

MINUTES OF PLANNING COMMITTEE

Monday, 16 October 2023
(7:00 - 7:57 pm)

Present: Cllr Muhammad Saleem (Chair), Cllr Jack Shaw (Deputy Chair), Cllr Faruk Choudhury, Cllr Muhib Chowdhury, Cllr Alison Cormack, Cllr Cameron Geddes, Cllr Harriet Spoor, Cllr Dominic Twomey and Cllr Sabbir Zamee

Apologies: Cllr Edna Fergus

14. Declaration of Members' Interests

There were no declarations of interest.

15. Minutes (11 September 2023)

The minutes of the meeting held on 11 September 2023 were confirmed as correct.

16. Barking Riverside, Stage 2 South Boulevard - Sub Framework Plan and Discharge of Conditions - 23/01182/AOD

The Senior Principal Development Officer (SPDMO), Be First Development Management Team, introduced a report on an application from Barking Riverside Ltd seeking approval of details in relation to Stage 2 South Boulevard Sub Framework Plan (SFP) pursuant to Condition 31 (Sub Framework Plan) and 32 (Details of Sub Framework Plan), in addition to the partial discharge of conditions 4 (Phasing and Stages), 5 (Partial Discharge), 23 (Flood Defence Buffer Zones), 33 (Nature Conservation and Landscaping), 35 (Temporary Pedestrian and Cycle Routes) and 36 (Design Code) attached to planning permission 18/00940/FUL dated 26/10/2018.

A total of 568 notification letters were sent to neighbouring and nearby properties from which objections were received from two individuals and two interest groups, the material planning considerations and issues raised from which were addressed by the SPDMO in their planning assessment of the application. In addition to the published papers, a supplementary report was presented which contained details of a further public objection, which the SPDMO concluded had no material planning considerations on the application.

A representation was made at the meeting by Mr Andrew Boff, a local resident who opposed the application on the basis of protecting footpath 47 that ran adjacent to the application site. Mr Boff stated that the site of the footpath was recognised as of metropolitan importance, there being a huge amount of natural diversity in the location. When objections were raised the planning response, as stated in the report, was that the footpath was outside the redline boundary of the application site, and that the public right of way

access was not compromised. In addition, the applicant (BRL) had confirmed that they were fully committed to protecting the footpath and ensuring it was preserved for public use. Mr Boff commented that the statement ran contrary to the views of the Mayor who, when questioned at a Greater London Assembly meeting in May this year, stated that due to the nature of engineering activity the footpath would need to be temporarily diverted as homes were built in and around Barking Riverside.

Mr Boff also referred to condition 33 of the application which he felt failed to address and protect against the potential for the leaching of construction related waste from the development. Consequently, whilst there might be good intentions of BRL, there was nothing in the report to guarantee the long-term protection of the footpath.

Finally, referencing the subsequent application on the agenda concerning the Section 106 strategies (23/01180/S106A), Mr Boff stated that the Open Space and Recreation Strategy drawn up for the development had not recognised the closure of the warehouse on Thames Road which had left a significant hole in the community infrastructure in the area. He felt, therefore, it would be prudent to direct some of the Section 106 monies generated by the application to re-create this unique facility. Irrespective of the Mayor's comments, it was confirmed that the Planning Committee could not take into account the objection as presented as it had no material planning effect on the application before it, as the footpath was outside the redline boundary. That said, Members concurred that BRL should be encouraged to commit to protect the site of the footpath as part of the wider development of Barking Riverside.

In response to further comments from Mr Boff, the SPDMO confirmed that Footpath 47 was outside the boundaries of the application being considered at this meeting, which was reaffirmed by Matthew Carpen representing BRL. In terms of the environmental protection considerations, the SPDMO confirmed that a site contamination strategy was in place, hence the LBBD Environmental Protection Team comments only considering the matter of noise associated with the application.

Mr Carpen acknowledged the importance of the footpath as a site of rich natural heritage and confirmed that BRL was committed to protecting it as part of the wider development. He accepted that, although not immediate, there would need to be engineering works undertaken on the site boundary adjacent to the footpath to make building construction safe. This would form part of BRL's strategic infrastructure scheme application that would be presented to the Local Planning Authority and subject to public consultation in due course. Mr Carpen also referred to BRL's investment in the local community infrastructure.

Opening the application to a wider debate, it was noted that there was a significant amount of shared ownership as part of the overall tenure of affordable housing. Mr Carpen responded that whilst property markets fluctuated, the response so far to shared ownership properties on the wider

development had been positive. BRL's key objective, in conjunction with house building partners, was to provide a diverse range of housing products, which required careful management to avoid saturating the market with one particular product.

A further issue raised related to commercial floor space as well as provision for new social infrastructure, as the application envisaged a total of 2,400 new properties which would house up to 10,000 new residents. BRL acknowledged that until large numbers of residents began moving into the development the viability of commercial space would be a challenge, as was the case for new social infrastructure such as health facilities, new public transport links and amenity space. For those reasons, BRL was providing significant funding for a number of pop-up facilities such as cafes and a shop. Also, the majority of commercial space was to be located in and around the railway station where there was higher footfall, with smaller elements dispersed around the remainder of the site. With specific reference to health provision BRL's wider masterplan, which had been developed in consultation with the Council, Be First and the NHS over the last three years, included the provision of a new Health and Leisure Hub, which would be commissioned by BRL in consultation with Be First and the NHS. A number of temporary health facilities had recently been provided in the form of GP pop-ups and BRL was looking for the NHS to continue to support that initiative given the success to date.

The Chair made reference to the commercial space and whilst acknowledging the points made by BRL about when such spaces would come online, he sought assurances as to the timescales given the need to sustain the existing communities. BRL responded that the next sub-framework plan that was expected to be submitted to the Council in December 2023 would focus around the station area and include a broader strategy around the provision of the commercial space. Mr Carpen repeated his view that the biggest challenge was footfall and, to that end, BRL was continuing to put in pop-up spaces across the development to test the market and assess residents' needs, so that the long-term commercial space provision would be successful.

On the health facilities, concerns were expressed that the current local hospital provision at Queen's Hospital in Romford and King George Hospital in Goodmayes were some distance away from the Riverside area. Given the significant number of residents already living in the area and the projected population increase in the years ahead, the Chair sought reassurance regarding the plans for health-related infrastructure. Mr Carpen commented that he was not able to respond fully in the absence of NHS partners but he repeated that a huge amount of work had been undertaken in respect of the Health and Leisure Hub. Although cost and viability issues needed to be addressed, as the project had already significantly exceeded the original budget, Mr Carpen confirmed that BRL would continue to push to ensure the facility came to fruition. The Chair advised that the Council would also continue to push to ensure all parties committed the necessary funding to deliver the much-needed facility.

Further issues were raised relating to the current health and play facilities on the nearby Thames View estate and the affordable housing viability point.

The SPDMO summarised that the submitted details demonstrated that all matters relating to the sub-framework plan were of a high quality and that the revised SFP would remain within the maximum parameters and relevant agreed strategies of the outline planning consent. The proposals would facilitate the continued delivery of homes and commercial development in a high-quality and compliant fashion and he confirmed that the information submitted relating to conditions had been reviewed and been subject to consultation. Therefore, the application was considered by officers to be of sufficient quality and would facilitate the creation of a highly successful and sustainable new community within the heart of the Barking Riverside development site.

The Committee **resolved** to:

- (i) Agree the reasons for approval as set out in the report; and
- (ii) Delegate authority to the Strategic Director of Inclusive Growth (or authorised Officer), to approve the Sub-Framework Plans (23/01182/AOD) and specified planning conditions for Stage 2 South Boulevard, Barking Riverside.

17. Barking Riverside, Stage 2 South Boulevard - Section 106 strategies - 23/01180/S106A

Further to Minute 16 above, the Senior Principal Development Officer (SPDMO), Be First, introduced a report on an application from Barking Riverside Ltd seeking approval of revised Section 106 Legal Strategies together with reserved matters and the discharge of the following conditions:

1. Schedule 4, Part 3 Para 27.1.2 (Housing Strategy July 2023);
2. Schedule 4, Part 3, Para 28.1 and Para 32.1 (Build to Rent Strategy Plot DC3B July 2023);
3. Schedule 4, Part 2, Para 10.1 and 10.2 (Transport Strategy July 2023);
4. Schedule 4, Part 2, Para 25.2 (Car Parking Strategy July 2023);
5. Schedule 4, Part 1, Para 12.2 (Travel Plan July 2023);
6. Schedule 3, Part 1, Para 1.2 (Retail and Non-Residential Use Strategy July 2023);
7. Schedule 3, Part 3, Para 7.2 (Health Strategy July 2023);
8. Schedule 3, Part 4, Para 10.2 (Placemaking Strategy July 2023);
9. Schedule 3, Part 5, Para 12.2 (Open Space and Recreation Strategy July 2023 with the Open Space and Recreation Strategy, 02 May 2018);
10. Schedule 3, Part 7, Para 16.2 (Energy Strategy July 2023);
11. Schedule 3, Part 13, Para 13.1 (Employment, Skills & Training Strategy July 2023);
12. Schedule 3, Part 8, Para 17.2 (Waste Strategy July 2023);

13. Schedule 4, Part 2, Para 8.1 (Transport Monitoring Report May 2023) of the Section 106 Legal Agreement dated 08 March 2019 (as varied 15 July 2021) of planning permission reference 18/00940/FUL (as amended).

A total of 568 notification letters were sent to neighbouring and nearby properties from which objections were received from two individuals and two interest groups, the material planning considerations and issues raised from which were addressed by the SPDMO in their planning assessment of the application. In addition to the published papers a supplementary report was presented which contained details of a further public objection, which the SPDMO concluded had no material planning considerations on the application.

The SPDMO summarised the details of the proposal and outlined the relevant background information including the extensive planning history dating back to 2007 and the most relevant planning applications.

There being no questions from Members, the SPDMO concluded that the application details had demonstrated that all matters relating to the S106 strategies were of a high quality and continued to pursue and raise the standard of the approach envisaged by the extant outline consent and the signed Section 106 Legal Agreement. As such, the proposals would facilitate the continued delivery of homes, commercial development and associated infrastructure in a compliant and innovative way.

The Committee **resolved** to:

- (i) Agree the reasons for approval as set out in the report; and
- (ii) Delegate authority to the Strategic Director of Inclusive Growth (or authorised Officer), to approve the Revised Section 106 (S106) Legal Strategies (23/01182/AOD) for Barking Riverside.