

MINUTES OF PLANNING COMMITTEE

Monday, 20 December 2021
(7:00 - 9:08 pm)

Present: Cllr Muhammad Saleem (Chair), Cllr John Dulwich (Deputy Chair), Cllr Irma Freeborn, Cllr Cameron Geddes, Cllr Kashif Haroon, Cllr Olawale Martins and Cllr Foyzur Rahman

Apologies: Cllr Faruk Choudhury and Cllr Dominic Twomey

19. Declaration of Members' Interests

There were no declarations of interest.

20. Minutes (11 October 2021)

The minutes of the meeting held on 11 October 2021 were confirmed as correct.

21. 949 Green Lane, Dagenham

The Principal Development Management Officer (PDMO), Be First Development Management Team, introduced a report on an application from the East African Education Foundation for a permission for a change of use from Residential to a Community Centre to include Worship (F.1(a), F.1(f) and F.2(b)) at 949 Green Lane, Dagenham RM8 1DJ. By way of background the application had followed two previously refused applications principally because of a failure to provide adequate parking and transport capacity plans, and which the current application had addressed.

In addition to internal and external consultations, a total of 47 notification letters were sent to neighbouring properties together with the requisite statutory site notice. 7 responses were received objecting to the application, the full material planning considerations relating to which were addressed in the planning assessment set out in the report.

A representation was made at the meeting by Mr Mark Small, Paster of the neighbouring Green Lane Christian Fellowship. At the outset he stated that he did not question the sincerity of the applicant but was concerned as to the feasibility of the plans. In summary he objected to the application for the following reasons:

- **Parking.** The current property being residential had parking suited to its needs with provision for four cars at most. The proposed development did not have the capacity to build a car park. The plans had proposed a single car space, with another designated for a 'drop off point only' with the other spaces converting into cycle stands and for the provision of a disabled access ramp.

The adjoining Fellowship had its own car park, and the concern was that its use would become a source of contention with the applicant.

- Traffic safety. Green Lane was a main road with a significant traffic flow. The area also contained a local school and therefore the change of use would generate more car movements creating hazards for pedestrians and pupils to negotiate.
- Public safety. The property had no side access, and the plans did not appear to include emergency exits in the event of a fire at the main entrance, and
- Community Use. The added benefits of the development to the local community were seriously questioned, given many of the services were already provided within the locality. The description in the application of 'include worship' was vague and open to interpretation, and consequently the impact on the lives of residents was not clear.

Dr Salim, representing the applicant addressed the Committee in response to the objections. He outlined the role of the Church and its objectives and activities in relation to specifically serving the needs of the local community highlighting a number of charitable and socially beneficial causes such as woman's empowerment initiatives, problems for young people around knife crime, gang culture, addiction and bullying, as well as their work with the NHS and food banks, particularly during the pandemic.

He was of the view that the conditions imposed on the application would address the concerns raised by the objectors both during the consultation and raised at the meeting. In respect of the latter the Chair asked him to specifically address the points raised by Paster Short.

Dr Salim stated that most of the users were local and would attend either on foot or by cycle and therefore parking would not be a problem as it would only be required for those with a disability, who in the main would be dropped off. He provided assurances that users of the Church would be advised not to park in the adjoining Christian Fellowship car park. On this point Members were advised by officers that any possible disputes that may arise in the future would be a civil matter and should be disregarded for the purposes of determining the application.

Dr Salim stated that the development would include adequate fire safety measures including appropriate means of escape in the event of a fire. He concluded that should this application be approved; the organisation was willing to work in cooperation with their neighbours including the Christian Fellowship and the wider local community. Responding to a question from the Committee about the organisation Dr Salim explained that although they were currently based in Newham, they had undertaken local community activities, operating out of rented sites both in Longbridge Road and another near Upney Station. However, both sites were small, hence the need to locate to a permanent base in the Borough.

Whilst the objectives of the organisation as stated in the application were welcomed Members felt it was important not to dismiss the significant number of objections that had been received during the consultation, recognising the concerns of local residents about a reduction in their quality of life brought about by perceived noise, traffic and other nuisances.

The Chair asked that should the application be approved what actions could the Council take if the imposed conditions were not met? Officers confirmed that failure to comply with the conditions, which would be secured through a legal agreement, could result in enforcement notice(s) being issued, with a maximum fine of up to £20k being levied.

Officers concluded that based on the documents, drawings and evidence submitted it was clear that the proposed community centre would provide a dual purpose and offer a range of activities which would serve the local community, be fully accessible and be near to other local services. Similarly, based on the full list of members most users would be local to the application site, and consequently it was considered that the development would have minimal impact on the highway and parking amenity, seeing that most users would travel to and from the site by foot, bike or public transport.

Whilst the proposal would result in more activity and noise and general disturbances than currently produced by the existing residential property, nevertheless, as the site was isolated from surrounding neighbouring residents, and given the opening hours of the development, the benefits arising from the scheme were considered to outweigh any significant harm to neighbouring amenity.

On balance therefore the proposal was considered acceptable and in keeping with the development policies.

Accordingly, the Committee **RESOLVED** to:

1. Agree the reasons for approval as set out in the report, and
2. Delegate authority to the Strategic 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 6 and the Conditions listed in Appendix 5 of the report.

22. Kingsley Hall, Parsloes Avenue, Dagenham

The Principal Development Management Officer (PDMO), Be First Development Management Team, introduced a report on an application from the Livability and Kingsley Hall Church and Community Centre seeking a permission at Kingsley Hall, Porters Avenue, Dagenham RM9 5NB for the demolition of all buildings and the redevelopment of the site for 36 residential

units (Class C3), comprising 3 x one bed units, 32 x two bed units and 1 x three bed unit in a part three and part four storey building, together with ancillary accommodation, landscaping, service infrastructure, car parking, means of access and other associated works.

In addition to internal and external consultations, a total of 722 notification letters were sent to neighbouring properties together with the requisite statutory press and site notices. 3 responses were received objecting to the application, the full material planning considerations relating to which were addressed in the planning assessment set out in the report.

In the light of the officer presentation a comment was expressed as to the fact that there was no element of affordable housing provision within this application phase of development, which was seen as very disappointing given the financial pressures of sections of the local community, particular at this time of the pandemic.

By way of background, it was explained by officers that this was not a standalone application and should be viewed in the context of the previous approval(s) granted by the Committee for the site as a whole. This included upgraded and new community facilities for a nursery and place of worship (phases 1A and 1B) together with this latest phase 2 providing the housing element to fund the development.

The previous application(s) had included provision to allow the applicant to offset the costs of the community facilities against the housing, which itself had been subject to an independent viability test that showed there was no scope to achieve any affordable housing on this site.

One registered speaker opposing the application addressed the Committee. Aside of providing new dwellings to house families, they questioned as to how this scheme would enhance and enrich the community and local environment as a whole. In summary their concerns were:

- Loss of privacy to surrounding residents
- Increased traffic
- Parking problems
- Noise and light pollution

They expressed doubt over the value of the public consultation exercise, claiming that the Planning Officers had failed to engage directly with those residents affected by the development. They were also critical of the application plan and associated studies, suggesting that the traffic study was years out of date and did not reflect the recent demography of the area, especially given the effects of the pandemic.

The applicant representative addressed the Committee in response to the objections. The scheme had been the subject of a continuous process of community consultation which had shaped the reconfiguration of the site. He emphasised the core values of Kingsley Hall which were to care for its

neighbours and provide services to the most vulnerable members of the local community.

He explained that Kingsley Hall had secured significant external investment into the scheme including the GLA which had allowed the community aspects of the scheme to be enhanced. The design and realignment of the development was more joined up with the community facilities be brought to the front of the site with the housing element facing the existing residential roads to the rear. He was confident that the reconfiguration of the site would resolve a lot of the issues highlighted by the objector which was backed up by the officer assessment in the report concerning the minimal impact that the development would have on neighbouring amenity.

In summary the officer concluded that the redevelopment of the site to provide a residential development was acceptable in principle and would contribute to the Borough's housing stock through the provision of 36 high quality units which were compliant with relevant standards.

The scale, sitting and design of the development was considered appropriate to the site's context and would result in a high-quality finish, whilst respecting the amenity of existing and future neighbouring occupiers. The development had 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 impact on air quality, with a financial contribution secured to mitigate any shortfall in carbon reduction.

Accordingly, the Committee **RESOLVED:**

1. To agree the reasons for approval as set out in the report,
2. Delegate authority to the Strategic 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 6 and the Conditions listed in Appendix 5 of the report, and
3. That, if by 20 June 2022 the legal agreement had not been completed, the Strategic Director of Inclusive Growth be delegated authority to refuse planning permission or extend this timeframe to grant approval.

23. Segro Park, Choats Road, Dagenham - Plot 3

The Development Management Officer (DMO), Be First, introduced a report on an application from SEGRO (East Plus) Ltd for planning permission for the construction of an industrial building (Use Class B2, B8, E(g)(iii), with ancillary offices, access ramp, creation of new vehicular accesses from Choats Road and Halyard Street, pedestrian and cycle access from Choats Road, cycle, motorcycle and car parking, roof mounted solar panels, hardstanding and circulation areas, roof terrace, sprinkler tanks, pump, and all other ancillary

works including landscape, drainage, engineering, ground stability works and boundary treatment.

Further to the publication of the agenda a supplementary report was issued updating the Committee on the outcome of further discussions between the LBB Employment and Skills officers and the applicant, which proposed that should the application be approved the head of term relating to training and employment should be updated to reflect an increased financial contribution.

By way of background the DMO explained that this planning application was the third industrial development submitted by Segro in partnership with the GLA. The first application at site 4, reference 19/01178/FUL was granted planning permission on 3 January 2020. The Committee subsequently resolved to grant planning permission on 5 July 2021 for Segro Plot 2 (planning application reference 21/00023/FUL), subject to planning obligations and conditions. The s106 Agreement was yet to be finalised and the Stage 2 GLA referral was required before planning permission could be granted for Plot 2.

In addition to internal and external consultations, a total of 143 notification letters were sent to neighbouring properties together with the requisite statutory press and site notices. 1 response was received on behalf of the promoter for the BRL housing development expressing support for the principle for the redevelopment of the site and welcomed the opportunity to work with the applicant and the Council on future employment, skills and training initiatives. The full material planning considerations relating to these matters were addressed in the planning assessment set out in the report.

The Chair expressed his support for the application and welcomed the creation of a significant number of new job opportunities for residents.

There being no issues raised by Members, the DMO concluded that the proposed development was considered acceptable in land use terms and when considered as a whole would provide an appropriate land use within adopted Core Strategy SIL designation, as the part of the statutory Development Plan and accord with the London Plan, and emerging Local Plan.

The development would optimise opportunities for local employment, skills and training through the construction and end use phases. The development included commitments to improve the accessibility of the site, including enhanced cycle routes, a contribution towards improving bus services and a financial contribution towards the local/strategic highways improvements. The highways commitments would assist in mitigating the impacts of the development in highways terms and were supported.

The Energy Strategy submitted as part of the development demonstrated that the proposals would sufficiently reduce carbon dioxide emissions, with any off set to be secured through the s106 Agreement.

Accordingly, the Committee **RESOLVED** to:

1. Agree the reasons for approval as set out in the report,
2. Delegate authority to the Strategic 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 6 of the report and the supplementary report, and the planning conditions at Appendix 5, and
3. Agree that, if by 20 June 2022 the legal agreement had not been completed, the Strategic Director of Inclusive Growth be delegated authority to refuse planning permission or extend this time frame to grant approval.

24. Segro Park, Choats Road, Dagenham- Plot 2 Update

The Development Management Officer (DMO), Be First Development Management Team updated the Committee regarding planning application 21/00023/FUL- Plot 2 at Segro Park, Choats Road, Dagenham which was approved on 5 July 2021 subject to a number of planning conditions and obligations.

In the light of that decision and following continued objections to the scheme on highways grounds by TfL, the Mayor of London's industrial developer for East London, detailed discussions continued between the applicant (Segro) and TfL to come to an agreed position, as a consequence of which a number of improvements appertaining to highways/transport obligations were now being proposed.

As a result, the following uplift had been agreed:

- A financial contribution of £600,000 (index linked from the date of planning permission) towards necessary changes to local bus services (night-time and morning peak capacity) to serve the development. This was an uplift from £200,000 as previously presented.
- A new financial contribution of £248,577 (index linked from the date of planning permission) towards localised highways improvements or works to the wider A13.
- Reduction in car parking spaces on occupation from 218 to 172, and
- Submission of a revised Car Parking Management Plan requiring a 10% reduction in car parking by the 10th anniversary, subject to a car parking survey demonstrating spaces are not essential for operation purposes. This represents a change from the previous reduction of 20% which was linked to the PTAL rating changing to 4 in the future.

The above summary represented a position that both the applicant and TfL have agreed on. Be First officers support this progression and the additional measures that have been secured. Whilst these changes could be agreed under delegated powers, given they are substantial and material, officers considered it was in Members' interest to be informed of the updated position.

The applicant also sought a number of minor amendments to the conditions which formed part of the planning consent granted in July 2021 and which were detailed in the report. Officers were satisfied with the proposed changes and did not consider these to be materially different to the approved position.

Therefore, the Committee **RESOLVED** to:

1. Agree the reasons for approval as set out in the report,
2. Delegate authority to the Strategic Director of Inclusive Growth in consultation with Legal Services to grant planning permission subject to securing the completion of a legal agreement under s106 of the Town and Country Planning Act 1990 (as amended) based on the Heads of Terms at Appendix 1 and the Conditions listed in Appendix 2 of the report, and
3. Agreed that, if by 20 June 2022 the legal agreement had not been completed, the Strategic Director of Inclusive Growth be delegated authority to refuse planning permission or extend this time frame to grant approval.

25. Former Rexel Site, Rainham Road, Dagenham

The Development Management Officer (DMO), Be First, introduced a report on an application from Dagenham Propco 1 Ltd for planning permission at 333 Rainham Road South, Dagenham for the demolition of existing buildings and the erection of commercial units (use Classes E(g)(iii), B2 and B8 together with access, parking and landscaping. This application followed a prior approval for the demolition of the buildings granted by the Planning Committee in June this year.

In addition to internal and external consultations, a total of 600 notification letters were sent to neighbouring properties together with the requisite statutory press and site notices. No representations were made other than one which raised objections concerning an adjoining residential development which had already received a planning permission. The full material planning considerations relating to the current application were addressed in the planning assessment set out in the report.

The Chair similarly welcomed the development and new job opportunities it would create.

There being no issues raised by Members, the DMO stated that the proposed development would accord with the designated land use of this Locally Significant Industrial Site (LSIS) and would contribute towards renewing an underused industrial site to provide modern, sustainable units. The development would optimise opportunities for local employment, skills and training.

It was considered that this application made the best use of the site to provide a development that was appropriate of the character and setting of the area. The design, scale and massing were considered to comply with the aims of the development plan in delivering high quality sustainable development.

The development would significantly reduce carbon dioxide emissions, with any off set to be secured through s106 agreement. In highways terms, officers were satisfied that the development would facilitate safe access, and measures had been included to encourage modal shift for travel patterns.

Considered as a whole, the DMO concluded that the proposed development accorded with the Development Plan, and

Therefore, the Committee **RESOLVED** to:

1. Agree the reasons for approval as set out in the report,
2. Delegate authority to the Strategic Director of Inclusive Growth in consultation with Legal Services to grant planning permission subject to any direction from the Mayor of London, the completion of a legal agreement under s106 of the Town and Country Planning Act 1990 (as amended) based on the Heads identified at Appendix 6 and the Conditions listed at Appendix 5 of the report, and
3. That, if by 20 June 2022 the legal agreement had not been completed, the Strategic Director of Inclusive Growth be delegated authority to refuse planning permission or extend this timeframe to grant approval.