East Street in order to preserve both the character of the Conservation Area and the setting of the Magistrates Court.

Historic England note that the application was refused by the Local Planning Authority in part due to the adverse impacts on the Conservation Area and Magistrates Court.

Welcome the refinements to the scheme which we consider to be an improvement on the previous iteration. The proposed 'Market Building' facing East Street would now respond more successfully to the prevailing scale of buildings found along this key artery through the Conservation Area, and notably sit more comfortably alongside the neighbouring Grade II listed Magistrates Court. The changes to the design and materiality of that building are also welcomed.

However, the redevelopment as a whole does remain of a very large scale for a high street plot. Whilst it is acknowledged that building height and density is increasing around Barking Town Centre, this development site is particularly sensitive due to its positioning along the historic high street. There remains a somewhat stark juxtaposition in scale with the surrounding historic buildings that is likely to result in some harm to the appreciation of Barking's historic market town grain, scale and character. Harm would also result from the loss of the existing building at 34 East Street (with reference to Para 201 of the NPPF) due to its identification as a Positive Contributor in your Council's recently updated Conservation Appraisal and Management Plan (Purcell, October 2020, p48).

In determining this revised application, it will be for the Authority to consider whether this harm has been justified and outweighed by public benefits in accordance with Paras 194 and 196 of the NPPF.

Recommendation

Historic England welcomes the positive changes to the scheme, but remains of the view that some harm would

	<p>result from these proposals. The Local Authority should take these representations into account and seek amendments, safeguards or further information as set out in this advice.</p>	
<p>Historic England (Archaeology) (GLAAS) 17 February 2021</p>	<p>Field Evaluation required pre-determination. The planning application lies in an area of archaeological interest.</p> <p>An archaeological field evaluation involves exploratory fieldwork to determine if significant remains are present on a site and if so to define their character, extent, quality and preservation. Field evaluation may involve one or more techniques depending on the nature of the site and its archaeological potential. It will normally include excavation of trial trenches. A field evaluation report will usually be used to inform a planning decision (pre-determination evaluation) but can also be required by condition to refine a mitigation strategy after permission has been granted.</p>	<p>Archaeological matters are discussed above.</p>
<p>LBBB Access Officer 26/02/2021</p>	<p>Initial comments:</p> <ul style="list-style-type: none"> • Corridor near the lift has door opening outwards which can clash with people using corridor • Intercom to be accessible to include colour contrast, braille and video. • Wheelchair units need to be allocated in affordable section as this is where the need is. • Wheelchair units should be a mixture of baths and wetroom • Please consider having 2 wheelchair units per floor (over 4 floors) as this will assist with evacuation if • required. • The design of the wheelchair units are inaccessible; please re-configure to ensure ease of access. <p>Further comments following liaison with applicant:</p> <ul style="list-style-type: none"> • The ground floor southern residential entrance (adjacent to retail unit 6) there's a cluster of doors at bottom of stairs into lift area. • By putting the accessible units within the private rent area, we may be failing our duty under The Equality Act 2010 as we know the need for accessible housing is within affordable section. • What is stopping the wheelchair accessible units to be let out at an affordable rent? Affordable units do not have to be segregated away from the private ones. • The Fire and Rescue Service prefer disabled occupants to be on lower floors. • Clarified original wording. The units are not inaccessible; however, the layout will be difficult for a wheelchair user due to the angles within the unit and position of corridors. The flat next door for example is a much better layout as the doors are straight off the entrance hall and there's no awkward angles to negotiate. It would be very difficult to open door in living area to access the hall. The bedroom in the wheelchair units would 	<p>Accessibility issues are considered above.</p>

	<p>benefit from being more square rather than having the small narrow section.</p> <ul style="list-style-type: none"> • There is actually a need for larger wheelchair units to accommodate disabled people with families, therefore is there a reason why it is only 1B2P units are wheelchair accessible? 	
<p>Be First Transport Officers 08/04/2021</p>	<p>Redevelopment of site to provide a 5-9 storey building comprising up to 65 residential units (Use Class C3) with retail units (Use Class E) at ground and part first floors, with associated landscaping and highway works.</p> <p><i>Highway Planning Observations</i> The official Public Transport Accessibility Level (PTAL) rating for the site has been determined at 6a. This represents an excellent level of public transport accessibility.</p> <p><i>Site Access</i> The access strategy proposed includes 3 access points on Grove Place. However, a previous planning application for the closure of Grove Place (16/00204/REG3) was given planning permission on 25/10/2018. This is still planned to be implemented and therefore the access strategy for this application needs to be amended to remove any access points on Grove Place, as this will be closed off.</p> <p>Furthermore, the two green electricity boxes on the east of the site should be relocated to the back of the footway to not cause a hindrance to pedestrians.</p> <p><i>Car and Cycle Parking:</i> The proposal includes the provision of 2 disabled parking spaces. These are located to the north and east of the site. Regarding the car parking space to the north of the site, it is unclear if the applicant is intending to remove some of the footway to enable the disabled parking space to be implemented and to allow continued access into the market for permitted vehicles. The applicant should submit further details that shows the tracking of vehicles in order for vehicles to maintain access to the market. In accordance with the London Plan, we would also expect these parking spaces to include electric vehicle charging infrastructure.</p> <p>For the remainder of the proposed development, this will be car free. We recommend that a car free obligation in the S106 is secured to any permission granted that states that with every type of tenure and tenancy agreement, future occupiers will not be granted a permit, unless they qualify for disabled parking.</p> <p>In terms of residential cycle parking, 143 long-stay cycle parking spaces, which is in line with minimum standards set out in the Intend to Publish London Plan. These cycle parking spaces should be designed and laid out in accordance with the guidance contained in the London</p>	<p>The matters are assessed in the report above.</p>

	<p>Cycling Design Standards. A condition should be attached to ensure that detailed plans are submitted and then implemented.</p> <p>A Car and Cycle Parking Management Plan that should be secured by condition.</p> <p><i>Delivery and Servicing Management Plan</i> A full Delivery and Servicing Management Plan should be secured under a condition.</p> <p><i>Construction Logistics Plan</i> An outline Construction Logistics Plan has been submitted, but a full Construction Logistics Plan should be secured under a condition.</p> <p><i>Framework Travel Plan</i> A full Travel Plan should be secured under a condition.</p> <p>RECOMMENDATION Based on the information provided it is our considered view that given the reasons stated above on the site access strategy on Grove Place and the lack of information provided on the car parking arrangement, this provides substantial reason for highways to object</p>	
<p>LBBB Flood Risk Manager (LLFA) 08/04/2021</p>	<p>The proposals have been reviewed and they appear acceptable. The following conditions should be applied:</p> <ol style="list-style-type: none"> 1. <i>'No works on site shall commence until a detailed drainage scheme (to include the disposal of surface water by means of sustainable methods of urban drainage systems) has been submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with such approved details.'</i> 2. <i>'Prior to the occupation of the buildings hereby approved the surface water drainage works shall be carried out and the sustainable urban drainage system shall thereafter be managed and maintained in accordance with the agreed management and maintenance plan.'</i> 	<p>If approved, officers would recommend the imposition of the conditions as advised.</p>
<p>LBBB School Investment team 16/02/2021</p>	<p>Note the reference in the application regarding the GLA calculation for the number of residents, in particular that there would be an estimated 12 school age pupils generated by the development. Based on historical Borough trends, LBBB estimate the child yield once fully operational to be: Pre-school children: 10 Primary Age Pupils: 17 Secondary age pupils: 12</p> <p>This development is in a town centre location in a particularly difficult locality to identify any additional school sites and the pressure for places will be a future problem, all primary schools in the Ward area have previously been expanded. There are discussions ongoing with colleagues in Be First looking at a suitable</p>	<p>The comments are noted, and attempts are being made to seek school sites in the Local Plan</p> <p>In respect to the child yield calculator, officers acknowledge that LBBB's figures are likely to be more accurate as they are based on local and historic trends, rather than broad figures. However the child yield calculations in respect of play space are policy compliant and are</p>

	<p>location but there is no clear pathway to find a primary school site. CIL contributions to help achieve a new school. We hope this can be resolved in the short term but until there is a route to find such solution then pupils who live furthest from schools will be displaced to sites where schools have vacancies.</p>	<p>therefore considered acceptable in this regard. Moreover the application proposes more child play space than generated by the calculations which could assist in accommodating for the locally estimated uplift.</p>
<p>Be First Urban Design 13 April 2021</p>	<p>Context</p> <ul style="list-style-type: none"> • The site is located within the Abbey and Barking Town Centre Conservation Area and sits adjacent to the Grade II listed former Barking Magistrates Court. Several locally listed 19th and 20th century buildings are situated nearby including nos. 1-11, 13-27, 33-35, 41 East Street and Barking Town Hall. • In accordance with the NPPF, London Plan and Local Plan policy new development proposals should seek to preserve and enhance the setting of listed heritage assets and the character and appearance of conservation areas (thereby reinforcing local identity and sense of place). <p>Principle</p> <ul style="list-style-type: none"> • The application site sits between two key spaces within Barking Town Centre; East Street to the north (the town centre's main high street which forms an important east west connection) and Town Square to the south (the civic heart of Barking Town Centre) and is therefore strategically important. • This importance is reflected by the Barking Civic Centre Masterplan (September 2019) which sets out strategic proposals for several sites including 34-42 East Street and the adjacent urban block (2-32 East street). The Masterplan document highlights the need to adopt an overarching approach in order to establish greater connectivity and legibility between key sites and a cohesive identity to Barking Town Centre. • Given the strategic importance of the site all development proposals will require a holistic joined up approach as part of the wider emerging Masterplan. The joint opportunities and shared constraints mean that individual sites and adjacent plots cannot be treated in isolation. In accordance with the Masterplan objectives all new development should be <i>cohesive</i>, <i>interlinked</i> and <i>coordinated</i> to establish a series of architecturally coherent spaces and landmarks creating a lasting identity for Barking. • The redevelopment of the site in unison with adjacent plots would increase the scope of regeneration potential creating opportunities and benefits greater than those which could be provided by piecemeal 	<p>Design comments are considered</p>

	<p>development. The site forms part of a wider town centre placemaking strategy as such the current 'separate entity' approach is not supported.</p> <p>Layout and appearance</p> <ul style="list-style-type: none"> • The site is of significant importance and is located adjacent to an urban block (2-32 East street), marked for redevelopment as part of a masterplan that sets out strategic proposals seeking to establish greater connectivity and legibility between key sites and a cohesive identity to Barking Town Centre. The proposed layout and façade treatment of the residential units facing Grove Place do not create a pleasant aspect for the proposed residents of blocks D and C. Further to this the proposal does consider the impact or implications of this future development. • Some consideration has been given to how to respond to the constraints of the site. At ground floor, the proposed refuse strategy helps to reduce the need for the 'back of house'/ 'service yard' that currently exists on the Clocktower Avenue side of the site facing onto the town centre square. The retention of the folly is welcomed, however, while the proposal begins to create the opportunity to complete the town centre square in a meaningful way, it does not go far enough in proposing and embedding itself into a wider holistic placemaking strategy. It is unclear whether the implications of the approved plans for closure of Grove Place have been considered. • The submission presents a thorough study of the context and proposes a scheme that seeks to respond to the difficult constraints of the site. In particular, the architectural articulation of the facades facing East Street and Clocktower Avenue is notably improved from the previous submission through the façade development studies. • Given the prominent location of 'Retail Unit 6' more consideration to the architectural articulation and function of this space as an important part of the town square is required. 	
<p>LBBB Arboricultural Officer 09/02/2021</p> <p>And 02/03/2021</p>	<p>The Arboricultural officer commented with a number of questions in respect to the loss of 4no. lime trees near the folly. These are old town centre trees that go back many decades. It is not practical to keep them if this proposal is accepted, but they are not significant enough to object to the proposal for arboricultural reasons alone. They can be replaced with a good enough landscape package. This should involve five new semi-mature trees as described in the attached communications, and shown in the proposed site plan.</p> <p>The applicant responded to questions raised by the</p>	<p>Officers acknowledge the arboricultural officer's position and agree that an appropriately worded condition should be added if planning permission is granted to secure the maintenance of the trees, and a planning obligation for the sum of £7,784 to be made available to LBBB Parks and Environment.</p>

	<p>Arboricultural officers, confirming the CAVAT valuation for the four mature lime trees, and the value for new tree planning for six trees. As the value of the replacement trees would be less than the trees lost, the applicant has confirmed agreement to an additional sum of £7,784 to be made available to LBBD Parks and Environment.</p> <p>The Arboricultural Officer responded on 02/03/2021 to confirm acceptance of the proposals, arboricultural report and CAVAT valuation and recommends that confirmation of the planting and follow up 3 year maintenance plan carried out by independent contractors appointed by the development team should be secured if planning permission is granted.</p>	
<p>Environment Agency 09/02/2021</p>	<p>Have assessed the application as having low environmental risk and therefore have no comments.</p>	<p>Noted.</p>
<p>LBBD Environmental Health Officer 01/03/2021</p>	<p>The preliminary noise survey took place between 29th-30th April 2019, which were a Monday & Tuesday. As this development will be used at weekends it would have been more representative to conduct a survey which also covered these times, which can be noisier, particularly in the evening / night times.</p> <p>In addition, the precise details of the mechanical services plant and refrigeration equipment (type and noise signature) are not known at this stage.</p> <p>The Preliminary Geo-Environmental Risk Assessment prepared by Deltasimons dated January 2021, ref: 19-0896.01 is accepted as a preliminary piece of work however the following condition is required to ensure that the necessary intrusive investigation and any subsequent remediation strategy etc are approved.</p> <p>There is no documentation submitted with regard to lighting, therefore the following condition is recommended.</p> <p>The Air Quality Neutral assessment will need revisiting once the end uses are known, and when the assumptions within the submitted report can be validated.</p> <p>For this reason the noise implications at this site will need revisiting, therefore if the LPA is minded to grant permission the following conditions are recommended:</p> <ul style="list-style-type: none"> • Scheme of Acoustic Protection • Noise from Non-Residential Uses and Plant and Structure Borne Noise Emissions • Construction Environmental Management and Site Waste Management (details to be submitted) • Contaminated Land • Lighting • Air Quality and Air Quality Neutral Assessment • Emissions from Non-road mobile machinery (NRMM) <p>Informative: For information on the NRMM Low Emission Zone</p>	<p>Noted and discussed in the report above.</p>

	<p>requirements and to register NRMM, please visit "http://nrmm.london/".</p>	
<p>Thames Water 03/02/2021</p>	<p>Water – there are public sewers close to the development. If significant works are proposed, risk of damage should be minimised. The applicant is advised to read Thames Water guide.</p> <p>The proposed development is located within 15m of underground waste water assets and an informative is therefore recommended.</p> <p>Surface water drainage – Thames Water advise that the sequential approach should be followed. Where the developer proposes to discharge into a public sewer, prior approval from Thames Water Developer Services will be required.</p> <p>Thames Water expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharge into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.</p> <p>Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.</p> <p>Water - There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If planning significant works near mains (within 3m) Thames Water need to check that the development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read the guide working near or diverting our pipes. https://developers.thameswater.co.uk/Developing-a-large-</p>	<p>Noted.</p>

site/Planning-yourdevelopment/Working-near-or-diverting-our-pipes

The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the Environment Agency's approach to groundwater protection (available at <https://www.gov.uk/government/publications/groundwater-protection-position-statements>) and may wish to discuss the implication for their development with a suitably qualified environmental consultant.

Appendix 4:

Neighbour Notification:	
Number of neighbouring properties consulted:	1537
Number of responses:	3
Address:	Summary of response:
4 th floor flat, Ropeworks, 407 Cutmore, IG11 7GS	<p><i>Objects to a tall building so close to already existing tall buildings at Bath House and Ropeworks. The 9-storey building would have a huge negative impact to residents due to natural light and privacy. Live at a flat on the 4th floor of the Ropeworks building which only gets a little bit of sun light in the late afternoon, which would be lost if this were to be approved. The residents below would be even worse and those towards the Lemonade building.</i></p> <p><i>There are a lot of residents/family with children who enjoy playing in the late afternoon at the town square. The tall building will reduce a lot of the natural light and the town square will not be as welcoming. The feel of the town square will be overwhelming with another big building in close proximity. Even the trees and benches at the Arboretum will have reduced sun/daylight and it will become a less attractive place for residents and visitors.</i></p> <p><i>As a lot of people rent flats in the buildings around the town square they might not be as bothered as those who own the flats, for who the development will have a greater impact on everyday life.</i></p>
On behalf of the Barking and Dagenham Heritage Conservation Group	<p><i>The Barking and Dagenham Heritage Conservation Group fully oppose this relatively high-rise housing scheme for various social, heritage, public health and environmental reasons.</i></p> <p><i>This area is within a conservation area and it is close to listed buildings such as the Barking Town Hall and the Magistrates Court as well as The Bull PH and having this new development here will adversely affect this area of local heritage especially when so much of it has already disappeared or is already under threat.</i></p> <p><i>Also constructing these residential units here will create a greater amount of congestion in a busy and polluted location which is what councils and planners ought to be more fully aware of in public health terms especially with the current situation of our coronavirus pandemic that has actually shown a causal link between the spread of this virus amongst populations who live in areas of higher housing density.</i></p>
No address given	<p><i>Object to this planning application as presented because it will drastically and negatively affect quality of life due to its impact on both light and privacy at my property.</i></p> <p><i>In particular, the plans as currently drawn would mean that:</i></p> <ul style="list-style-type: none"> <i>- The level of natural light to my property, almost all of which comes from the direction of the proposed development, will be reduced significantly, with virtually no natural light during at least half of the period during the day in which it is currently available.</i> <i>- The impact on privacy will be severe, with almost all my</i>

living space directly overlooked by the new development.

Beyond the direct impact on quality of life within the property, it will also radically reduce the amount of light available in the spaces outside the building, which are frequently used by families.

Due to these impacts of the proposed development I am strongly opposed to the current application, and would hope at the very least that the proposed height of the development be revisited.

Officer Summary:

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

Appendix 5:

Habitat Regulation Assessment: Epping Forest Special Area of Conservation (SAC)
Screening Matrix and Appropriate Assessment (AA) Statement

Stage 1: Screening Assessment
(Screening under Regulation 63(1)(a) of the Habitats Regulations)

Officers have considered the development type and proximity to Epping Forest Special Area of Conservation (SAC) and confirm that the application is for new residential development within the 6.2KM Zone of Influence (Zol) for the Epping Forest Special Area of Conservation.

It is considered that, without mitigation, all new residential development within regular walking/driving distance of Epping Forest Special Area of Conservation would constitute a likely significant effect through increased recreational pressure, when considered either 'alone' or 'in combination' with other such development. The unique attraction of the Forest presents a strong draw as a place to undertake recreational activities on a regular basis; such activities (e.g. walking, dog walking, etc.) can lead to negative impacts on the sensitive interest features of the SAC (both habitats and species) through, for example, trampling of vegetation, compaction of soil, damage to tree roots and eutrophication of soil etc.

Visitor surveys have been undertaken to understand the distances within which residents from such development will travel to visit the SAC; this distance is referred to as a Zone of Influence (Zol). Following the recent CJEU 'People Over Wind' (or Sweetman II) ruling, avoidance and mitigation measures can no longer be taken into account as part of a planning application at this stage of the Habitat Regulation Assessment process. Therefore, all relevant development within scope of the Epping Forest Mitigation Strategy must progress to Habitat Regulation Assessment Stage 2: Appropriate Assessment, even where mitigation is proposed.

Stage 2: Appropriate Assessment

(Screening under Regulation 63(1)(a) of the Habitats Regulations)

Epping Forest (the Forest) was a former royal forest and whilst it is London's largest open space, it also provides significant open space opportunities for residents from within and beyond Epping Forest District. It covers some 2400 hectares framed by Walthamstow to the south, the Lee Valley to the west, the M11 to the east and the M25 to the north. The Forest comprises wood-pasture with habitats of high nature conservation value including ancient semi-natural woodland, old grassland plains, wet and dry heathland and scattered wetland.

It is considered that, any additional homes built within the Zol, when taken in combination with other plans and projects, have the potential to increase pressure on the Epping Forest Special Area of Conservation, and have a Likely Significant Effect on its health as a Special Area of Conservation. It is acknowledged by Natural England that there is no way of preventing more people who come to live in the Zol as a result of new residential development from visiting the Forest in order to avoid placing further pressures on it and as such there is a need to undertake measures to mitigate these Likely Significant Effects and for new developments to make a contribution towards their implementation.

The Interim Approach to Managing Recreational Pressures on the Epping Forest Special Area of Conservation (SAMMS) produced by Natural England, (dated 5th October 2018) sets out a number of costed schemes and people resources needed to mitigate the harm of increased recreational pressure on Epping Forest Special Area of Conservation as a result of new residential development. These schemes include:

- Traffic control and car impact reduction measures
- Physical management of paths and tracks
- New, extended & re-aligned paths & circular walks
- New signage at transport nodes
- Visitor engagement campaigns, Bicycle hire scheme and Cycle Maps

Natural England agree that the above strategic mitigation measures (to be delivered by the City of London Conservators) are ecologically sound and will ensure that development, considered in-combination, does not have an adverse effect on the integrity of the Epping Forest Special Area of Conservation.

Stage 3: Summary of Appropriate Assessment

(Screening under Regulation 63(1)(a) of the Habitats Regulations)

Having considered the proposed avoidance and mitigation measures above, the London Borough of Barking & Dagenham conclude that with mitigation the project will not have an adverse effect on the integrity of the Epping Forest Special Area of Conservation included within the Epping Forest Mitigation Strategy.

Further, having regard to the results of the 2019/20 Epping Forest Visitor Survey, it is confirmed that '*very few people from Barking and Dagenham visited the SAC*' and as such Natural England have confirmed in writing (17th September 2020) that no mitigation is required.

Having made this appropriate assessment of the implications of the plan or project for the site in view of that site's conservation objectives, the authority may now agree to the plan or project under regulation 63 of the Conservation of Habitats and Species Regulations 2017.

In addition this appropriate assessment has taken into account the Epping Forest Special Area of Conservation (SAC) Interim Mitigation Strategy Dated 06 March 2019 prepared by Natural England.

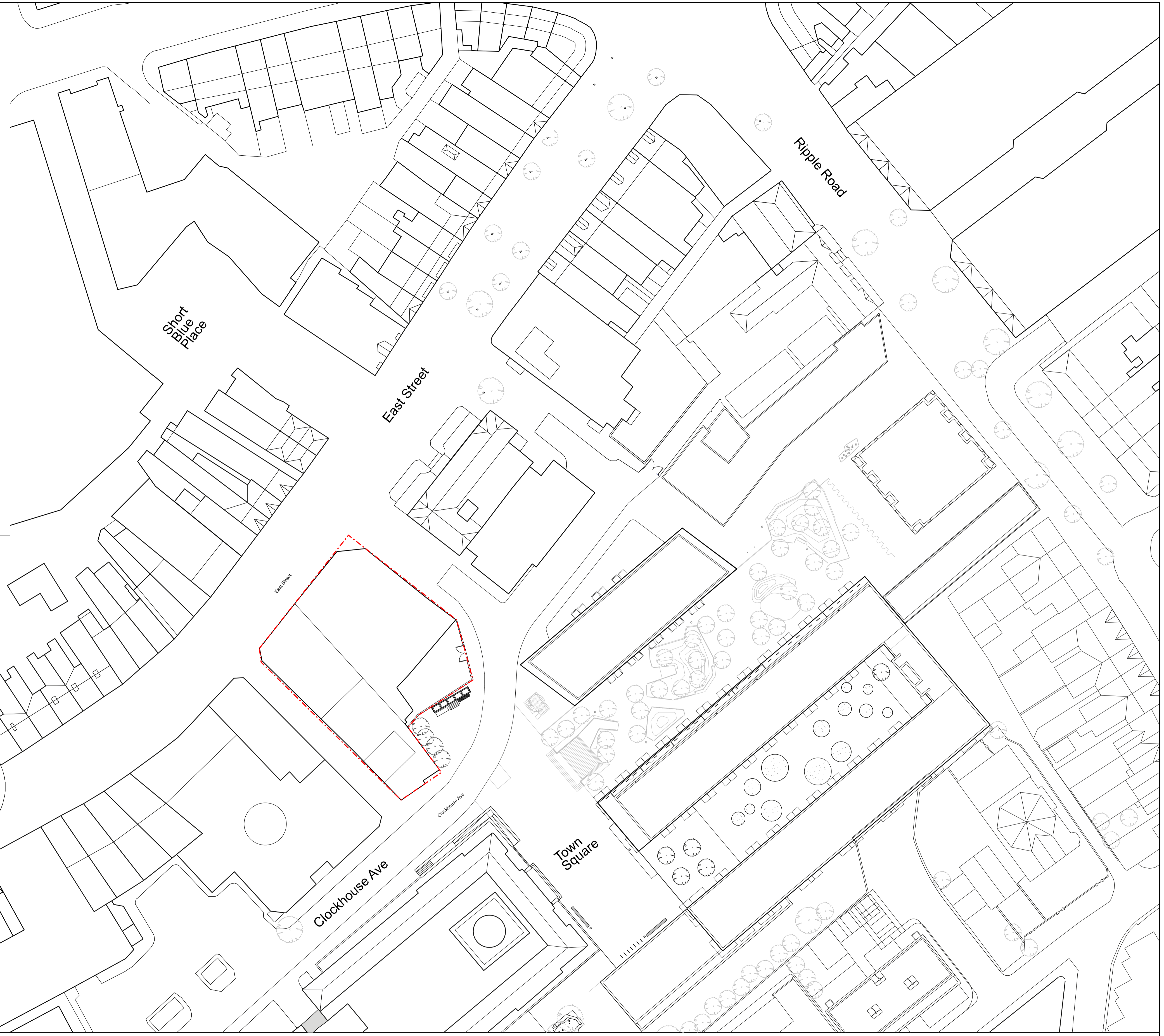
Appendix 6:

Reasons for Refusal:

1. The proposed development by virtue of its siting, location, and high density will be a stark, crude and isolated development that is piecemeal in nature and represents poor place-making which will unduly impact on the setting of the Grade II listed former Barking Magistrates Court, does not seek to preserve or enhance the character of the Abbey and Barking Town Centre Conservation Area and does not maximise opportunities within the key regeneration area of Barking Town Centre and as such would be contrary to policies CM1, CM2 and CP3 of the Core Strategy, policies BTC16 and BTC19 of the Barking Town Centre Area Action Plan, policy BP11 of the Borough Wide Development Policies Development Plan Document, draft policies SPP1, SP2, DMD1, DMD2, DMD3, DMD4, DMD5 of the Regulation 19 Draft Local Plan, London Plan policies D1, D3, D4, D8, D9, HC1, SD1 and the London Riverside Opportunity Area Planning Framework and the NPPF.
2. The proposed development will result in the loss of sunlight and daylight to neighbouring residential occupiers and in particular flats contained within the former Barking Magistrates Court and the Bath House buildings. The proposal is considered to impact on the living standards of the neighbouring residential occupiers, contrary to policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document and the NPPF.
3. Insufficient information has been submitted and the application has failed to demonstrate that there would not be an unacceptable impact on highway safety particularly in respect of the location of the blue badge car parking spaces conflicting with access to the market, contrary to the NPPF.
4. The proposed application has not been accompanied by an adequate Archaeological Written Scheme of Investigation to inform Historic England of the impact of the design proposals on this Archaeological Priority Area, contrary to policy BP3 of the Borough Wide Development Policies Development Plan Document and the NPPF.



01 EXISTING: SITE LOCATION PLAN - 1:1250

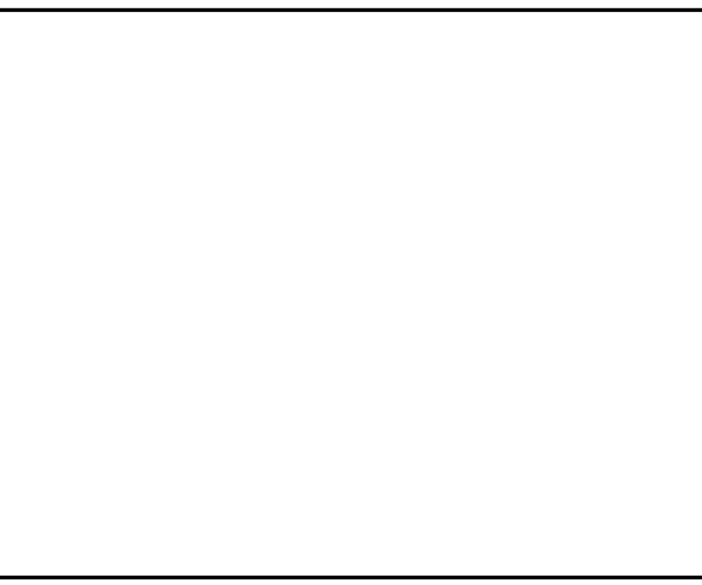


02 EXISTING: LOCATION PLAN - 1:500

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PL02	27/11/2020	Issued for Planning
PL03	19/01/2021	Issued for Planning

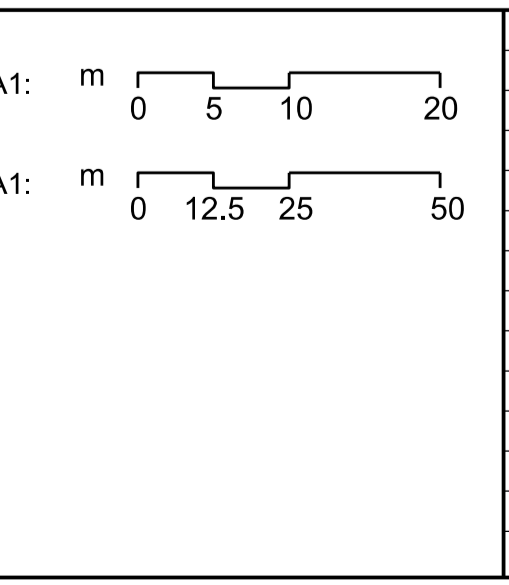
---	EXISTING SITE BOUNDARY
*	DENOTES WHEELCHAIR ADAPTABLE UNITS M4(3)(2)(a)

CONSULTANTS	NAME
CLIENT:	-
CONTRACTOR:	-
STRUCTURAL ENGINEER:	-
MECHANICAL ENGINEER:	-
COST CONSULTANT:	-
PROJECT MANAGER:	-
ACOUSTIC CONSULTANT:	-
CLADDING CONSULTANT:	-
SPECIFICATIONS CONSULTANT:	-



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drawing title / location	status
34/42 East Street Barking IG11 8EP	PLANNING
SITE & LOCATION PLAN EXISTING	

drawn by	checked	scale	classification	drawing no	revision
RNA	RNA	1:1250 & 1:500@A1	A	001	PL03

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drawing title / location

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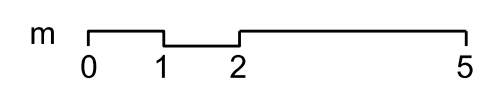
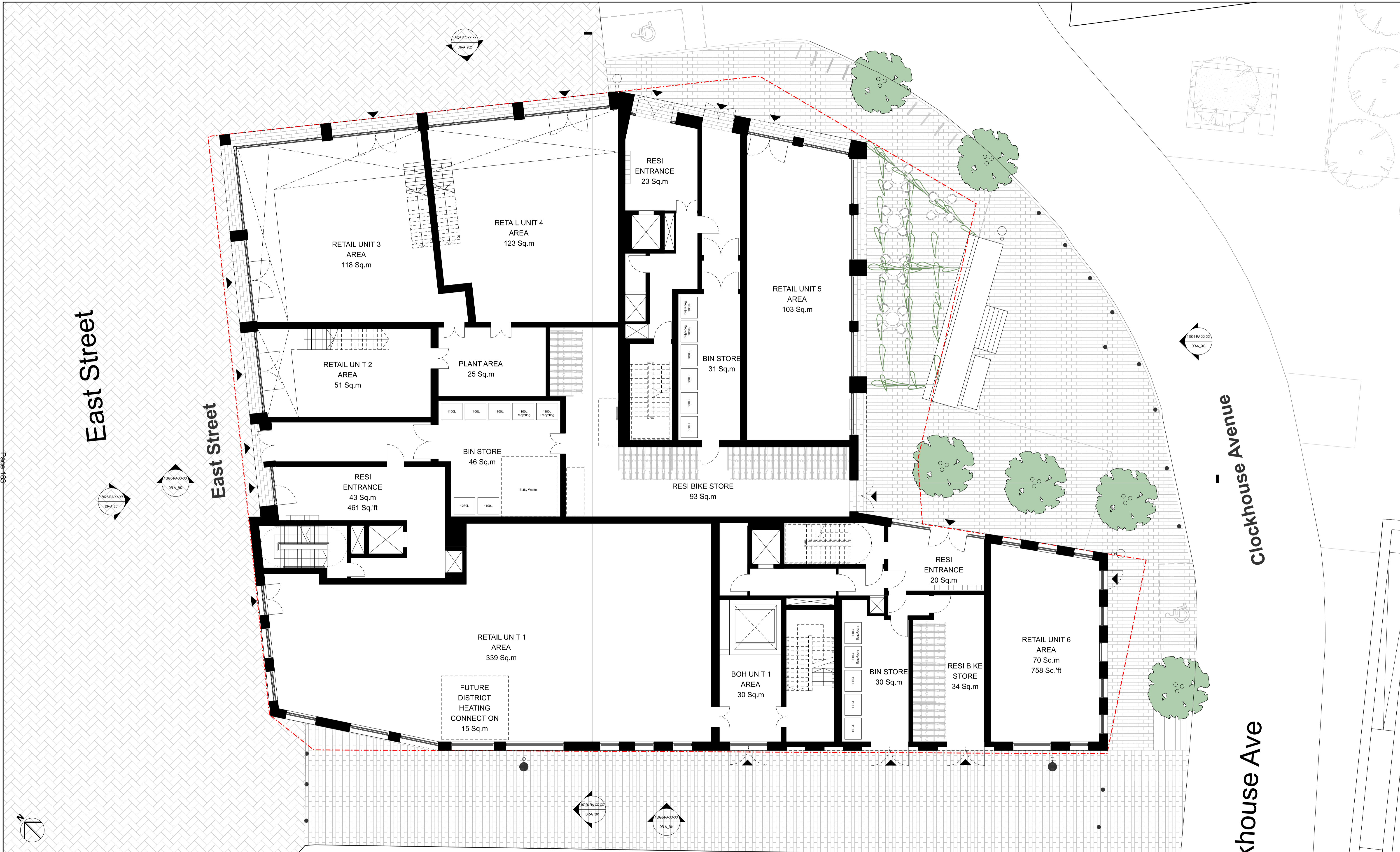
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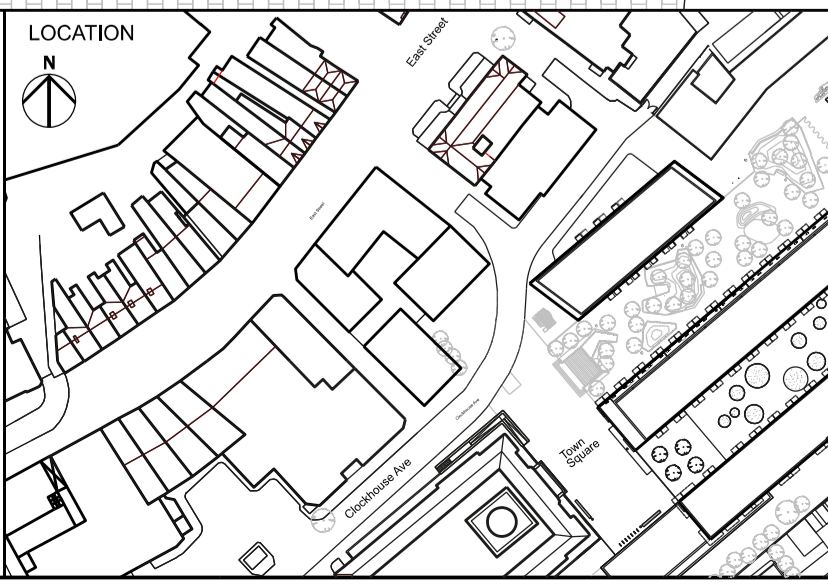
project zone type classification drawing no revision

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REV	DATE	NOTES
P04	19.01.21	Issued For Planning
P03	18.12.20	Issued For Planning
P02	20.11.20	Draft Design Freeze - General updates
P01	13.11.20	Draft Design Freeze - Issued for comment

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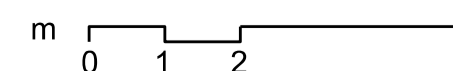
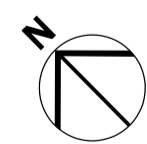
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drawing title / location
 Proposed Ground Floor Plan

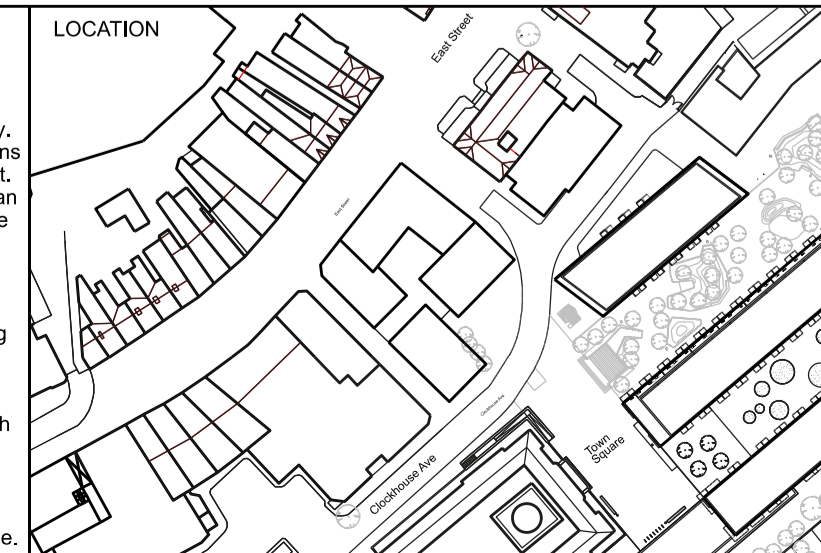
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drawing no
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REV	DATE	NOTES
P04	19.01.21	Issued For Planning
P03	18.12.20	Issued For Planning
P02	18.11.20	Update to 3B layout facing East Street
P01	13.11.20	Draft Design Freeze - Issued for comment

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Proposed First Floor Plan

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DS	PR	1:100 @ A1	PLANNING	P04

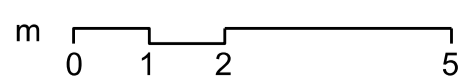
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MARKET SQUARE BUILDING

OLD M&S BUILDING



REV	DATE	NOTES
P04	19.01.21	Issued For Planning
P03	18.12.20	Issued For Planning
P02	20.11.20	Draft Design Freeze - General Updates
P01	13.11.20	Draft Design Freeze - Issued for comment

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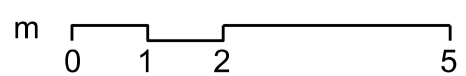
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drawing title / location
Proposed North West Elevation

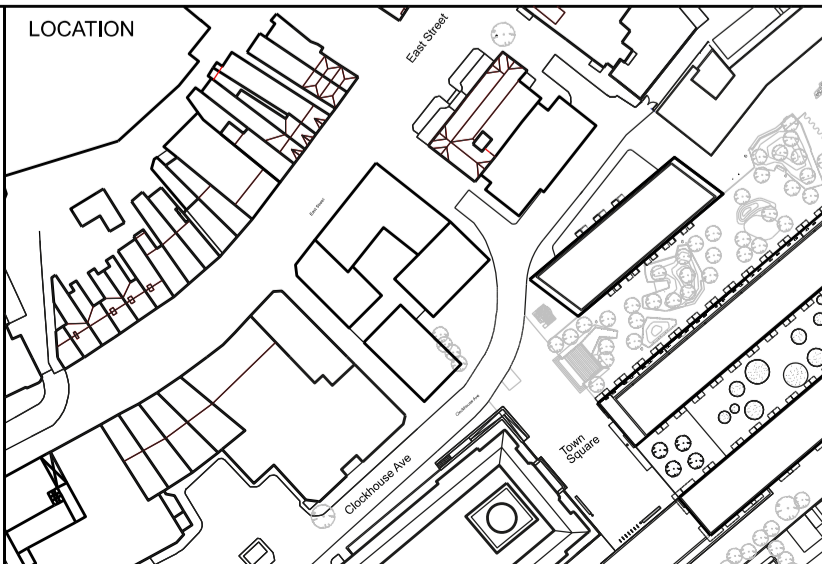
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drawing no
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REV	DATE	NOTES
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P03	18.12.20	Issued For Planning
P02	20.11.20	Draft Design Freeze - General Updates
P01	13.11.20	Draft Design Freeze - Issued for comment

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drawing title / location
Proposed North East Elevation

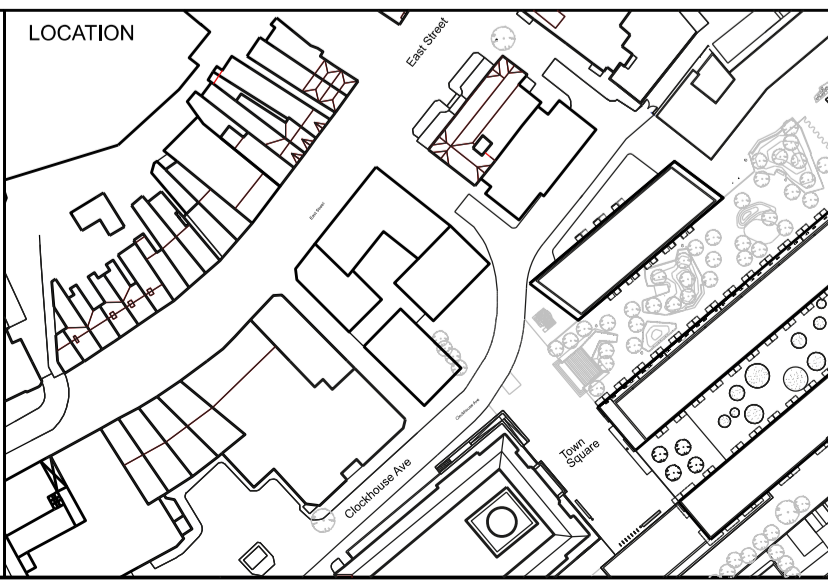
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drawing no
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REV	DATE	NOTES
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P03	18.12.20	Issued For Planning
P02	20.11.20	Draft Design Freeze - General Updates
P01	13.11.20	Draft Design Freeze - Issued for comment

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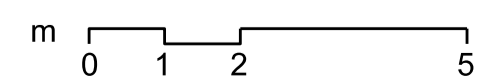
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drawing title / location
Proposed South East Elevation

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drawing no
15026-RA-XX-XX-DR-A-203



REV	DATE	NOTES
P04	19.01.21	Issued For Planning
P03	18.12.20	Issued For Planning
P02	20.11.20	Draft Design Freeze - General Updates
P01	13.11.20	Draft Design Freeze - Issued for comment

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drawing title / location
Proposed South West Elevation

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DS	PR	1:100 @ A1	PLANNING	P04

drawing no
15026-RA-XX-XX-DR-A-204



Figure 54: CGI of the proposed scheme from East Street looking south.

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Be First Regeneration Ltd
9th Floor, Maritime House
1 Linton Road
Barking
IG11 8HG

Working in partnership with



Post Performance Review Sub-Committee Report

Performance Report
1st July 2020 – 31st January 2021

Prepared 12th April 2021

James Coulstock
Deputy Chief Planning Director

Introduction

The Planning Performance Review Sub-Committee is appointed by the Planning Committee each year to consider and report back on an annual basis a random sample of delegated planning decisions and examine/evaluate a number of them to assess whether relevant planning policies and criteria were applied in each case. In addition to this, the Planning Performance Review Sub-Committee will review planning appeal performance and have scrutiny of overturned decisions.

As part of the review process the Chair and Deputy Chair of Planning Committee randomly selected 20 planning applications, received between 1 July 2020 and 31st January 2021. This sample date was chosen to establish an accurate benchmark of performance having regard to the new team, new software and new ways of working.

To add context to this sample, an overview of all decisions taken within the period 1 July 2020 and 31st January 2021 is provided below.

Overview of Performance (1 July 2020 to 31st January 2021)

Major Development Decisions

100% (18 out of 18) of all 'major' applications determined 'within time' 1 July 2020 to 31st January 2021.

Performance for this period extrapolated against MHCLG performance figures would place LB Barking & Dagenham joint **1st nationally** when compared against all 342 Local Planning Authorities and joint **1st in London** when compared against all 32 London Planning Authorities.

The number of major developments determined (33) within the past 12 months (Jan 2020 – December 2020) more than doubled the amount determined (16) within the previous 12-month period (Jan 2019 – December 2019)

Non-Major Development Performance

96% (582 out of 607) of all 'non-major' applications determined 'within time' 1 July 2020 to 31st January 2021.

Performance for this period extrapolated against MHCLG performance figures would place LB Barking & Dagenham **54th nationally** when compared against all 342 Local Planning Authorities and **3rd in London** when compared against all 32 London Planning Authorities.

It is important to note that through the period 1 July 2020 to 31st January 2021 over 400 'backlog' cases (those which had already exceeded their determination times from 2019) were also progressed and determined.

Certificates of Lawful Development Performance

99.7% (286 out of 287) of all 'certificates of lawful development' applications determined 'within time' 1 July 2020 to 31st January 2021.

There are no national benchmark indicators for the timely determination of certificates of lawful development but there is a KPI set by LBBDD to Be first that 80% of all decisions should be within time.

Prior Notifications Performance

100% (341 out of 341) of all 'non-major' applications determined 'within time' 1 July 2020 to 31st January 2021.

There are no national benchmark indicators for the timely determination of prior notifications but where decisions are not made within time 'deemed consent' is granted for most prior notification types.

Understanding Key National Performance Indicators

Each quarter, MHCLG publish performance league tables for all 342 Local Authorities in England. This data is used to determine the overall performance of each Local Planning Authority for its timely determination of planning applications, and where minimum thresholds are not met, the Local Planning Authority can lose its decision-making powers and be placed into 'serious weaknesses'. All league tables are based on the average performance of the local planning authority for the preceding 24-month period.

There are two key tables:

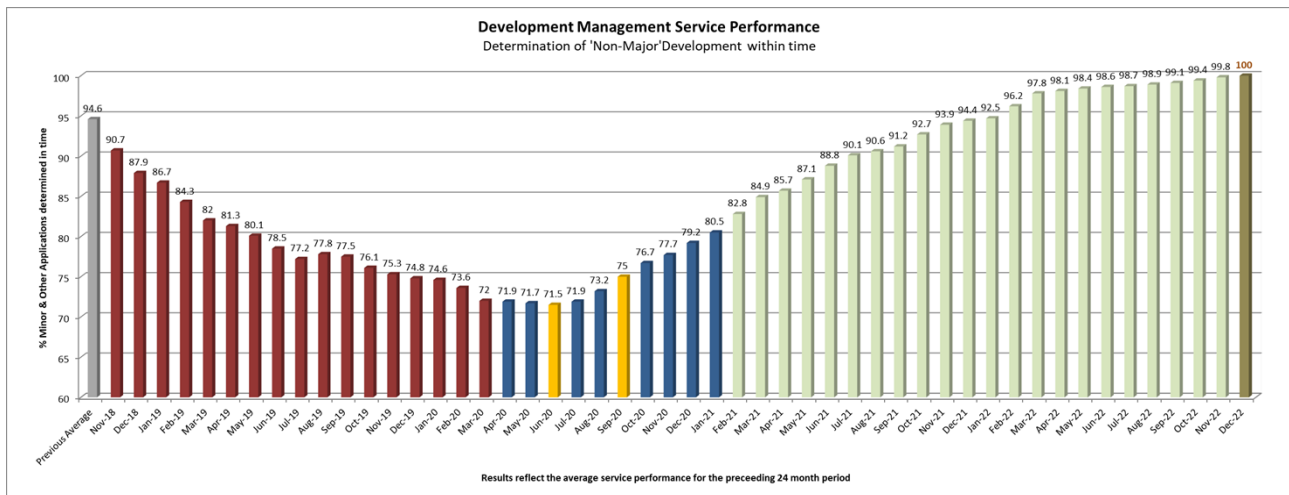
Table 151 which relates to the determination of 'Major' developments, and

Table 153 which relates to the determination of 'Non-major' developments.

There is an expectation that 100% of all major planning applications will be determined 'within time'. This means either within 13/16 weeks (the statutory deadlines) or any extended agreement made between the Applicant and the Local Planning Authority. Whilst useful this table is not a good indicator of overall performance and is heavily skewed by smaller authorities who may only determine 2-5 major applications per year.

Table 153 however provided performance data on the timely determination of non-major developments. This means either 8 weeks (the statutory deadline) or any extended agreement made between the Applicant and the Local Planning Authority. This table does provide a useful indicator (albeit there is some skewing of data) of the overall performance of a planning service.

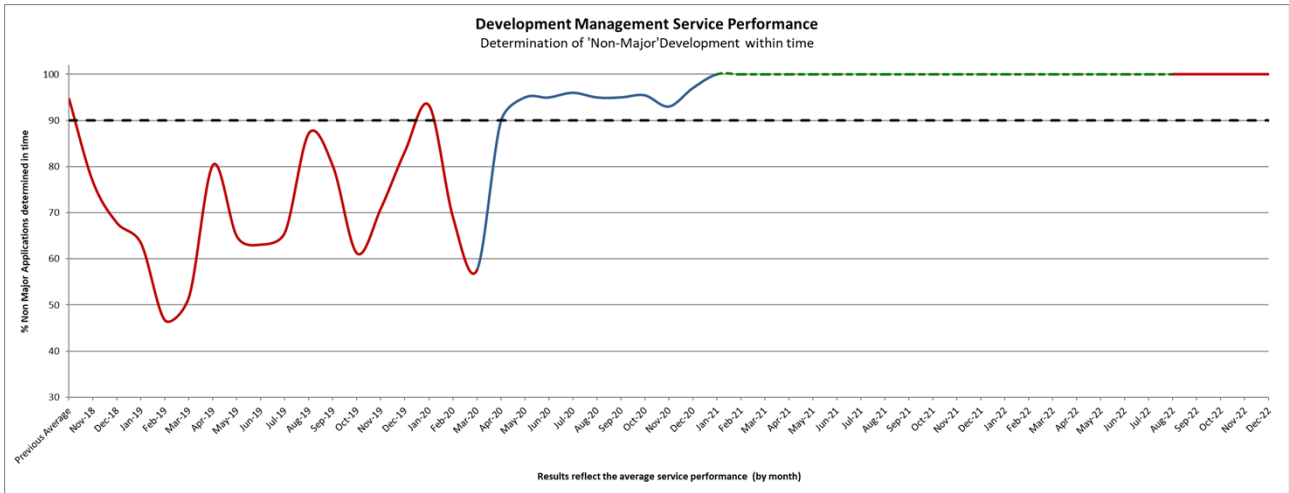
The graph below represents Development Management service performance for the determination of 'Non-Major' applications in accordance with MHCLG reporting criteria. Each bar below represents the cumulative average performance of the previous 24 months. (e.g. 'Oct 20' below returns data for Nov 2018 - Oct 2020)



- The bars above in red represent historic performance of the team until the end of Q4 2019-2020.
- The bar in yellow represents the performance of the team published by MHCLG.
- (to note that MHCLG performance data always runs 3 months behind and is published quarterly)
- The bars in blue represent confirmed performance based on monthly performance data.
- The bars in green represent a 'best-case' projection for future improvements in performance

The above 'best case' projections are based on the determination of an average number (based on numbers from the previous year) of applications at 100% in time for each future month. Competition at the top of the table is tight and to get into the top 10 nationally performance would need to be maintained at 100% in time for a continual period of 24 months.

The graph on the following page shows the timely determinations of non-major applications by the team on a month-by-month basis. The red, blue and green colours align with those in the previous graph.

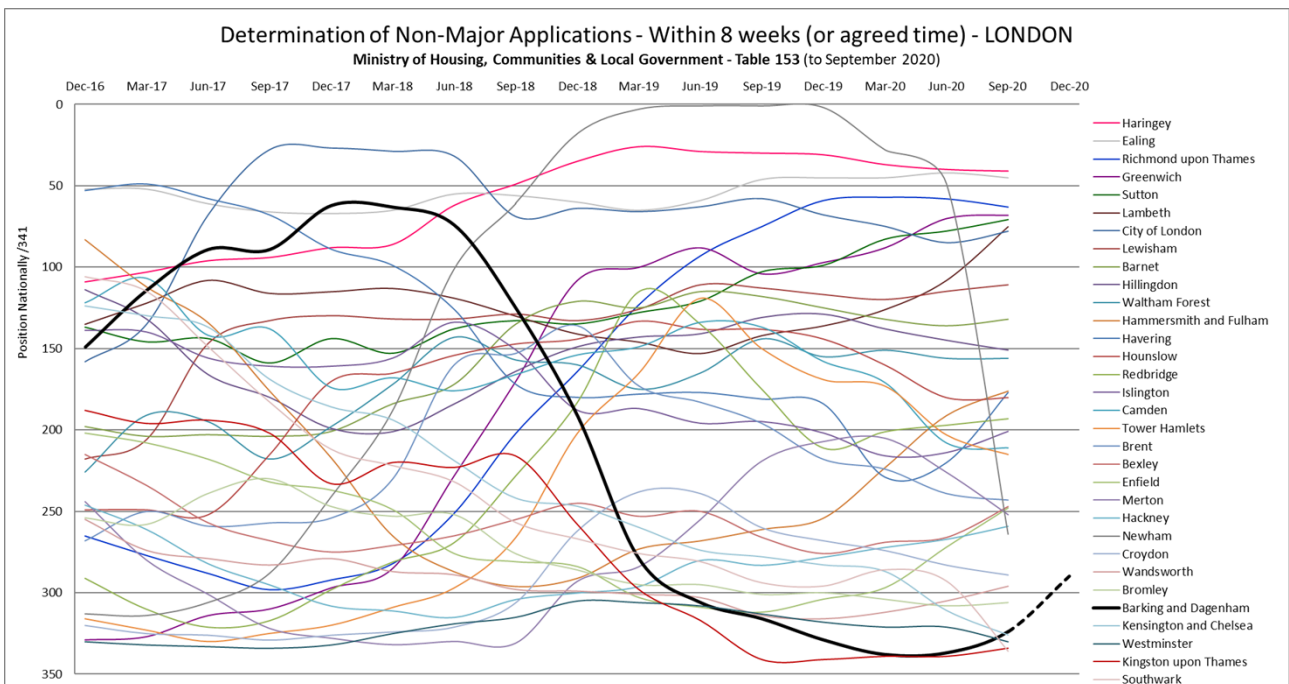


The above graph shows that since April 2020 over 90% of all non-major decisions issued each month have been issued within time. All new applications were determined within time, but it has taken the team 7 months to clear through over 400 backlog cases and some of these had to be issued out of time.

The entire backlog of applications was cleared prior to Christmas 2020 and our performance figures for January 2021 were 100% on all indicators. This places us joint **1st nationally** and a clear **1st in London**.

London wide comparison on MHCLG data

Positions and trends by each Local Authority within London (by quarter since December 2016 to September 2020) is shown below. Performance at LB Barking and Dagenham (black line) is now on a significant upturn.



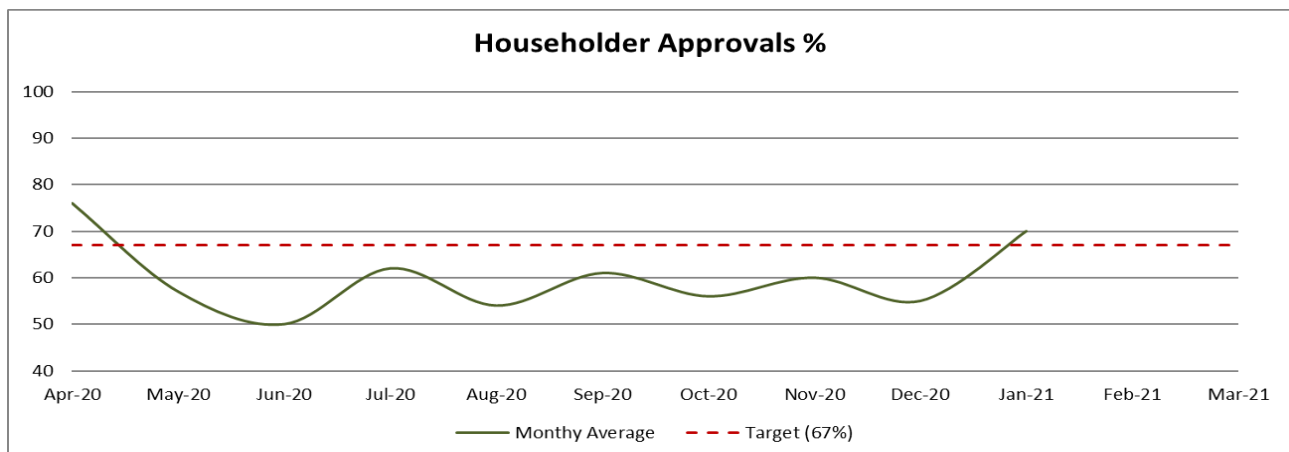
The performance figures for December 2020 are not published until late March 2021 but the dotted line represents the performance returns for Q3 2020-2021 which Be First on behalf of LBBDD have returned.

Summary of Decisions Taken (1st July 2020 to 31st January 2021)

<i>Application Type</i>	<i>% Approved Lawful Prior Approval Not Required Prior Approval Granted</i>	<i>% Refused Not Lawful Prior Approval Refused No Decision Taken</i>
Major Developments	100% (18 out of 18)	0% (0 out of 0)
Householder – HSE <i>(further detail below)</i>	59% (233 out of 396)	41% (163 out of 396)
All other 'FULL' planning applications	41% (91 out of 220)	59% (129 out of 220)
Certificates – CLUP/E	83% (238 out of 288)	17% (50 out of 288)
Prior approval for larger home extensions - PRIEXT	74% (214 out of 288)	26% (74 out of 288)
Prior approval for telecoms - PRICOM	53% (16 out of 30)	47% (14 out of 30)
Advertisements - ADVERT	100% (7 out of 7)	0% (0 out of 0)
Approval of Details - AOD	95% (104 out of 109)	5% (5 out of 109)
Works to Protected Trees - TPO	91% (10 out of 11)	9% (1 out of 11)

Householder Application breakdown

Through the period 1 July 2020 to 31st January 2021 only 59% of Householder applications have been approved. This is significantly lower than neighbouring authorities and presents a higher number of appeals being made. Larger housing typologies within the borough (e.g larger plots and gardens, Becontree) result in the receipt of some very inappropriate schemes which have no planning merit. On receipt only circa 40% of applications could be approved and it takes significant officer resource through seeking revised plans to increase the number of approvals. I have set officers the target of 67% approvals moving forwards.



Shortlist of 20 decisions selected by the Sub-Committee for review

The following table provides a key summary of the 20 randomly selected applications determined within the period of 1 July 2020 to 31st January 2021 out of a total of 1439 decisions issued. The applications are listed in date order of the date of the decision being issued. The Sub-Committee were asked to select between 5 and 10 of the reports below for a further detailed review and the outcomes of this are summarised on the following pages and reported back to the Planning Committee following this review.

App. Ref:	Address:	Decision:	Within Statutory period?	Within time agreed?
17/00826/CDN	Wellgate Farm Housing Dev.	Approved	No	Yes - Backlog
18/02051/FUL	30 Thames Road	Refused	No	No – Backlog
19/01105/FUL	117 Victoria Road	Approved	No	Yes - Backlog
19/01910/FUL	171 Dagenham Road	Refused	No	No – Backlog
20/00272/FUL	4 Dronfield Gardens	Approved	No	Yes - Backlog
20/01063/CLUP	482 Lodge Avenue	Lawful	Yes	n/a
20/01149/PRIEXT	253 Grafton Road	Refused	Yes	n/a
20/01241/PRIEXT	202 Hedgemans Road	Approved	Yes	n/a
20/01358/HSE	16 Fourth Avenue	Approved	Yes	n/a
20/01483/PRIEXT	12 Nutbrowne Road	Approved	Yes	n/a
20/01586/PRICOM	Rainham Road North	Refused	Yes	n/a
20/01639/HSE	103 Bentry Road	Approved	Yes	n/a
20/01774/AOD	Job Centre, Chequers Lane	Approved	Yes	n/a
20/01914/PRIEXT	30 Sterry Gardens	Approved	Yes	n/a
20/02023/PRIADC	11 Dowletts Road	Refused	Yes	n/a
20/02158/CLUP	21 Beresford Gardens	Lawful	Yes	n/a
20/02282/NONMAT	217 Padnall Road	Approved	Yes	n/a
20/02453/FULL	70 Stamford Road	Approved	Yes	n/a
20/02496/HSE	16 St Georges Road	Approved	Yes	n/a
21/00106/COM	Enterprise House Curzon Cres.	Lawful	n/a	n/a

Further Detailed Review

The Sub-Committee received a bundle of all 20 shortlisted applications for review and provided for each application a copy of:

- Overview title page
- Key Drawings
- Officer Delegated Report
- Decision Notice

The following tables record a summary of the performance and quality indicators for 5 applications which the Sub-Committee considered in further detail, along with a summary of the matters reviewed on each application.

App. Ref:	19/01105/FUL	Date Received:	27 th June 2019		
App. Address:	117 Victoria Road	Date Determined:	19 th August 2020		
Proposal:	Removal of existing pitched roof, construction of new second floor mansard roof extension, and erection of single storey, first, and second floor rear extensions to create a 9-bedroom house in multiple occupation (HMO).				
Time Taken (weeks)	Within statutory period or agreed time?	Correct planning history noted?	Correct policies applied?	Officer report published to file?	Decision notice published to file?
60	YES - EOT	YES	YES	YES	YES

Summary of Quality & Comments of the Sub-Committee:

- The application formed part of the historical backlog of 'out of time' applications on review in April 2020. This was one of three application by the same planning agent that were progressed as part of the work undertaken to clear the backlog.
- Upon engaging with the planning agent and apologising for the delay to date, Officers were able to seek significant enhancements to the proposal from the applicant and were able to positively progress these changes and grant approval for planning permissions for this proposal.
- Members sought to understand the reason for the substantive part of the delay until March 2020 which resulted from staff changes and the perceived complexity of the proposal.
- Whilst the time taken to consider the application fell well below the standards we now set ourselves, the quality of the decision taken and the comprehensiveness of the planning file are both excellent.

Continued on next page

App. Ref:	19/01910/FUL		Date Received:	18 th December 2019	
App. Address:	171 Dagenham Road		Date Determined:	20 th October 2020	
Proposal:	Erection of a roof shade outside patio door in the garden for disabled person.				
Time Taken (weeks)	Within statutory period or agreed time?	Correct planning history noted?	Correct policies applied?	Officer report published to file?	Decision notice published to file?
45	NO	YES	YES	YES	YES

Summary of Quality & Comments of the Sub-Committee:

- The application formed part of the historical backlog of 'out of time' applications on review in April 2020. Officers explained to the committee that it was regrettable that a small application such as this had not been determined quicker and such a delay is no longer a feature of the planning service post April 2020 where all such applications have been determined within time.
- Committee members questioned what weight officers had apportioned to the need for this roof shade by a disabled resident. It was explained that the proposal presented very poor-quality development that would have compromised neighbouring amenity and did not serve to benefit a disabled occupant given it did not offer level access to the external shade area or any subsequent step free access to the garden.
- Upon review of the planning file members were satisfied that the correct decision had been reached and the officer report was sufficiently robust as to why the application was refused. Members noted that an appeal against this decision is ongoing.

App. Ref:	20/01149/PRIEXT		Date Received:	7 th June 2020	
App. Address:	253 Grafton Road		Date Determined:	16 th July 2020	
Proposal:	Prior notification application for the construction of a single storey rear extension. The proposed extension will extend beyond the rear wall by 6.00 metres. The maximum height of the proposed extension from the natural ground level is 3.00 metres. The height at eaves level of the proposed extension measured from the natural ground level is 3.00 metres.				
Time Taken (weeks)	Within statutory period or agreed time?	Correct planning history noted?	Correct policies applied?	Officer report published to file?	Decision notice published to file?
6	YES	YES	YES	YES	YES

Summary of Quality & Comments of the Sub-Committee:

- Members reviewed this prior notification for a larger home extension. Members sought clarification on the approach, the scope of the application and to understand if all neighbour consultations had been correctly undertaken.
- In reviewing the file, it was clear that all adjoining neighbours had been written to and consulted on the application. Following this consultation it was clear that an immediate neighbour had raised an objection and this then required a formal assessment of the impact to neighbouring amenity. It was as a result of being un-neighbourly that prior approval was deemed to be required and refused.

App. Ref:	20/01586/PRICOM		Date Received:	4 th August 2020	
App. Address:	Rainham Road North		Date Determined:	18 th September 2020	
Proposal:	Application for prior approval telecommunication: Proposed 18m Phase 8 Monopole C/W wraparound Cabinet at base and associated ancillary works.				
Time Taken (weeks)	Within statutory period or agreed time?	Correct planning history noted?	Correct policies applied?	Officer report published to file?	Decision notice published to file?
7	YES	YES	YES	YES	YES

Summary of Quality & Comments of the Sub-Committee:

- Members reviewed this prior notification for a telecommunications mast and associated cabinets.. Members sought clarification on the approach, the scope of the application and to understand if all neighbour consultations had been correctly undertaken/considered.
- Officers confirmed that 81 neighbours were consulted as part of this notification application with 13 responses of objection being received (including one from the ward member and the MP)
- Officers carefully considered the concerns raised by residents against the very narrow considerations within a prior approval notification. Whilst many of the concerns cited were not material, officers found on balance the proposal unacceptable due to its siting and appearance.
- Accordingly, prior approval was deemed to be required and refused.
- A review of the planning file correctly contained a copy of all objections, a copy of all submitted documents, email responses and the officer report/decision notice.

App. Ref:	20/02023/PRIADC		Date Received:	13 th October 2020	
App. Address:	11 Dowletts Road		Date Determined:	7 th December 2020	
Proposal:	Prior notification application for the construction of new dwellinghouses on terrace buildings in use as dwellinghouses. The proposed development will create 1 new dwellinghouse and the proposed maximum height of the terraced building from the natural ground will be 12.2m.				
Time Taken (weeks)	Within statutory period or agreed time?	Correct planning history noted?	Correct policies applied?	Officer report published to file?	Decision notice published to file?
8	YES	YES	YES	YES	YES

Summary of Quality & Comments of the Sub-Committee:

- Members reviewed this prior notification for the construction of new dwellinghouses on terrace buildings. Members sought clarification on the approach, the scope of the application and to understand if all neighbour consultations had been correctly undertaken/considered.
- In reviewing the proposed drawings members found that the officer assessment on design and the decision to refuse the prior notification application to be correct against the policies against which it was assessed.

Overview of Appeals (1 July 2020 to 31st January 2021)

The number of appeals made and received in a period do not directly reflect the decisions taken within the relevant period. As a result of the pandemic and delays at the planning inspectorate, all appeal decisions received in the period 1 July 2020 to 31st January 2021 were not determined in this period. Some decisions received related to planning decisions taken in 2019.

Likewise, new appeals made do not directly reflect the decisions taken within the relevant period as an applicant has a period of 6 months to make their appeal following receipt of a decision.

New Appeals Received

The following table provides a breakdown of all new appeals made through the period 1 July 2020 to 31st January 2021

<i>Appeal Type</i>	<i>Total Number Received</i>	<i>Appeal format</i>
Refusal of Permission	66	41 – Written representations 25 – Householder
Non-determination	3	3 – Written representations
Conditions	1	1 – Written representations
Enforcement	8	Format not recorded

None of the above appeals received have yet been determined by the Planning Inspectorate. Current delays have extended the Householder 'fast-track' determination period of 12 weeks to over 20 weeks. Further, written representation appeals are now considerably over 26 weeks between an appeal being made and a decision received.

Whilst decisions issued in the period 1 July 2020 to 31st January 2021 are not a direct indicator of the number of appeals received, they do provide a useful benchmark for comparison.

Relevant applications refused: **292** (163 HSE + 129 FULL)

Number of appeals received: **70** (25 HSE + 43 FULL + (1 ADVERT, 1 PRIEXT))

Providing an indicative extrapolation of data, the above demonstrated that 24% of current refusals are being appealed. Whilst 38/129 'FULL' decisions related to conversions of family homes to flats or HMO's, the overall level of appeals received are extremely high and places a significant burden on the Planning Team.

This is in part due to having to place some reliance on an outdated local plan whilst the new plan continues to emerge and an outdated Householder Supplementary Planning Document. Both documents have in parts been surpassed by relaxations in permitted development. However, the high number of refusals is substantially as a result of the number of exceptionally poor-quality planning applications the Council receives.

Planning Appeals Determined

The following table provides a breakdown of the planning appeal decisions received through the period 1 July 2020 to 31st January 2021. The national average for England is 66% appeals dismissed, whilst London is 61%. This summary does not include appeal decisions received on Enforcement cases as these are not monitored by Be First.

<i>Total Decisions Received</i>	<i>Decisions Dismissed</i>	<i>Decisions Allowed</i>
34	71% (24 out of 34)	29% (10 out of 34)

A summary of all 10 'allowed' appeals is provide on the following pages.

Summary of each Allowed Planning Appeal

A copy of all Planning Inspectorate planning appeal decisions (in full print form) was provided to the sub-committee for review. A summary of each is provided below.

Appeal Ref:	APP/Z5060/D/19/3241932	Planning App Ref:	19/01254/FUL
Appeal Address:	40 Julia Gardens	Planning App (decision date)	24th June 2019
Proposal:	The erection of an ancillary granny annexe		
<p>In allowing the above appeal, the Inspector found the proposed 'ancillary granny annexe' at 40 Julia Gardens to accord with the development plan. The Inspector held that the lack of self-contained facilities and its proximity to the main house provided satisfaction that the annex would and could only be used as ancillary accommodation to the main dwelling. The inspector found no harm to neighbouring amenity.</p> <p><i>The Local Planning Authority note the decision but politely find on balance against the Inspector.</i></p>			

Appeal Ref:	APP/Z5060/W/20/3247697	Planning App Ref:	19/01534/FUL
Appeal Address:	114 Arnold Road	Planning App (decision date)	3 February 2020
Proposal:	Construction of two-bedroom end-of-terrace house		
<p>In allowing this appeal within the Becontree estate, the planning inspector found on balance that the proposed development would not appear uncharacteristic or notably at odds with the pattern of development in general.</p> <p><i>The position is noted and has been considered in the alternative on subsequent and more recent proposals.</i></p>			

Appeal Ref:	APP/Z5060/H/20/3246667	Planning App Ref:	19/01808/ADV
Appeal Address:	Land immediately south of 678 Rainham Road South	Planning App (decision date)	7 February 2020
Proposal:	<i>Appeal against the imposition of a condition – Advert Appeal</i>		
<p>In allowing this appeal against the imposition of a planning condition requiring the removal of the advert at the end of the permitted 5-year period, the Inspector found the condition unnecessary and unjustified by the officer in the report. We sought to justify at appeal, but the Inspector politely reminded the LPA it can't add such justification only at the appeal stage.</p> <p><i>Decisions of this quality are no longer representative of Be First delegated reports.</i></p>			

Appeal Ref:	APP/Z5060/D/20/3245035	Planning App Ref:	19/01355/FUL
Appeal Address:	67 Oval Road North	Planning App (decision date)	15 August 2019
Proposal:	Two storey side extension with matching hipped roof		
<p>In allowing this appeal, the Inspector could find no reason not to approve the decision.</p>			

Decisions of this quality are no longer representative of Be First delegated reports.

Appeal Ref:	APP/Z5060/D/19/3243586	Planning App Ref:	19/01392/FUL
Appeal Address:	328 Goresbrook Road	Planning App (decision date)	18 November 2019
Proposal:	Resubmission – proposed double storey side extension		
<p>In allowing the appeal the Inspector found that the reason for refusal did not substantiate grounds for refusal given that the Officer assessment had not engaged with the pattern of development within the locality. This is very much an on-balance decision which could have been strengthened with a tighter report and reason for refusal. Notwithstanding the decision was only refused against local policies.</p> <p><i>Overall disappointing but we are working hard to narrow reasons for refusal and for elements of harm to be clearly articulated within officer reports.</i></p>			

Appeal Ref:	APP/Z5060/D/20/3254596	Planning App Ref:	20/00336/FUL
Appeal Address:	194 Downing Road	Planning App (decision date)	1 May 2020
Proposal:	Dormer Loft conversion		
<p>In allowing this appeal within the Becontree estate the planning inspector found the Councils position to be incorrect. I have reviewed the decision and the Councils position is not incorrect, but our descriptive reasoning could have been a little clearer. The inspector here has apportioned clear weight to the fact that the development had already been constructed.</p> <p><i>A generally poor decision but one which we can take a learning point away from noting enforcement history.</i></p>			

Appeal Ref:	APP/Z5060/D/20/3252112	Planning App Ref:	20/00066/FUL
Appeal Address:	131 Third Avenue	Planning App (decision date)	12 March 2020
Proposal:	Erection of part single/part two storey rear extension		
<p>In allowing this appeal the Inspector found that whilst the 6.8m deep proposed ground floor extension conflicted with the Councils adopted SPG, they found that it would present itself as subservient to the dwelling and would not prejudice the amenity of immediate neighbours. The reasons for refusal here did not tie tightly to the delegated report and have allowed the planning inspector too much latitude in their consideration.</p> <p><i>Notwithstanding, this is a significant extension and the position on neighbourliness from an extension of such a size is a firm line set by LBB.</i></p>			

Appeal Ref:	APP/Z5060/X/19/3243122	Planning App Ref:	19/01417/CLU_E
Appeal Address:	104 Glenny Road	Planning App (decision date)	18 November 2019
Proposal:	Amendment of house into 2 separate self-contained flats.		
<p>The Council's reason for refusing to grant an LDC referred to whether "the outbuilding" had been in use as a self-contained flat for at least 4 years. However, nothing described in the appellant's evidence or on drawing 455/01 showed an outbuilding, the LDC was sought in respect of 2 self-contained flats within the main building'</p> <p><i>In short, the officer report and decision notice were critically flawed, and the inspector considered the application on the facts before them. There is little ambiguity in the evidence given very little was submitted but the Council had nothing to counter and took a decision contrary to Planning Practice Guidance). A poor decision on the part of LBB/Be First here including a subsequently issued enforcement notice which remains extant but needs closing off.</i></p>			

Appeal Ref:	APP/Z5060/D/20/3251417	Planning App Ref:	20/00185/FUL
Appeal Address:	39 Greatfields Road	Planning App (decision date)	31 March 2020
Proposal:	First Floor Rear Extension		
<p>In allowing this appeal the planning inspector considered the application solely on its merit and had no regard to the previous inspectorate dismissal at the same site for the previous larger scheme. Officers apportioned weight to the findings of harm of the previous inspector decision as would be entirely correct. However the inspector is within their rights to consider this solely on the merits of the current proposal and found the reductions to be acceptable, whilst noting no other properties within the locality have such extensions.</p> <p><i>A disappointing decision</i></p>			

Appeal Ref:	APP/Z5060/W/20/3258276	Planning App Ref:	19/01336/FUL
Appeal Address:	60 Arden Crescent	Planning App (decision date)	15 June 2020
Proposal:	Fitting of 4 CCTV cameras recording property grounds		
<p>In allowing this appeal the planning inspector considered the application in their view met an acceptable balance between the need for security against an appearance of an unsafe neighbourhood. The Inspector also found that despite neighbour concerns, the proposal would not have a materially harmful effect on the living conditions of the occupiers of neighbouring dwellings with particular reference to privacy.</p> <p><i>This refusal sets no precedent and in this case was safer for the Council to have been granted on appeal.</i></p>			