Notice of Meeting

DEVELOPMENT CONTROL BOARD

Monday, 8 May 2017 - 7:00 pm
Council Chamber, Town Hall, Barking

Members:  Cllr Sanchia Alasia (Chair), Cllr Faraaz Shaukat (Deputy Chair), Cllr Abdul Aziz, Cllr Peter Chand, Cllr Faruk Choudhury, Cllr Edna Fergus, Cllr Irma Freeborn, Cllr Cameron Geddes, Cllr Syed Ghani, Cllr Rocky Gill, Cllr Kashif Haroon, Cllr Giasuddin Miah, Cllr Margaret Mullane, Cllr Chris Rice, Cllr Liam Smith, Cllr Bill Turner, Cllr Dominic Twomey and Cllr Jeff Wade

Date of publication: 27 April 2017

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Tel. 020 8227 2638
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Councillors who are not members of the Development Control Board may speak at a meeting with the agreement of the Chair but must sit separately from the Board Members and must declare whether they have had any contact with the applicant / objector / property owner or their agents, and whether they are speaking on behalf of a third party and, if so, who (Councillors’ Code of Conduct for Planning Matters)

AGENDA

Use Classes and Planning Application Procedure

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 (6 March 2017) (Pages 7 - 15)

4. New Planning Applications

   15 Foxlands Road, Dagenham- 17/00073/FUL (Pages 17 - 31)
5. The Short Blue, Bastable Avenue, Barking-16/02007/FUL (Pages 33 - 59) Thames

6. Becontree Heath regeneration sites: Wood Lane, Gosfield Road, Stour Road and Althorne Way, Dagenham- 16/01975/FUL (Pages 61 - 118) Heath

7. 539 Rainham Road South, Dagenham- 17/00274/FUL (Pages 119 - 127) Eastbrook

8. 102 North Street, Barking- 17/00176/FUL (Pages 129 - 137) Abbey

Advertisement Applications Ward

9. Town Planning Appeals (Pages 139 - 174) Alibon; Eastbrook; Longbridge; Mayesbrook; River; Whalebone

10. Delegated Decisions (Pages 175 - 202)

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

12. 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 Development Control Board, 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.

13. Any confidential or exempt items which the Chair decides are urgent
Our Vision for Barking and Dagenham

**One borough; one community; London’s growth opportunity**

Our Priorities

**Encouraging civic pride**
- Build pride, respect and cohesion across our borough
- Promote a welcoming, safe, and resilient community
- Build civic responsibility and help residents shape their quality of life
- Promote and protect our green and public open spaces
- Narrow the gap in attainment and realise high aspirations for every child

**Enabling social responsibility**
- Support residents to take responsibility for themselves, their homes and their community
- Protect the most vulnerable, keeping adults and children healthy and safe
- Ensure everyone can access good quality healthcare when they need it
- Ensure children and young people are well-educated and realise their potential
- Fully integrate services for vulnerable children, young people and families

**Growing the borough**
- Build high quality homes and a sustainable community
- Develop a local, skilled workforce and improve employment opportunities
- Support investment in housing, leisure, the creative industries and public spaces to enhance our environment
- Work with London partners to deliver homes and jobs across our growth hubs
- Enhance the borough’s image to attract investment and business growth

**Well run organisation**
- A digital Council, with appropriate services delivered online
- Promote equalities in the workforce and community
- Implement a smarter working programme, making best use of accommodation and IT
- Allow Members and staff to work flexibly to support the community
- Continue to manage finances efficiently, looking for ways to make savings and generate income
- Be innovative in service delivery
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<table>
<thead>
<tr>
<th>Use Class</th>
<th>Use/Description of Development</th>
<th>Permitted Change</th>
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<tbody>
<tr>
<td>A1 Shops</td>
<td>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.</td>
<td>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</td>
</tr>
<tr>
<td>A2 Financial and professional services</td>
<td>Financial services such as banks and building societies, professional services (other than health and medical services) including estate and employment agencies.</td>
<td>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</td>
</tr>
<tr>
<td>A3 Restaurants and cafés</td>
<td>For the sale of food and drink for consumption on the premises - restaurants, snack bars and cafes.</td>
<td>A1 or A2 State funded school for single academic year – see footnote 2. Some temporary uses – see footnote 4.</td>
</tr>
<tr>
<td>A4 Drinking establishments</td>
<td>Public houses, wine bars or other drinking establishments (but not night clubs).</td>
<td>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.</td>
</tr>
<tr>
<td>A5 Hot food takeaways</td>
<td>For the sale of hot food for consumption off the premises.</td>
<td>A1, A2 or A3 State funded school for single academic year – see footnote 2. Some temporary uses – see footnote 4.</td>
</tr>
<tr>
<td>B1 Business</td>
<td>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</td>
<td>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.</td>
</tr>
<tr>
<td>B2 General industrial</td>
<td>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).</td>
<td>B1 or B8 (B8 limited to 500 sqm) State funded school for single academic year – see footnote 2.</td>
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<td>B8 Storage and distribution</td>
<td>Storage or distribution centre. This class includes open air storage.</td>
<td>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.</td>
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<td>C1 Hotels</td>
<td>Hotel, boarding house or guesthouse, where no significant element of care is provided. (Excludes hostels).</td>
<td>State funded school for single academic year – see footnote 2. State funded school or registered nursery subject to prior approval - see footnote 3</td>
</tr>
<tr>
<td>C2 Residential institutions</td>
<td>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).</td>
<td>State funded school for single academic year – see footnote 2. State funded school or registered nursery subject to prior approval - see footnote 3</td>
</tr>
<tr>
<td>C2A Secure residential institution</td>
<td>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.</td>
<td>State funded school for single academic year – see footnote 2. State funded school or registered nursery subject to prior approval - see footnote 3</td>
</tr>
<tr>
<td>C3 Dwelling houses</td>
<td>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</td>
<td>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</td>
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<td><strong>Footnotes</strong></td>
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<tr>
<td><strong>1</strong></td>
<td>B1a (Offices) can change use to C3 (Dwelling houses) provided development commenced before 30/06/16. Need to apply to Council for planning permission.</td>
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<td><strong>2</strong></td>
<td>State funded schools can open without prior planning permission for a single academic year without planning permission from any existing use within the Use Classes Order. School must be notified by Secretary of State and school must notify Council before they open. Must revert to its previous use at end of year. Does not apply to listed buildings.</td>
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<td><strong>3</strong></td>
<td>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 prior planning permission. Need to apply to Council for prior approval to confirm no significant transport and highways impacts, 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.</td>
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<td><strong>4</strong></td>
<td>A1 (shops), A2 (financial and professional services), A3 (restaurants and cafes), A4 (pubs), A5 (takeaways), B1a (offices), B1b (light industry), B1c (R&amp;D), D1 (non-residential institutions) and D2 (assembly and leisure) can change to A1, A2, A3, B1a,b &amp; 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.</td>
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<td><strong>5</strong></td>
<td>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 Areas or to listed buildings.</td>
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<td><strong>6</strong></td>
<td>Does apply in Conservation Areas but not to listed buildings.</td>
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<td><strong>7</strong></td>
<td>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 change 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.</td>
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<tr>
<td><strong>8</strong></td>
<td>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.</td>
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<tr>
<td><strong>9</strong></td>
<td>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.</td>
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<tr>
<td><strong>10</strong></td>
<td>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.</td>
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Planning Application Procedure

1. The Chair introduces the Planning Officer who will present the item.

2. The Planning Officer presents the report to the Board 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. If clarification is required, DCB Members may, through the Chair, ask relevant (i.e. planning related) questions regarding an issue within the Planning Officer’s report.

4. Registered objectors may speak for up to three minutes.

5. DCB Members may, through the Chair, seek clarification of any relevant planning issue raised by the objectors.

6. Councillors who are not members of the Development Control Board may address the Board with the Chair’s permission. They are not permitted to take part in the discussions or question objectors, supporters, applicants or applicants’ representatives.

7. DCB Members may, through the Chair, seek clarification of any relevant planning issue raised by the councillors.

8. Registered supporters, applicants or applicants’ representatives for the application may speak for up to three minutes.

9. DCB Members may, through the Chair, seek clarification of any relevant planning issue raised by the supporters, applicants or applicants’ representatives.

10. DCB Members may, through the Chair, seek further clarification from Council officers on any relevant planning issue that may have arisen.

11. The Board shall debate the item. Where the application is considered to be straightforward and there are no speakers present, the Board may make a decision based on the report and without any debate.

12. The Board’s will vote on the matter (including any proposed supplementary conditions or recommendations). In the event that the Board’s decision is to refuse or allow an application contrary to the report’s recommendation, DCB Board Members must give valid reasons for the decision based on relevant planning policies.

13. The Chair shall announce the Board’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.
- DCB 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 DCB 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 the application, shall be excluded from participating and voting on the application.
- If a DCB 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 Board may agree to defer the application.
- The Chair may ask members of the public and press to leave the room to enable the Board to consider information which is confidential or exempt (in accordance with Schedule 12A of the Local Government Act 1972.
MINUTES OF
DEVELOPMENT CONTROL BOARD

Monday, 6 March 2017
(7:05 - 7:38 pm)

Present: Cllr Sanchia Alasia (Chair), Cllr Faraaz Shaukat (Deputy Chair), Cllr Peter Chand, Cllr Faruk Choudhury, Cllr Irma Freeborn, Cllr Cameron Geddes, Cllr Syed Ghani, Cllr Rocky Gill, Cllr Kashif Haroon, Cllr Margaret Mullane, Cllr Chris Rice and Cllr Dominic Twomey

Also Present: Cllr Adegboyega Oluwole

Apologies: Cllr Abdul Aziz, Cllr Bill Turner and Cllr Jeff Wade

68. Declaration of Members’ Interests

There were no declarations of interest.

69. Minutes (6 February 2017)

The minutes of the meeting held on 6 February 2017 were confirmed as correct.

Councillor Mullane requested that consideration should be given to her name being included when referring to applications. She noted that the minutes of 6 February 2017 had named Councillors Lee and Phil Waker, however they were not Members of the Board and were recorded as public speakers on a particular item. It was noted that the Board used the same style of minutes on a consistent basis without naming individual Members. In addition, the Board will be filmed from now on and the existing practice of not naming Members is now supported by a visual and sound recording of the Members participating including the naming, which will address this concern.

70. Plots 201-203 Barking Riverside, Renwick Road, Barking- 16/01971/REM

The Development Management Manager introduced a report on the application relating to Plots 201-203 Barking Riverside, Renwick Road, Barking.

The application site formed part of the Barking Riverside development which occupied a 179.3 hectare site of brownfield land historically associated with the old Barking Power Station. Barking Riverside had had a number of outline planning permissions since 2007 and most recently, a revised outline planning application for Barking Riverside was approved by Development Control Board on 27 July 2016 (Ref: 16/00131/OUT). However this application falls under the previous outline permission (Ref: 08/00887/FUL).

This application sought reserved matters consent for the erection of 378 new homes, associated car parking, landscaping and tertiary roads on development plots 201-203 which are located within Stage 2 of the development located to...
the south of Choats Road and accessed off the new Drovers Road which is currently under construction.

The Development Control Board granted planning permission subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans/documents:

   LDS 0947B P0100 Rev B
   LDS 0947B P0101 Rev B
   LDS 0947B P0108 Rev B
   LDS 0947B P0151
   LDS 0947B P0152
   LDS 0947B P0153 Rev A
   LDS 0947B P0154 Rev A
   LDS 0947B P0155 Rev A
   LDS 0947B P0156 Rev A
   LDS 0947B P0157 Rev A
   LDS 0947B P0158 Rev A
   LDS 0947B P0159 Rev A
   LDS 0947B P0160 Rev A
   LDS 0947B P1011 Rev A
   LDS 0947B P1012 Rev A
   LDS 0947B P1013 Rev A
   LDS 0947B P1014 Rev A
   LDS 0947B P1015 Rev A
   LDS 0947B P1016 Rev A
   LDS 0947B P1021 Rev A
   LDS 0947B P1022 Rev A
   LDS 0947B P1023 Rev A
   LDS 0947B P1024 Rev A
   LDS 0947B P1025 Rev A
   LDS 0947B P1026 Rev A
   LDS 0947B P1031 Rev A
   LDS 0947B P1032 Rev A
   LDS 0947B P1033 Rev A
   LDS 0947B P1034 Rev A
   LDS 0947B P1035 Rev A
   LDS 0947B P1036 Rev A
   LDS 0947B P1041 Rev A
   LDS 0947B P1042 Rev A
   LDS 0947B P1043 Rev A
   LDS 0947B P1044 Rev A
   LDS 0947B P1045 Rev A
   LDS 0947B P1046 Rev A
   LDS 0947B P1051 Rev A
   LDS 0947B P1052 Rev A
   LDS 0947B P1053 Rev A
   LDS 0947B P1054 Rev A
   LDS 0947B P1055 Rev A
   LDS 0947B P1056 Rev A
   LDS 0947B P1057 Rev A
Barking Riverside Design & Access Statement Dated 21/02/17

Barking Riverside Landscape Management Plan and Biodiversity Management Plan Dated December 2016

Reason: For the avoidance of doubt and in the interests of proper planning.
The Development Management Manager introduced a report on the application relating to 37 Gordon Road, Chadwell Heath.

The proposed demolition of an existing bungalow and erection of a terrace of three 2 storey houses would optimise the use of this site for residential purposes in accordance with the development plan.

The existing building did not contribute positively to the appearance of the street scene, and the proposed development was considered to be well designed and appropriate to its context in terms of scale and massing.

The proposed dwellings would provide a good standard of accommodation for future occupiers and were designed to meet the accessibility, internal space and external amenity space standards set out within the development plan. The scheme would not cause harm to the amenities of neighbouring occupiers.

The development would result in a net gain of two houses without the provision of any off-street parking. Whilst the provision of parking within the development boundaries would have been preferable such provision was not feasible within the current scheme. It was considered that the additional on-street parking demand that would result from the development would not have a significant impact on existing parking pressure, and furthermore would not have a severe impact on transport which is the relevant policy test set out within the National Planning Policy Framework.

In answer to a question, it was advised that there would be garden space at the rear of the proposed development.

Members noted that the proposed development being liable for the Mayoral and Borough Community Infrastructure Levies and would result in CIL contributions of approximately £2,800 and £1,200 respectively and these bands varied across the Borough.

Neil Gaskell, representing the applicant, considered that the application showed that there was a lot of car parking space available around the site and that the effect of this on the locality was minimal.

The Transport Officer had concerns about the lack of access of public transport, which would lead to on-street car parking in the locality. It was noted that this site was not in a Controlled Parking Zone (CPZ). Members had particular concerns about potential parking and transport issues with this application and considered that the site was not suitable for this development.

The Development Control refused planning permission for the following reasons:

The development does not make provision for any off-street car parking and would therefore result in increased demand for on-street parking within an area
of poor public transport accessibility to the detriment of highway safety and the amenity of local residents contrary to policies BR10 and BP8 of the Borough Wide Development Policies DPD, March 2011.

72. **Town Planning Appeals**

The Board noted details of the following appeals:

**Appeals Lodged**

The following appeals have been lodged:

a) **Erection of first floor side/rear extension, conversion of garage to study, and replacement outbuilding in rear garden** – 7 Oulton Crescent, Barking (Ref: 16/01229/FUL)

Application refused under delegated powers 4 October 2016 – Longbridge Ward.

b) **Application for prior approval of proposed single storey rear extension** (depth: 5.0 metres; height to eaves: 2.6 metres and maximum height: 3.35 metres) - 33 Standfield Road, Dagenham (Ref: 16/01101/PRIOR6)

Application refused under delegated powers 22 August 2016 – Alibon Ward.

c) **Erection of two storey 2 bedroom detached house** - 476 Ripple Road, Barking (Ref: 16/01309/FUL)

Application refused under delegated powers 3 November 2016 – Eastbury Ward.

d) **Application for a certificate of lawfulness for a proposed development**: Loft conversion involving construction of gable end roof, rear dormer window and front rooflights - 378 Heathway, Dagenham (Ref: 16/01684/CLU_P)

Application refused under delegated powers 23 December 2016 – Alibon Ward.

2. **Appeals Determined**

The following appeals have been determined by the Planning Inspectorate:

a) **Erection of first floor extension to provide studio flat** – 5 Porters Avenue, Dagenham (Ref: 16/00431/FUL – Parsloes Ward)

Application refused under delegated powers 4 April 2016 for the following reasons:
1) The proposed dwelling would be within a poor quality environment, which offers a poor outlook and unsafe passage of access for future occupiers of the unit. As such the site is considered to be inappropriate and unsuitable for new independent residential living accommodation, contrary to Local Plan Core Strategy Policy CP3 and Borough Wide Development Policies BP11 and BP8, which seek to secure that all new residential development should achieve the highest standards of sustainable design and layout expected for new residential dwellings. As such, the proposal fails to fulfill the social and environmental roles of sustainable development and is therefore contrary to National Planning Policy Framework Paragraphs 14 and 17.

2) The proposal would not provide a safe and secure access way to and from the proposed dwelling. Moreover, the proposal would not create a safe environment for future occupiers of the proposed dwelling and would undermine their quality of life and sense of the 'home as a place of retreat', contrary to National Planning Policy Framework Paragraph 58, The London Plan Policy 3.5, and Borough Wide Development Policies DPD Policy BP11. As such, the proposal fails to fulfill the social and environmental roles of sustainable development, and therefore contrary to NPPF Paragraph 14.

Planning Inspectorate's Decision: Appeal dismissed 16 February 2017

b) Erection of single storey rear extension - 16 Wykeham Green, Dagenham (Ref: 16/00985/FUL – Mayesbrook Ward)

Application refused under delegated powers 26 August 2016 for the following reason:

1) The development, by reason of its design and excessive scale, would result in a dominant and intrusive addition in the rear garden environment, harmful to the character and appearance of the area. The proposed extension would adversely affect the outlook of the occupiers of 17 Wykeham Green. The proposal is contrary to policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document and the guidance contained in the Supplementary Planning Document 'Residential Extensions and Alterations'.

Planning Inspectorate's Decision: Appeal dismissed 2 February 2017

c) Enforcement Notice appeal – Erection of automatic gates and railings to front and side of front garden – 25 Muggeridge Road, Dagenham (Heath Ward)

Planning Inspectorate's Decision: Appeal dismissed 16 February 2017

d) Enforcement Notice appeal – Change of use of shop to café bar
(Class A3) – 28 Station Parade, Barking (Abbey Ward)


e) Enforcement Notice appeal – Erection of extension to rear of property – 29 Sutton Road, Barking (Gascoigne Ward)

Planning Inspectorate’s Decision: Appeal dismissed 16 February 2017 (see attached)

f) Enforcement Notice appeal – Erection of front fence 1.8 metres in height – 40 Goring Gardens, Dagenham (Becontree Ward)


g) Application for prior approval of proposed single storey rear extension (depth: 6.0 metres and maximum height: 3.0 metres) – 70 Hurstbourne Gardens, Barking (Ref: 16/00916/PRIOR6 – Longbridge Ward)

Application refused under delegated powers 21 July 2016 for the following reason:

1) The proposed rear extension would project beyond a side wall as defined by the Town and Country Planning (General Permitted Development) (England) Order 2015 and form a side extension which is more than half the width of original dwelling consequently the proposal would not accord with Schedule 2, Part 1, Class A, Paragraph A.1 (j) (iii) of the Town and Country Planning (General Permitted Development) (England) Order 2015.


h) Erection of first floor side and rear extension and single storey front extension - 85 Lodge Avenue, Dagenham (Ref: 16/01084/FUL – Mayesbrook Ward)

Application refused under delegated powers 13 October 2016 for the following reason:

1) The proposed development will result in a double storey side extension that will sit significantly forward of the front building line of properties in Ilchester Road and as such will materially close down the view to and from Ilchester Road, detrimental to the character of the existing building and surrounding area and as such is contrary to policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document (March 2011) and the Residential Extensions and Alterations Supplementary Planning Document (February 2012).

i) Erection of two storey side extension and single storey front extension - 30 Cornworthy Road, Dagenham (Ref: 16/01438/FUL – Mayesbrook Ward)

Application refused under delegated powers 9 November 2016 for the following reason:

1) The proposed two storey side extension would partly close off an important gap within the street scene which provides relief from the built up nature of the street. The development fails to protect the character of the area and would be harmful to the street scene. The proposed development is therefore contrary to policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document (March 2011) and the Residential Extensions and Alterations Supplementary Planning Document (February 2012).


j) Change of use of part of existing warehousing/storage floor space to banqueting facility with ancillary storage - 6 - 8 Thames Road, Barking (Ref: 14/00464/FUL – Thames Ward)

Application refused under delegated powers 29 February 2016 for the following reasons:

1) The proposed development is contrary to the London Riverside Opportunity Area Planning Framework Supplementary Planning Guidance 2015 which seeks to change the designation of the site to housing. The granting of permission for this proposal would embed the use on the site and make the possibility of future residential development less likely to come forward thereby compromising the long-term land use aspirations for the London Riverside area.

2) The use, by virtue of its siting and location within close proximity of land which is likely to be released for housing as identified in the Mayor of London, London Riverside Opportunity Area Planning Framework (September 2015), would be inappropriate and likely to result in noise and disturbance detrimental to the living standards and amenities enjoyed by future residential occupiers, contrary to policies BR13, BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

3) The application details as submitted do not accurately reflect the full range of uses currently operating on the site and therefore the Transport Assessment does not provide accurate data for events being undertaken in relation to the banqueting facility and as such a full assessment of this application cannot be made. Notwithstanding this it is likely that the banqueting hall/function suite use has resulted in significant levels of on-street car parking with the likelihood of
inconsiderate car parking causing obstruction of the public highway to the detriment of highway safety and the inconvenience of neighbouring commercial and potentially future residential occupiers contrary to Policies BR9 and BR10 of the Borough Wide Development Policies Development Plan Document.


73. Delegated Decisions

The Board noted details of delegated decisions for the period 22 December 2016- 20 January 2017.
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Location of Site

15 Foxlands Road, Dagenham
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| **Barking and Dagenham Council**  
Development Control Board | **Date:** 8 May 2017 |
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<td><strong>Ward:</strong></td>
<td>Eastbrook</td>
</tr>
<tr>
<td><strong>Reason for Referral to DCB as set out in Part 2, Chapter 9 of the Council Constitution:</strong></td>
<td>A total of 5 representations objecting to the proposal have been received and the application is recommended for approval.</td>
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<tr>
<td><strong>Address:</strong></td>
<td>15 Foxlands Road, Dagenham</td>
</tr>
<tr>
<td><strong>Development:</strong></td>
<td>Erection of part single/part two storey side and rear extension in connection with conversion of house into 1 one bedroom and 1 three bedroom houses.</td>
</tr>
<tr>
<td><strong>Applicant:</strong></td>
<td>S Dhami</td>
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</table>
| **Summary:** | The application site comprises a 2 storey detached house located on the southern side of Foxlands Road, Dagenham. The application seeks permission for the construction of side and rear extensions in order to convert the existing 3 bedroom house into a 1 bedroom house and a 3 bedroom house.  

The proposed development includes ground floor and first floor rear extensions and a two storey side extension. The impact on the amenity of adjacent properties is considered to be acceptable and the external design of the development would be consistent with the character of the local area.  

The proposed internal design is broadly consistent with Policy 3.5 (quality and design) of the London Plan (March 2016) and each house would comply with the applicable minimum gross internal space standards.  

The proposed outdoor amenity spaces for each house are sufficiently sized to meet the needs of future occupants and are considered consistent with Policy BP5 (external amenity space) of the Borough Wide Development Policies DPD.  

The site has ‘moderate’ accessibility to public transport and Dagenham East Station is a 3 minute walk from the site. The proposed development would not materially impact upon on-street parking availability in the local area because the one bedroom house would be ‘car-free’. The three bedroom house would be allocated one off-street car parking space. |
| **Recommendation** | That the Development Control Board grant planning permission subject to the following conditions:  

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by S.51 of the Planning and Compulsory Purchase Act 2004). |
2) The development hereby permitted shall be carried out in accordance with the following approved plans:

MMFR-16-EP (rev. A) dated Oct 16; and

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

3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those in the existing building.

Reason: To ensure the development respects the appearance of the existing property and to maintain the amenity of the area in accordance with policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

4) All proposed windows in the west and east elevations of the proposed dwellings must be fitted with obscure glazed windows to a minimum privacy level 3 which are not be capable of opening to an angle of more than 20 degrees. The windows must thereafter permanently be maintained as such.

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

5) The residential occupiers of the proposed house labelled ‘Flat 1’ on the approved plans shall not be eligible for a parking permit within any adjoining Controlled Parking Zones (CPZ).

Reason: To prevent residential occupiers of the proposed development from taking up parking spaces in adjoining CPZs which are already in high demand by existing local residents in accordance with Policies BR9 and BR10 of the Borough Wide Development Policies Development Plan Document.

<table>
<thead>
<tr>
<th>Contact Officer</th>
<th>Title: Planning Officer</th>
<th>Contact Details: Tel: 020 8227 3106 E-mail: <a href="mailto:jonathan.ryan@lbxd.gov.uk">jonathan.ryan@lbxd.gov.uk</a></th>
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</table>

1. Introduction and Description of Development

1.1 The application site comprises a 2 storey detached house located on the southern side of Foxlands Road, Dagenham. The area comprises a mix of detached, semi-detached and terraced properties.

1.2 The application seeks permission for the construction of ground floor and first floor side and rear extensions in order to convert the existing 3 bedroom house into a 1 bedroom house and a 3 bedroom house. The one bedroom house would form the east side of the proposed building and the three bedroom house would form the
west side. An off-street car parking space would be allocated to the three bedroom house.

2. Background

2.1 14/01035/PRIOR6 - Prior approval required and granted for 6m deep single storey rear extension.

15/00886/FUL - Permission refused for erection of part single/part two storey side and rear extension in connection with conversion of house into 1 two bedroom and 1 three bedroom flats. Reasons for refusal: loss of family house; poor outlook from proposed ground floor bedrooms; and car parking.

16/00011/REFUSL - Appeal against 15/00886 decision dismissed. Reason for dismissal: outlook from proposed ground floor bedrooms.

16/01549/FUL - Erection of part single/part two storey side and rear extension in connection with conversion of house into two bedroom and three bedroom houses (application withdrawn).

3. Consultations

3.1 Neighbour consultation letters were sent to the occupants of 14 adjacent properties. Objection comments were received from the occupants of 11, 16, 17, 19 and 22 Foxlands Road for the following reasons:

- Overcrowding including noise disturbance
- Overwhelming scale of development
- Damage to foundations of adjacent house at 17 Foxlands Road.
- Loss of outlook and privacy at 17 Foxlands Road.
- Loss of outlook, privacy and light at 11 Foxlands Road.
- Increased pressure on on-street car parking.
- Flood risk.
- Loss of garden.
- Loss of family house.
- Out-of-character in relation to the street-scene.
- Disruption during construction.

Matters relating to damage to foundations would be a private matter between the parties. Any disruption during construction would be time limited and controllable through the Control of Pollution Act. There is no evidence to suggest that the dwellings would be overcrowded. The site is not located in an area with a high probability of flooding. Other matters will be addressed in the report.

3.2 Transport Development Management Team:

There is a car parking space for one ‘flat’ only. We have no objections to this proposal provided the smaller ‘flat’ is to be conditioned as car-free.

4. Analysis
4.1 Principle of Development

4.1.1 The proposed development is to extend and convert the existing 3 bedroom house into a 3 bedroom house and a 1 bedroom house. In accordance with Policy BC4 of the Borough Wide Development Policies DPD a 3 bedroom house would be retained and the principle of development is considered acceptable.

4.2 External Design

4.2.1 Policies BP8 and BP11 of the Borough Wide Development Policies DPD sets out the principles which should be applied to the design and layout of new development in order to avoid harm to the amenity of adjacent properties and the character of the local area.

4.2.2 The ground floor rear extension has a maximum depth of 6.0m. The first floor rear extension will have a maximum depth of 3m and is set 1.4m in from the eastern side boundary shared with 11 Foxlands Road and 3.8m in from the western side boundary shared with 17 Foxlands Road. The two storey side extension will be set 1m in from the boundary shared with 17 Foxlands Road. The proposed roof design of the first floor extensions is hipped to match the existing house. A flat roof is proposed for the ground floor extension.

4.2.3 Potential impacts of the proposed development on the amenity of adjacent properties relate to outlook, light admission and privacy. The principle of a 6.0m deep ground floor rear extension has already been accepted by virtue of the grant of ‘prior approval’ under application 14/01035/PRIOR6. It was noted during consideration of this application that number 11 Foxlands Road extends deeper into the site than the application premises and it was considered that the separation distance between the extension and adjoining properties was sufficient to protect residential amenity. The 3.0m deep first floor rear extension would not project beyond the existing rear elevation of the bungalow at 11 Foxlands Road and complies with guidance within the Residential Extensions and Alterations Supplementary Planning Document (SPD). The two storey side extension would be set in a metre from the boundary with 17 Foxlands Road and approximately 3.8 metres away from this house which is considered to be sufficient to protect residential amenity. All proposed windows facing 11 and 17 Foxlands Road will comprise obscure glazing and this can maintained in perpetuity through the imposition of a condition.

4.2.4 The proposed external design is acceptable and will not harm the character of the local area. The gap between numbers 15 and 17 is uncharacteristically large and the proposed extension would not appear unduly cramped or result in the loss of an important gap in the street scene. The proposed hipped roof design and external materials would match the existing house.

4.3 Internal Design

4.3.1 Policy 3.5 (quality and design) of the London Plan (March 2016) seeks to ensure that internal design is high quality. The minimum gross internal area (GIA) standard for a 1 bedroom, 2 person, 2 storey dwelling is 58m² with built-in storage of 1.5m². The proposed 1 bedroom house has a GIA of 69.1m² with 2.2m² of built-in storage. The minimum GIA standard for a 3 bedroom, 5 person, 2 storey dwelling is 93m²
with built-in storage of 2.5m². The proposed 3 bedroom house has a GIA of 94.3m² with 3.0m² of built-in storage. The dwellings would be dual aspect and generally provide a satisfactory standard of accommodation.

4.4 **External Amenity Space**

4.4.1 Policy BP5 of the Borough Wide Development Policies DPD seeks to ensure that appropriate external private amenity space is provided to meet the needs of future occupants.

4.4.2 There are no minimum garden space standards for a 1 bedroom house. However, the proposed 32m² amenity space for the proposed 1 bedroom house would exceed the minimum standard (20m²) for a 1 bedroom flat, and, on balance, is considered acceptable.

4.4.3 The proposed 60m² rear garden space for the new 3 bedroom house would be at the applicable minimum standard (60m²).

4.5 **Car Parking**

4.5.1 The applicable maximum residential parking standards in Table 6.2 in the Parking Addendum of the London Plan (March 2016) are 1.5 spaces for a 3 bedroom unit and less than 1 for a 1-2 bedroom unit. Policy BR9 of the Borough Wide Development Policies DPD follows the guidance set out in the London Plan with respect to parking. The proposed development includes one car parking space for the 3 bedroom house and no spaces for the 1 bedroom house.

4.5.2 The application site is located within a 3 minute walk to the Dagenham East Station and has a moderate Public Transport Accessibility Level rating of 3 which necessitates parking provision requirements to be placed towards the middle range of the maximum standards. The Transport Development Management Team do not raise any objection to the proposal subject to the 1 bedroom house being ‘car-free’. A condition stipulating that the 1 bedroom house is ineligible for a parking permit within the adjoining Controlled Parking Zone (CPZ) is recommended. For the reasons stated above, the parking provision is considered consistent with Policy 6.13 of the London Plan (March 2016) and Policy BR9 of the Borough Wide Development Policies DPD.

5. **Local Finance Considerations**

5.1 The application is subject to both the Mayor of London and Council’s Community Infrastructure Levy and would generate a Mayoral CIL contribution of £1,798.08 and an LBBD contribution of £786.22.

6. **Conclusion**

6.1 The principle of converting the existing 3 bedroom house into 2 dwellings is acceptable as a 3 bedroom house would be retained and is therefore consistent with the relevant Local Plan policy. The extensions would not have a significant adverse impact on the amenity of the adjacent properties and the design would maintain the character of the area. The internal space standard is acceptable and sufficient garden space would be provided for future occupants. Subject to a
limitation on the occupants of the 1 bedroom house from obtaining a CPZ permit it is considered that the impact on car parking is acceptable.

**Background Papers**

- Planning Application File:
  
  Search 17/00073/FUL via [http://paplan.lbbd.gov.uk/online-applications/](http://paplan.lbbd.gov.uk/online-applications/)

- **Development Plan Policy**

  Borough Wide Development Policies:

  Policy BR9 Parking;
  Policy BR10: Sustainable Transport;
  Policy BC4 Residential Conversions and Houses in Multiple Occupation;
  Policy BP5 External Amenity Space;
  Policy BP8 Protecting Residential Amenity;
  Policy BP11 Urban Design.

  The London Plan (March 2016):

  Policy 3.5 Quality and design of housing developments; and
  Policy 6.13 Parking.

  Technical Housing Standards – nationally described space standard (March 2015)
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Location of Site

Former Short Blue PH, Bastable Avenue, Barking
Barking and Dagenham Council
Development Control Board

<table>
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<tr>
<th>Application No:</th>
<th>16/02007/FUL</th>
<th>Ward: Thames</th>
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**Reason for Referral to DCB as set out in Part 2, Chapter 9 of the Council Constitution:** The application because of its scale, impact upon the environment and the level of likely Councillor interest should, in the opinion of the Acting Head of Regeneration and Planning (Planning), be determined by the Development Control Board.

**Address:** The Short Blue, Bastable Avenue, Barking

**Development:** Construction of a part 3/4/5 storey building comprising 9 one bedroom and 14 two bedroom flats with associated 17 car parking spaces and landscaping

**Applicant:** Estuary Housing Association

**Contact Officer:** Simon Bullock

**Title:** Principal Development Management Officer

**Contact Details:** Tel: 020 8227 3803
E-mail: simon.bullock@lbhd.gov.uk

**Summary:**

The application site is a vacant plot located on the north side of Bastable Avenue adjacent to the junction with Endeavour Way in Barking, that was formerly occupied by a public house called the ‘Short Blue’ that has since been demolished.

The application seeks planning permission for the erection of a 3 to 5 storey building providing 9 one-bedroom flats and 14 two bedroom flats incorporating car parking and landscaping.

Several neighbour objections have been raised expressing concern about the height of the proposed building and the impact on the availability of on street parking.

Despite the objections raised which are addressed below, the scheme is acceptable in terms of the principle of the development, external appearance, internal design, amenity space, accessibility, sustainability, and parking provision.

**Recommendation:**

That the Development Control Board grant planning permission subject to the completion of a Section 106 agreement to secure the shared ownership sub-market housing and the following conditions (subject to any minor amendments):

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: D001; D002; D003; D004; D005; D006; D101; D102; D103; D301; D401 (Bastable); D401 (Endeavour); D403; D404; D501; D701; D201; D202; D203; D204; D205; D206; D207; D208; D209; D210; D211; D212; D213; D214; D215; D216; D217; D218; D219; D220; D221; D222; D223; D601; D602; D604; L(9-)030.

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

3. The landscaping scheme shown on drawing No. L(9-)030 shall be carried out in the first planting and seeding seasons following the occupation or the completion of the development, whichever is the sooner. Any trees or plants 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 the landscaping in the interests of the visual amenity of the area and in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document and Section 197 of the Town and Country Planning Act 1990.

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

Reason: To safeguard and improve the appearance of the area in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document.

5. The car parking areas indicated on drawing No. D002 shall be constructed and marked out 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 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 in accordance with policy BR9 of the Borough Wide Development Policies Development Plan Document.

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

Reason: To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.
7. No development above ground level shall take place until details/samples of all materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved materials.

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

8. The refuse enclosures indicated on drawing No. D101 shall be constructed in accordance with the approved plans prior to the occupation of the development hereby approved and thereafter permanently retained for the use of the occupiers of the premises.

Reason: To provide satisfactory refuse storage provision in the interests of the appearance of the site and locality in accordance with policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

9. The boundaries of the site shall be secured in accordance with the details indicated on drawing No. 701 and thereafter permanently retained. No part of the development shall be occupied until the approved boundary treatment for that part has been provided.

Reason: To ensure the boundary treatment protects or enhances the character and amenity of the area in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document.

10. No above ground new development shall commence until a scheme 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 E3 – Medium district brightness areas - small town centre or urban locations. The relevant part of the development shall not be occupied until the approved scheme for that part of the development has been implemented. Thereafter the approved measures shall be permanently retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of security and safety, to avoid light pollution and safeguard neighbouring amenity and in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document.

11. Before occupation 90% (21 no.) of the dwellings shall comply with Building Regulations Optional Requirement Approved Document M4(2) Category 2: Accessible and adaptable dwellings (2015 edition). Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.

Reason: To ensure that accessible housing is provided in accordance with policy 3.8 of the London Plan.

12. A minimum of 10% (2 no.) of the residential units provided 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). Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.

Reason: To ensure that sufficient accessible housing is provided in accordance with policy 3.8 of the London Plan.


Reason: To ensure compliance with the proposed energy strategy in accordance with Policy 5.2 of the London Plan and Policy BR2 of the Borough Wide Development Policies Development Plan Document.

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

Reason: The proposed levels of the development are required prior to commencement in order to ensure that any works in connection with the development hereby permitted respect the height of adjacent properties and in accordance with policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

15. Cycle parking shall be provided in accordance with the details shown on drawing No. 101 prior to the occupation of the development and thereafter maintained for the use of residents and visitors to the site.

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

16. The development shall be carried out in accordance with the submitted Flood Risk and Drainage Strategy Assessment recommendations ref. 112893 – 101, and the approved attenuation tanks shall thereafter be maintained.

Reason: In order to reduce the risk of flooding on and off site and in accordance with policy BR4 of the Borough Wide Development Policies Development Plan Document.

17. No development shall take place until arrangements have been made for an archaeological 'watching brief' to monitor development groundworks and to record any archaeological evidence revealed. These arrangements are to be submitted to and approved in writing by the Local Planning Authority. The development shall take place in accordance with the 'watching brief' proposals agreed pursuant to this condition. The 'watching brief' will be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

Reason: To safeguard the heritage of the Borough by providing an adequate opportunity to investigate and excavate archaeological remains on the site before development is carried out in accordance with policies BP2 and BP3 of the Borough Wide Development Policies Development Plan Document and section 12 of the National Planning Policy Framework.
18. The remediation works approved by application reference 13/00831/CDN shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority.

Reason: Contamination must be remediated 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 in accordance with policy BR5 of the Borough Wide Development Policies Development Plan Document and policy 5.21 of the London Plan.

19. 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 in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

20. 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. a scheme for recycling/disposing of waste resulting from demolition and construction works;
   i. the use of efficient construction materials;
   j. methods to minimise waste, to encourage re-use, recovery and recycling, and sourcing of materials; and a nominated Developer/Resident Liaison Representative with an address and contact telephone number to be circulated to those residents consulted on the application by the developer’s representatives. This person will act as first point of contact for residents who have any problems or questions related to the ongoing development.

Reason: The construction method statement is required prior to commencement of development in order to reduce the environmental impact of the construction and the
impact on the amenities of neighbouring residents, and in accordance with policy BP8 of
the Borough Wide Development Policies Development Plan Document.

21. No development above ground level shall take place until a scheme showing the
provisions to be made for CCTV coverage, access control, and any other measures to
reduce the risk of crime, have been submitted to and approved in writing by the Local
Planning Authority. 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 security to future occupants and visitors to
the site and to reduce the risk of crime in accordance with policy BP11 of the Borough

22. 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: In order to ensure the protection of sub surface infrastructure in the interest of
residential amenity and in accordance with policy BP8 of the Borough Wide Development
Document.

1. Introduction and Description of Development

1.1 The 0.15 hectare site is at the junction of Bastable Avenue and Endeavour Way.

1.2 The proposed development is the construction of a 3/4/5 storey block of 23 flats
comprising 9 one bedroom flats, and 14 two bedroom flats. The ground floor flats
would be duplex, with living spaces on the ground floor and bedrooms on the first
floor of the building. Lift access would be provided to the upper floors.

1.3 Car parking for 17 spaces and a communal garden area would be provided to the
rear, accessed in approximately the same position as the existing Endeavour Way
vehicular access and via a proposed undercroft beneath the upper floors of the
proposed building.

1.4 The proposed tenure is 100% shared ownership.

1.5 The site is identified as being within Flood Zone 3.

1.6 The surrounding area is predominantly residential in character although a number
of community uses including a school and a doctor’s surgery are located on the
opposite side of Bastable Avenue. The residential uses are comprised of a mixture
of blocks of maisonettes of 3-4 storeys and two storey houses.

2. Background
2.1 Planning permission was granted in 2011 (11/00407/FUL) for a 14 unit scheme within a 3/4 storey building. Subsequently the site was acquired by the current applicant and a Section 73 variation (14/00130/FUL) to this scheme was permitted enabling an additional height of 2.2m to accommodate increased floor to ceiling heights.

2.2 This approved scheme was commenced but the construction company in question went out of business and the development stalled. The applicant then reconsidered the proposals and following pre-application advice submitted the current application.

3. Consultations

Adjoining occupiers

3.1 Letters were sent to 107 neighbouring residents, a press notice was published, and a site notice displayed. In response 18 letters of representation were received objecting to the proposal on the following grounds:

- The building would be two storeys higher than the adjacent maisonettes which will be overpowering on this small junction with two storey houses opposite
- Endeavour Way is narrow and congested with existing car parking, the area cannot sustain any additional parking
- Site traffic during construction will cause nuisance
- A resident living opposite the site has health problems and cannot walk, it is therefore important to be able to park outside the house which is already a problem at times

Access Officer

3.2 No response received.

Arboricultural Officer

3.3 No response received.

Designing Out Crime Officer

3.4 On the whole the design would seem to be relatively straightforward and from a designing out crime perspective looks adequate. The access via an undercroft to the parking and amenity space at the rear is proposed to be gated, which I strongly support as a means to greatly reduce the opportunity for ASB common in open courtyard access sites.

3.5 With regards to perimeter security I do have a few observations and recommendations.

3.6 The south west corner fronting Bastable Avenue has what appears to be a side access or at least a gap between this build and its neighbour. These gaps can often be overlooked and if not adequately fenced or gated let down the overall site security. The developers should look at providing an adequate height (2.0 metre
minimum) metal gate with access control or key. If this is to be a locked off gap then a very robust 2.4m infill, be it metal fence or wood (is required).

3.7 Section 6 Layout of the DAS (design and access statement) makes mention of a 1.8m wood fence for the rear courtyard and parking. This would I suggest need to be 2.0 m to provide a somewhat more effective barrier.

3.8 Section 8 Materials and Appearance of the DAS looks at recessed brick panels to improve the appearance of the outer walls. I have no issue with texture changes to brickwork, but the developer should design any feature with a mind to its potential for climbing up to upper level windows or balconies.

3.9 I was unable to determine the access control strategy regards post, but as always I recommend a through the wall or secure lobby method with outer and inner access controlled doors.

Environment Agency

3.10 No objections subject to the development being carried out in accordance with the submitted Flood Risk Assessment.

Environmental Health

3.11 To safeguard the situation with regard to land quality and possible construction phase impacts I recommend that any permission that might be granted be subject to the following conditions in respect of the following matters:

- Land contamination remediation
- Construction hours
- Construction noise and vibration controls
- Construction management plan

Essex and Suffolk Water

3.12 No objections.

Housing Strategy

3.13 No response received.

London Fire and Emergency Planning Authority

3.14 No objections.

Thames Water

3.15 In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage.

3.16 It is requested that a condition is imposed such that 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.

Transport Development Management

3.17 No objections.

Waste and Recycling Policy Manager

3.18 No response received.

4. Local Finance Considerations

4.1 The proposed development would be liable for the Mayoral Community Infrastructure Levy (CIL) at a rate of £20 per square metre (index linked from 2012) and the Borough CIL at a rate of £10 per square metre index linked from 2015.

5. Analysis

Principle of Development

5.1 The site is located within the Thames View Estate which is predominantly a residential area. In this respect, the site is considered to be appropriate for residential purposes and this is established by the previous planning permissions. The proposal would add to the overall housing stock within the Borough.

5.2 The proposed tenure is 100% shared ownership. Thames View currently has a high proportion of social rent properties and the proposed development would therefore help to diversify the local tenure mix in accordance with policy 3.9 of the London Plan.

5.3 This provision has the potential to contribute to regeneration, and may help to enable local residents who wish to buy a property to stay in the area. It results in a 100% sub-market (affordable) housing development and therefore maximises the provision of sub-market housing on the site in accordance with policy 3.12 of the London Plan.

5.4 The scheme would provide one and two bedroom flats only, whilst normally policy CC1 of the Core Strategy requires that 40% of new dwellings are family sized of 3 bedrooms plus. It is acknowledged that there is limited demand for family sized dwellings in shared ownership tenure. Also flatted accommodation tends to be less suited to providing family accommodation in comparison with houses, and therefore in the circumstances the scheme of 1 and 2 bedroom flats is considered acceptable as an exception to the policy.

5.5 The proposed density would be 153 units/hectare whereas policy 3.4 of the London Plan indicates an appropriate density of 35 – 95 units/hectare for an urban character location with a Public Transport Accessibility Level of 1b.
5.6 The proposed density is higher than this guidance but the explanatory text to the policy states that the London Plan density matrix is not intended to be prescriptive and account must be taken of the individual site and the proposed design. It is considered that the scheme would provide a good quality design and living environment with adequate external space, and whilst the resulting density is higher than the policy guidance it is not considered that it is excessively so. The proposed density is therefore considered acceptable.

**Design**

5.7 The building would occupy an approximately ‘L’-shaped footprint and would continue the established building line along Bastable Avenue and Endeavour Way from the shared boundaries of the site.

5.8 In terms of height the building would be predominantly 4 and 5 storeys with a small element that would drop to 3 storeys adjacent to the neighbouring 3 storey maisonettes in Endeavour Way. The Bastable Avenue elevation would be mainly 5 storeys, dropping to 4 storeys adjacent to the neighbouring 3 storey maisonette block, and the 5 storey element forming a corner feature to the building would turn the corner onto Endeavour Way after which it would drop to 4 storeys.

5.9 The building would have flat roofs to allow for the provision of solar panelling and the creation of roof terraces.

5.10 It is considered that the proposed elevation for Endeavour Way quite successfully steps up from the existing neighbouring 3 storey building to provide greater height on the corner. In respect of Bastable Avenue the building would be 4 storeys adjacent to the existing 3 storey building. This change in height is more prominent but the gap between the buildings at 4m would be greater than the 2m on Endeavour Way. Also this elevation faces onto a wider more open street scene. Taking account of this the scale and massing and relationship to the neighbouring development is considered acceptable.

5.11 The proposed building would also be situated opposite a terrace of 4 two storey houses in Endeavour Way. The difference in scale between the houses and the proposed flats is more significant but given the width of the road between the houses and the proposed block it is not considered that this would result in a jarring relationship or harm to the street scene, and variety in heights is not atypical of the area which in addition to 2 storey houses includes several taller blocks.

5.12 The additional height at the corner of the building would help to create a feature to the building which would also be enhanced by the provision of inset balconies on this corner. Elsewhere on the street elevations of the building projecting balconies are proposed.

5.13 The design is uncluttered and contemporary with large window opening, and the elevations are considered to be well proportioned. There are some small steps in the street elevations which help to break up the bulk of the building. The proposed external material is brick which is appropriate to its context, and the balcony screens are proposed as glass.
Amenity

5.14 Two of the ground floor flats are designed to wheelchair adaptable standards (Building Regulation M4(3) which equates to 10%, with the remaining 90% of units (21 flats) having been designed to M4(2) standards in accordance with the London Plan.

5.15 All units meet the floorspace and layout requirements of the London Plan and 'nationally described space standard', and private amenity space is provided in excess of the standards set out within the London Plan Housing Supplementary Planning Guidance (SPG).

5.16 In addition to each unit having a private terrace or balcony, two of the flats would have a large private roof terrace of one of 16m² and one of 35m², and a communal roof terrace of 215m² would be provided.

5.17 10 of the proposed flats are single aspect though none are single aspect and north facing. It is difficult given the shape of the site and resulting building to reduce the number of single aspect flats, and all would have good standards of daylighting, and therefore the scheme is considered acceptable.

5.18 The relationship of the proposed development with neighbouring dwellings is considered acceptable and is not judged to cause harm to residential amenity. However, it is considered that the two private roof terrace should be designed with a screen or parapet that prevents overlooking of adjacent gardens and this can be conditioned. The communal roof terrace is sufficiently set back from the site boundaries that this would not be required.

Transport

5.19 The site has a low Public Transport Accessibility Level (PTAL) rating of 2 where 1 is lowest and 6 is highest though it is linked to Barking station and town centre via the East London Transit bus service.

5.20 The proposed parking provision of 17 spaces to serve 23 flats would result in a parking to flats ratio of 0.74. This is a similar ratio to that of the previously approved scheme of 11 spaces for 14 flats resulting in a ratio of 0.79.

5.21 The parking provision would be in accordance with the London Plan which sets a maximum parking standard of 1 space per unit. Whilst there may be some additional on street parking demand from the development it is not considered that this would be significant and the Transport Officer has no objections to the proposed level of parking provision.

5.22 Vehicular access to the site would be via Endeavour Way and would require slight modifications to an existing crossover. The Transport Development Management Team is satisfied with these arrangements in principle.

5.23 Cycle parking is provided in accordance with London Plan standards.

Environmental Sustainability
5.24 The submitted energy report demonstrates that the scheme would achieve a 29% reduction in carbon emissions relative to Building Regulations requirements through improved building fabric and a 65m2 array of photovoltaic panels mounted on the roof.

5.25 Policy 5.2 of the London Plan sets a zero carbon target for new residential development from 2016. Guidance contained within the London Plan: ‘Sustainable Design and Construction’ Supplementary Planning Guidance, states that where it is not possible to achieve zero carbon on site a financial contribution should be provided in order to secure carbon savings elsewhere.

5.26 The Guidance states sets a price for carbon off-setting based either on local conditions or a nationally recognised carbon price such as the ‘Zero Carbon Hub’ price of £60 per tonne of carbon over 30 years. It states that account should be taken of the impact of such contributions upon development viability and that the price should not be set at a level where development becomes unviable.

5.27 The imposition of a carbon off-set payment would result in a substantial financial burden on the scheme. Given that the development is already securing 100% sub-market housing it is considered that a carbon off-set payment has the potential to make the development unviable.

5.28 In the circumstances it is considered that a condition should be imposed requiring that the energy strategy achieves a 35% improvement in carbon emissions over the Building Regulations which reflects the policy to 2016, and is a slightly higher standard that that proposed within the submitted energy strategy.

5.29 The implementation of the submitted Flood Risk Assessment that includes a drainage strategy incorporating the provision of surface water attenuation tanks beneath the parking area, can be secured by condition.

Conclusion

5.30 Matters relating to the principle of the development, external appearance, internal design, amenity space provision, sustainability and parking provision are all in compliance with planning policy.

5.31 The proposed development would make use of a long-vacant site and it is contended that it would provide a positive addition to the surrounding area. The application is therefore recommended for approval subject to conditions and the completion of a S.106 agreement.

Background Papers

- Planning Application File: http://paplan.lbbd.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OIN02IBLMN300

- Local Plan Policy:
  
  | Policy CM1     | General Principles for Development |
  | Policy CC1     | Family Housing                    |
  | Policy CM2     | Managing Housing Growth           |
Policy CR4  Flood Management
Policy CC1  Family Housing
Policy CC3  Achieving Community Benefits through Developer Contributions
Policy CP3  High Quality Built Environment
Policy BR1  Environmental Building Standards
Policy BR2  Energy and On-Site Renewables
Policy BR9  Parking
Policy BR10  Sustainable Transport
Policy BR11  Walking and Cycling
Policy BC1  Delivering Affordable Housing
Policy BC2  Accessible and Adaptable Housing
Policy BC7  Crime Prevention
Policy BP8  Protecting Residential Amenity
Policy BP10  Housing Density
Policy BP11  Urban Design

- **London Plan Policy**

  Policy 3.4  Optimising housing potential
  Policy 3.5  Quality and design of housing developments
  Policy 3.8  Housing choice
  Policy 3.9  Mixed and balanced communities
  Policy 3.12  Negotiating affordable housing on individual private residential and mixed use schemes
  Policy 5.1  Climate change mitigation
  Policy 5.2  Minimising carbon dioxide emissions
  Policy 5.3  Sustainable design and construction
  Policy 5.7  Renewable energy
  Policy 5.11  Green roofs and development site environs
  Policy 6.5  Funding Crossrail and other strategically important infrastructure
  Policy 6.9  Cycling
  Policy 6.13  Parking
  Policy 7.3  Designing out crime
  Policy 7.6  Architecture

- **National Policy**

  National Planning Policy Framework
  National Planning Practice Guidance
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AGENDA ITEM 6
Barking and Dagenham Council
Development Control Board

Date: 8 May 2017

Application No: 16/01975/FUL
Ward: Heath

Reason for Referral to DCB as set out in Part 2, Chapter 9 of the Council Constitution:
The application by reason of its scale, impact upon the environment and the level of likely Councillor interest should, in the opinion of the Acting Head of Regeneration and Planning (Planning), be determined by the Development Control Board.

Address: Becontree Heath regeneration sites: Wood Lane, Gosfield Road, Stour Road, and Althorne Way, Dagenham.

Development: Redevelopment of sites including 2 Stour Road and adjacent car park, land between Gosfield Road and Wood Lane adjacent to Butler Court, Wood Lane car park and bus terminus, vacant land to east of Althorne Way and part of leisure centre car park to provide 42 three storey houses, 128 flats in 4 to 6 storey blocks, Class A1 pharmacy, re-located bus stand, car parking and associated works.

Applicant: Countryside Properties

Contact Officer: Simon Bullock
Title: Principal Development Management Officer
Contact Details: Tel: 020 8227 3803
E-mail: simon.bullock@lbbd.gov.uk

Summary:
The proposed development is to provide 170 residential units and a replacement pharmacy across 5 development parcels in Becontree Heath in an area centred on Wood Lane between the Civic Centre and the Becontree Heath Leisure Centre.

The land is owned by the Council and the applicant is Countryside Properties, with whom the Council has entered into a development partnership. The architect is Stitch Architects and Urban Designers.

Key objectives of the development are to contribute to the physical and economic regeneration of the area, to provide additional housing, and to diversify the tenure mix of the area.

The sites include vacant land at Stour Road previously occupied by a Council office, a vacant site formerly occupied by a block of flats in Althorne Way that has been demolished as part of the Council’s estate regeneration programme, the Wood Lane bus terminus and adjacent car park, and under used amenity land fronting the north side of Wood Lane and to the south of Butler Court. The bus terminus would be re-located into the public car park adjacent to the Becontree Heath Leisure Centre and replacement drivers’ facilities provided.

The development would provide 46 shared ownership flats, and 124 private for sale flats
and houses. This equates to the provision of 27% sub-market housing (affordable housing). The intention is that the shared ownership housing will be owned and managed by ‘Reside’.

A development viability appraisal has been submitted in support of the application and this has been independently assessed by the Council. The findings are that the 27% sub-market housing provision is the maximum proportion that is viable for this development. This represents a net increase in affordable housing of 14 units, taking into account the flat block that was previously demolished.

The proposed development is comprised of two blocks of flats of between 4 and 6 storeys, and five terraces of 3 storey houses. The developments would front onto Wood Lane, Althorne Way, and Rainham Road North. It is considered that the flats and houses would help to define the edges of Wood Lane and create a more attractive and interesting street scene.

The architecture and urban design is considered to be of good quality, and would not detract in any way from the setting of the listed Civic Centre.

The scheme would provide a good standard of accommodation that meets the relevant policy standards for internal and external space and accessibility and makes adequate provision for parking. The development would not harm the residential amenity of the existing neighbouring residents.

**Recommendation:**

That the Development Control Board grant planning permission subject to any direction by the Mayor of London; the completion of a Section 106 legal agreement securing the shared ownership sub-market housing, a local labour and business agreement and the following conditions (subject to any minor amendments or GLA additions):

**Time limit**

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

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

**Plan numbers**

2. Subject to any variation pursuant to condition no. 4. The development hereby permitted shall be carried out in accordance with the following approved plans: P-001; P-002; P-030; P-040; P-041; P-AB210B; P-AB-211; P-AB-215; P-AB-219; P-AB-220B; P-AB-220B; P-AB221; P-AB222; P-AB-223; P-AB-224; P-AB-225; P-AB-226B; P-AB-227; P-AB-250; P-EF210B; P-EF-211; P-EF-214; P-EF-215; P-EF-219; P-EF-220B; P-EF-221B; P-EF-222; P-EF223; P-EF-250; P-TA-311; P-TA-312; P-TA-213; P-TB-310; P-TB-311; P-T-320; P-T321; P-T-322; P-T-323; P-T-330; P-TAB-350; P-410; 6477_LD_PLN_002D; 6477_LD_PLN_003B; 6477_LD_PLN_004C.

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

3. The development shall be carried out in accordance with the submitted Energy Report ref. HLES35971/003Rv5 and shall achieve a minimum total regulated carbon dioxide emissions reduction of 37% over 2013 Building Regulations and a minimum regulated carbon dioxide emissions reduction through the use of on-site renewables of 27% over 2013 Building Regulations.

Reason: To ensure compliance with the proposed energy strategy in accordance with Policy 5.2 of the London Plan and Policy BR2 of the Borough Wide Development Policies Development Plan Document.

Energy if no DHN completion

4. Notwithstanding condition nos. 2 and 3 in the event that the proposed Becontree Heath District Heat Network (DHN) is not complete to the stage where the approved development can be connected to the DHN (in accordance with the approved energy strategy) prior to first occupation of any residential unit hereby approved, temporary energy plant units within Block A/B and Block E/F as shown on drawing nos. P-AB-210A; P-AB-220A; P-AB-226A; P-EF-210A; P-EF-220A; P-EF-221A; 6477_LDN_PLN_022A; 6477_LD_PLN_024B shall be fully implemented in order to meet the energy needs of the development in accordance with the energy strategy.

Reason: To ensure compliance with the proposed energy strategy in accordance with Policy 5.2 of the London Plan and Policy BR2 of the Borough Wide Development Policies Development Plan Document.

Energy post DHN completion

5. Within 1 month of the DHN becoming operational, a programme for the implementation of approved plans P-AB-210B; P-AB-220B; P-AB-226B; P-EF-210B; P-EF-220B; P-EF-221B; P-410;6477_LDN_PLN_002D; PLN_003B; 6477_LD_PLN_004C for the removal of the plant rooms and conversion to two wheelchair units shall be submitted to and approved by the Council. The scheme shall be delivered in accordance with the approved programme.

Reason: To ensure compliance with the proposed energy strategy and to maximise the number of residential units provided in accordance with Policies 3.4 and 5.2 of the London Plan and Policy BR2 of the Borough Wide Development Policies Development Plan Document.

Levels

6. No development within any Phase (Phasing consistent with section 7.4 of the submitted Design and Access Statement or any subsequent update agreed) shall take place until details of existing and finished site levels, finished floor, and ridge levels of the buildings to be erected, and finished external surface levels for that Phase have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: The proposed levels of the development are required prior to commencement in
order to ensure that any works in connection with the development hereby permitted respect the height of adjacent properties and in accordance with policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

Materials

7. No development above ground level within any Phase (Phasing consistent with section 7.4 of the submitted Design and Access Statement or any subsequent update agreed) shall take place until details/samples of all materials to be used in the construction of the external surfaces of that Phase of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved materials.

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

Boundary details

8. No development above ground level within any Phase (Phasing consistent with section 7.4 of the submitted Design and Access Statement or any subsequent update agreed) shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the position, design, materials, and type of boundary treatment to be erected for that Phase. Garden fences shall incorporate a 150mm gap at the bottom to allow the passage of hedgehogs. No part of the development shall be occupied until the approved boundary treatment for that part has been provided. The approved boundary treatment shall be retained unless the Local Planning Authority gives prior written approval for its removal.

Reason: To ensure the boundary treatment protects or enhances the character and amenity of the area in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document.

Hard landscaping

9. No development above ground level within any Phase (Phasing consistent with section 7.4 of the submitted Design and Access Statement or any subsequent update agreed) shall take place until a scheme showing those areas of that Phase to be hard landscaped and the details of that hard landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be carried out prior to the occupation of the relevant Phase and thereafter permanently retained.

Reason: To safeguard and improve the appearance of the area in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document.

Soft landscaping

10. No development above ground level within any Phase (Phasing consistent with section 7.4 of the submitted Design and Access Statement or any subsequent update agreed) shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping for that Phase which shall give special consideration to planting that absorbs or suppresses pollutants; and which shall make
provision for the planting of street trees where feasible to be secured under condition no. 37, and which shall include indications of all existing trees, shrubs and hedgerows on the site and details of those to be retained.

Reason: To safeguard and improve the appearance of the area and to contribute to improved air quality and in accordance with policies BR14 and BP11 of the Borough Wide Development Policies Development Plan Document and Section 197 of the Town and Country Planning Act 1990.

Soft landscaping implementation

11. The landscaping scheme for each Phase (Phasing consistent with section 7.4 of the submitted Design and Access Statement or any subsequent update agreed) as approved in accordance with condition No. 6 shall be carried out in the first planting and seeding seasons following the occupation or completion of the relevant Phase, whichever is the sooner. Any trees or 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 the landscaping in the interests of the visual amenity of the area and in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document and Section 197 of the Town and Country Planning Act 1990.

Nesting bird protection

12. Where development is to commence within a Phase between the months of March to September inclusive a nesting bird survey of any trees or shrubs that are to be removed within that Phase in association with the planning permission shall be carried out by a suitably qualified ecologist no more than 2 days prior to the works to carry out the tree or shrub removal in question. The results of the survey should be submitted to the Local Planning Authority before works within the relevant Phase commence. If nesting birds are found i) works should be delayed until the nesting season is over and the fledglings have left the area and ii) a strategy should be agreed with the Local Planning Authority to ensure the nesting birds are not disturbed by any other works taking place on the site.

Reason: The survey is required to protect the ecology of the area as nesting birds may be present on the site and in accordance with policy CR2 of the Core Strategy, policy BR3 of the Borough Wide Development Policies Development Plan Document and policy 7.19 of the London Plan.

Refuse enclosures

13. The refuse enclosures indicated on the approved drawings shall be constructed in accordance with the approved plans prior to the occupation of the part of the development they serve and thereafter permanently retained for the use of the occupiers of the premises.

Reason: To provide satisfactory refuse storage provision in the interests of the appearance of the site and locality in accordance with policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.
Crime Prevention

14. No development above ground level within any Phase (Phasing consistent with section 7.4 of the submitted Design and Access Statement or any subsequent update agreed) shall take place until a scheme showing the provisions to be made for CCTV coverage, access control, and/or any other measures to reduce the risk of crime for that Phase, have been submitted to and approved in writing by the Local Planning Authority. The relevant Phase of the development shall not be occupied until the approved scheme for that Phase 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 security to future occupants and visitors to the site and to reduce the risk of crime in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document.

M4(2)

15. 90% of the dwellings hereby approved shall comply with Building Regulations Optional Requirement Approved Document M4(2) Category 2: Accessible and adaptable dwellings (2015 edition). Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.

Reason: To ensure that accessible housing is provided in accordance with policy 3.8 of the London Plan.

M4(3)

16. The 17 wheelchair units identified on the approved drawings 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). Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.

Reason: To ensure that sufficient accessible housing is provided in accordance with policy 3.8 of the London Plan.

Car parking

17. The car parking spaces indicated on Drawing Nos. 6477_LD_PLN_002D; 6477_LD_PLN_003B; 6477_LD_PLN_004C shall be constructed and marked out prior to the occupation of the part of the development served, and shall include Electric Vehicle Charging Point bays (20% active and 20% passive) to be located in accordance with details that shall have been submitted to and approved by the Local Planning Authority. The parking spaces and charging points shall be retained permanently for the use of occupiers and visitors to the development and not used for any other purposes.

Reason: To ensure sufficient off-street parking, and to encourage the use of electric cars in order to reduce carbon emissions, and in accordance with policies BR9 and BR10 of the Borough Wide Development Policies Development Plan Document and policy 6.13 of the
Car parking allocation/management

18. No above ground development shall take place until the submission to and approval by the Local Planning Authority of a car parking management and allocation strategy for the development that shall secure the provision of allocated wheelchair accessible parking bays for the use of any initial or future registered disabled occupiers of the development.

Reason: In order to make optimum use of the parking spaces provided and to ensure and promote easier access for disabled persons to the development in accordance with policies BR9 and BP11 of the Borough Wide Development Policies Development Plan Document and policy 6.13 of the London Plan.

Cycle parking

19. Cycle parking spaces shall be provided in accordance with the approved plans prior to the occupation of the part of the development they serve and thereafter shall be maintained for the use of residents and visitors to the site.

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

BREEAM

20. The part of Block A that will accommodate the hereby permitted (Use Class A1) pharmacy shall be constructed in accordance with the submitted BREEAM pre-assessment report (ref. HLES35971/004Rv3) and shall achieve a minimum BREEAM rating of ‘Very Good’.

Reason: To ensure that the proposed development is constructed in an environmentally sustainable manner and in accordance with policy BR1 of the Borough Wide Development Policies Development Plan Document and policy 5.3 of the London Plan.

SUDS

21. The development shall not commence until the submission to and approval by the Local Planning Authority of a drainage strategy for the site designed to minimise the rate of surface water run-off, that shall encompass the following:

- Soakaway test
- Flood Risk Assessment (FRA)
- Micro-drainage output
- Details on storage tank

Reason: Details are required prior to commencement in order to minimise surface water drainage in the interest of reducing flood risk and in accordance with policies BR14 of the Borough Wide Development Policies Development Plan Document and policy 5.13 of the London Plan.

Noise
22. A scheme of noise mitigation measures in accordance with the report “Noise Assessment for Proposed Residential Development at Becontree Heath, Wood Lane, Dagenham, for Countryside Properties (UK) Limited”, reference JAE8716, dated 12th December 2016 is to be implemented before the first occupation of that part of the development to which it relates.

Reason: To maintain reasonable levels of protection for the occupiers of the development from external noise and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

Plant noise

23. The combined rating level of the noise from any plant installed pursuant to the hereby permitted development shall not exceed the existing background noise level outside the window to any noise sensitive room. Any assessment of compliance with this condition shall be made according to the methodology and procedures presented in BS4142:2014.

Reason: To maintain reasonable levels of protection for the occupiers of the development from external noise and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

Lighting

24. The lighting of the development hereby permitted, is to be designed, installed, and maintained so as to fully comply with The Association of Chief Police Officers - Secured by Design publication “Lighting Against Crime – A Guide for Crime Reduction Professionals”, ACPO SPD, January 2011. The design shall satisfy criteria to limit obtrusive light presented in Table 1, p25 of the guide, relating to Environmental Zone E3 – Medium district brightness areas - small town centre or urban locations

Reason: In the interests of crime prevention and the amenity of future occupiers and in accordance with policies BC7 and BP8 of the Borough Wide Development Policies Development Plan Document.

Contamination a.

25. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(a) a survey of the extent, scale, and nature of contamination;
(b) an assessment of the potential risks to:
   i. human health,
   ii. property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines, and pipes,
   iii. adjoining land,
   iv. groundwaters and surface waters,
v. ecological systems,
vi. archaeological sites and ancient monuments;
(c) an appraisal of remedial options, and proposal of the preferred option(s).
(d) This must be conducted in accordance with DEFRA and the Environment Agency’s ‘Model Procedures for the Management of Land Contamination, CLR 11’.

Contamination b.

26. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include 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.

Contamination c.

27. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of 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.

Contamination d.

28. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 25, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 26, which is subject to the approval in writing of the Local Planning Authority.

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

Reason for Conditions 25 to 28: 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 in accordance with Policy BR5 of the Borough Wide Development Policies Development Plan Document.

Construction hours
29. No deliveries, external running of plant and equipment or construction works, other than internal works not audible outside the site boundary, shall take place on the site other than between the hours of 0800 to 1800 on Monday to Friday and 0800 to 1300 on Saturday and not at all on Sundays, Public or Bank Holidays 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, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

Noise/ vibration control

30. 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: To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

Construction Management Plan

31. The development shall be carried out in accordance with the submitted ‘Becontree Heath Construction Method Statement and Construction Management Plan Rev. C’ and piling will be way of a Continuous Flight Auger, unless otherwise agreed in writing with the Local Planning Authority.

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

Construction Logistics Plan

32. Prior to the commencement of the development a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall be designed to minimise deliveries of materials and export of any waste materials within the times of peak traffic congestion on the local road network. The Plan shall be implemented in accordance with the approved details and thereafter maintained.

Reason: The Construction Logistics Plan is required prior to commencement of development in order to minimise the impact of construction on the free flow of traffic on the local highway network and in the interests of highway safety, and in accordance with policy BR10 of the Borough Wide Development Policies Development Plan Document and policy 6.3 of the London Plan.

Satellite dish restrictions

33. With the exception of any roof mounted antennae or satellite dish designed for communal use by the occupiers of each development block, no antennae or satellite
dishes shall be placed on any elevation of the hereby approved flat blocks, or on the front elevation of any of the hereby approved houses, unless previously approved in writing by the Local Planning Authority.

Reason: To safeguard the external appearance of the buildings in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document.

Bird and bat boxes

34. The development shall not be occupied until bird nesting and bat roosting boxes have been installed on the building or in any trees on the site in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. The details shall accord with the advice set out in "Biodiversity for Low and Zero Carbon Buildings: A Technical Guide for New Build" (Published by RIBA, March 2010) or similar advice from the RSPB and the Bat Conservation Trust.

Reason: In order to preserve and enhance the Borough’s natural environment and to comply with policy CR2 of the Core Strategy, policy BR3 of the Borough Wide Development Policies Development Plan Document and policy 7.19 of the London Plan.

Travel Plan

35. The development hereby permitted shall be carried out in accordance with the submitted RPS Draft Residential Travel Plan.

Reason: In order to encourage the use of sustainable transport and in accordance with policy BR10 of the Borough Wide Development Policies Development Plan Document and policy 6.1 of the London Plan.

Highways Agreement

36. No above ground works shall commence until the completion of a highways agreement for the development that secures the replacement on street car parking in front of Blocks G1 and G2 (as shown on drawing no. 6477_LD-PLN_022 Rev. D) and suitable vehicular access to each development parcel, and which subject to feasibility makes provision for the planting of street trees within the vicinity of the development. Each part of the approved scheme shall be completed prior to the occupation of the part of the development it serves.

Reason: To ensure the provision of a satisfactory access and parking in the interests of highway safety, and to make provision for the planting of specimen trees with growth potential and in accordance with policies BR3 and BR10 of the Borough Wide Development Policies Development Plan Document.

Althorne Way parking bays

37. Block G2 of the development shall not be occupied until the completion of the on street car parking bays shown on drawing no. 6477_LD-PLN_022 Rev. D.

Reason: In order to secure the above works and to ensure adequate parking provision to serve the needs of the development and to address likely additional demand for on street parking resulting from the development and in accordance with policy BR9 of the Borough
1. **Introduction and Description of Development**

1.1 The proposed 170 dwelling unit scheme is intended to contribute to the regeneration and renewal of Becontree Heath. The application site is owned by the Council which has entered into a development partnership with the applicant Countryside Homes.

1.2 The application site includes 5 land parcels totalling 1.3 hectares: the existing Wood Lane bus stand, adjacent car park and site of former 6 storey shop and flat block in Althorne Way; part of the Becontree Heath Leisure Centre car park adjacent to Althorne Way; amenity land to the south of Butler Court between Gosfield Road and Wood Lane; the site of former Council offices 90, Stour Road at the junction of Stour Road and Wood Lane; and the existing car park on the south side of Stour Road at the junction with Wood Lane.

1.3 The proposal is to re-locate the bus stand and drivers’ facilities to part of the Leisure Centre car park in order to create a site for a 6 storey flat blocks fronting Wood Lane (Block A/B) and a terrace of 3 storey houses fronting the east side of Althorne Way on the site of the former Althorne Way block of flats that was demolished in 2015 as part of the Council’s estate renewal programme. The site adjacent to Gosfield Road is proposed for three terraces (two of 8 houses, and one of 7 houses) of 3 storey houses fronting Wood Lane and backing onto Gosfield Road. The site of the former Stour Road Council offices now demolished, would be developed to provide a flat block (Block E/F) of between 4 and 6 storeys in height, and the existing car park would be re-landscaped and retained for that purpose and would be designated to provide parking for residents of these proposed adjacent flats.

1.4 The are a number of regeneration objectives to the scheme that were set out within the invitation to tender brief. These include to provide replacement and additional housing, to utilise under used areas of open space for development in order to improve townscape and to provide a street frontage to Wood Lane that helps to tie together the landmark buildings of the Civic Centre and Leisure Centre, and to diversify the tenure mix in an area that has a high proportion of social rented housing (43%).

1.5 In addition to replacement housing the scheme includes provision of a pharmacy unit the purpose of which is to provide replacement accommodation for the pharmacy that was decanted from the demolished shop and flat block. This business is currently operating from a temporary building adjacent to Wood Lane in the vicinity of the application site.

1.6 The Althorne Way part of the application site is within the area that is subject to policy SSA SM10 of the Site Specific Allocations Development Plan Document that allocates the site for major development, further details below.

2. **Background**

2.1 There is no planning history of specific relevance to the current proposals.
3. Consultations

Adjoining occupiers

3.1 Consultation letters were sent to 454 neighbouring occupiers, a press notice was published, and site notices displayed. No responses to this consultation have been received.

3.2 In addition, two pre-application public consultation events were held at Becontree Heath Leisure Centre that were well attended. A total of 9 attendees completed a feedback form and the feedback included the following comments:

- Provision of family housing supported
- Some residents expressed an interest in purchasing within the development
- Lack of sub-market social housing provided
- Cost of new housing likely to be too expensive for local residents
- Lack of parking provision within the scheme
- Additional pressure on local schools
- Additional traffic in the area
- Concern regarding traffic impact of introducing buses into Althorne Way

Planning Officer note: The level of parking provision has been increased in comparison with the pre-application scheme. The re-located bus terminus is now proposed within part of the car park adjacent to Althorne Way and not within carriageway of Althorne Way itself.

Access Officer

3.3 No objections.

Arboricultural Officer

3.4 I agree with the arboricultural report that the trees affected by this scheme, within all the locations, are not publicly significant. There are no mature specimens of any grandeur. The trees are mainly a sporadic mix of Council planting that has randomly taken and weakly established. The few that are more mature have been heavily pruned.

3.5 However, collectively the lost trees do add up to some significant canopy so replacements should be of some significant size and numbers.

3.6 The current species choice of Himalayan birch is very small and lacks boldness. Most of the tree choices are very ornamental and standard choices for fitting between building sites. I propose on a development of this scale rows of landscape size canopy planting in prominent publicly visible positions, or arboretum type zones with bold trees.

3.7 In terms of actual tree removals, I am not opposed to the clear fell option in this case due to the general lack of quality to the existing trees.
3.8 I would like to see more emphasis on a landscape proposal to incorporate roadside trees in accordance with the measures promoted in reports published by ‘Trees For Cities’ and the ‘Trees and Design Action Group’.

Officer note: The adjacent roadsides are outside the red line application boundary and outside the control of the applicant. However, it is considered that the potential for such planting can be secured through a ‘Grampian’ style condition as set out above at condition no. 36.

CCTV & Security Manager

3.9 No response.

Designing Out Crime Officer

3.10 The project Architects ‘Stitch’ contacted the service in May 2016 providing their pre-planning design drawings and requesting consultation on designing out crime issues.

3.11 I attended a meeting with the Architects on the 24th May 2016, where I was given the opportunity to look over with them the design and layout drawings and make recommendation on areas of concern.

3.12 The drawings within this application show that my recommendations on the whole have been adopted and I am reasonably assured that the project will be developed with strategies aimed at reducing crime and antisocial behaviour.

3.13 I would strongly recommend that to ensure the best possible efforts in reducing the potential for crime on these sites in the future SBD (Secured by Design) certification should be secured for the development.

Officer note: These comments have been passed to the applicant who has the opportunity to apply for Secure by Design certification.

Environmental Health

3.14 No objections subject to various recommended conditions including land remediation; construction hours and implementation of the submitted construction management plan.

3.15 Compliance with the design measures proposed within the submitted Noise Report will ensure a satisfactory environment for future occupiers.

Officer note: The relevant conditions are proposed as set out within this report above.

Essex and Suffolk Water

3.16 No objections.

Greater London Authority – Planning Decisions Unit (GLA)
3.17 The application is referable to the Mayor of London. The GLA Stage I report is awaited, and therefore Members will be updated at the Development Control Board meeting.

Heritage & Archives Group Manager

3.18 No response.

Housing Strategy

3.19 No response.

Lead Local Flood Authority

3.20 The information provided within the submitted Drainage and SUDS Assessment and drainage plans is not sufficient, the applicant is also requested to provide the following:

- Soakaway test
- Flood Risk Assessment
- Micro-drainage output
- More details on storage tank

Officer note: The applicant has been asked to submit the additional information requested but this has not yet been received. It is therefore proposed that a condition be imposed that requires the submission and approval of a satisfactory drainage strategy.

London Fire and Emergency Planning Authority

3.21 No response.

Parking Services

3.22 No response.

Street Lighting

3.23 No response.

Thames Water

3.24 No response.

Transport Development Management

3.25 I am satisfied with the majority of the information that has been submitted in support of this application in relation to highway matters. However, the major concern is the lack of vehicle parking for Blocks A and B.

3.26 Taking into account the PTAL rating and density of units for blocks A and B the level of parking provision being proposed is considered inadequate.
Details should be provided of how parking on the Council owned estate roads would be effectively managed.

3.27 It should be noted that the proposed service road layout to the rear of Blocks A, B, G1 and G2 is not to LBBD adoptable standards but we would recommend as a minimum requirement a street lighting scheme should be submitted for the service road and designed to LBBD adoptable standards. This also applies to the other parking provision area to the rear of Blocks C1, C2 and D.

3.28 I recommend standard conditions for a s278 agreement to be entered into, Electric Vehicle Charging Points to be provided, a Construction Logistics Plan and a Parking Management Strategy.

Officer note: Relevant conditions will be imposed as requested. A parking management and allocation condition is proposed. In response to these comments the applicant has submitted an amendment to the scheme that secures an additional 18 parking spaces adjacent to Blocks A and B of the development. The Transport Development Management Officer has subsequently agreed that the resulting proposed parking provision is acceptable.

Transport for London (TfL)

3.29 Supports the level of parking provision that is 0.59 spaces per dwelling, and the level of cycle parking proposed that is in accordance with the London Plan.

3.30 TfL has been in discussion with the Council regarding the re-location of the bus stand which is agreed in principle. It is requested that a condition is imposed that requires the provision of the replacement bus stand prior to the commencement of the development on the parcel of land that accommodates the existing bus stand.

3.31 In addition, conditions to secure the following are requested:

- Electric Vehicle Charging Points
- Construction Logistics Plan
- Travel Plan

Officer note: The requested conditions are proposed as set out above. The actual parking ratio on submission was 0.49 not 0.59 referred to above. Following the receipt of an amendment the parking ratio is now 0.6.

Waste and Recycling Policy Manager

3.32 No response.

4. Local Finance Considerations

4.1 The proposed development would be liable for the Mayoral Community Infrastructure Levy (CIL) at a rate of £20 per square metre (index linked from 2012) and the Borough CIL at a rate of £10 per square metre index linked from 2015.

5. Analysis
Principle of the development

5.1 Policy SSA SM10 (Beacontree Heath – Wider Site) identifies a 4.14 hectare site that includes the former Althorne Way flat block, and the bus terminus and adjacent car park, in addition to land to the west of Althorne Way that does not form part of the current application site.

5.2 The Gosfield Road and Stour Road sites that form part of the application are outwith this policy designation.

5.3 The policy states that the site has potential for housing, retail, health facilities, and a replacement bus stand, with an indicative housing capacity of 164 units.

5.4 The proposed development of the site to provide housing and a replacement bus stand would be in accordance with this policy.

5.5 The scheme will provide 30% family sized 3 bedroom units in the form of 45 houses and 5 three bedroom flats, with the remainder of the development being a mixture of 1 and 2 bedroom flats. This is below the 40% family housing generally expected within policy CC1 of the Core Strategy.

5.6 The Council’s Regeneration team is supportive of this housing mix on the grounds that there is a housing need in the area for smaller units. It is also the case that the 3 bedroom units are generally more suited to houses as opposed to flats, and the urban design of the scheme is such that all the areas of the site most suited for houses has been utilised for that purpose. In the circumstances the proposed housing mix is considered acceptable.

5.7 With regard to tenure mix the proposal is to provide 46 shared ownership units and 124 private sale units, therefore resulting in 27% of units being sub-market (affordable).

5.8 The number of sub-market social rented units that were lost in the original Althorne Way flat block was 32, plus there were 4 leaseholders, therefore the development would result in a net addition of 14 sub-market units.

5.9 Adopted London Plan policy is that sub-market housing should be maximised on development sites subject to development viability. In addition, the draft Affordable Housing and Viability Supplementary Planning Guidance states that where 35% affordable housing is proposed this can be accepted without the need for a development viability review to be carried out.

5.10 In this case the proposed proportion of sub-market housing is below the above percentage and therefore a development viability assessment has been prepared and submitted by the applicant, making the case that the affordable housing offer is the maximum that is financially viable for the development.

5.11 This conclusion has subsequently been tested on behalf of the Council by an independent review of the applicant’s submission by Chartered Surveyors. The conclusion is that the proposed proportion of affordable housing is reasonable and the maximum that is deliverable on this site.
5.12 Aside from the policy objective to maximise the provision of sub-market housing, it is also desirable to diversify the tenure of the area in accordance with policy 3.9 of the London Plan, this will provide greater choice, and the provision of private for sale housing has the potential to contribute positively to the regeneration of the area.

Policy 3.9 states: A more balanced mix of tenures should be sought in all parts of London, particularly in some neighbourhoods where social renting predominates and there are concentrations of deprivation.

5.13 The provision of shared ownership housing is desirable because this can help provide a ladder to full home ownership and may help to enable some local residents to stay in the area.

5.14 The proposed density at 131 units per hectare is within the recommended range set out within the London Plan for a site of this character, and is therefore considered appropriate.

Design

5.15 In terms of urban design each development parcel is designed with a building that will have a frontage onto the street. This will help to define the edges of Wood Lane and adjacent streets and create a more attractive environment for walking, and is in contrast to the layout of the existing estate which is in the form of blocks surrounded by under used and poorly designed open space. It is also intended that the development along Wood Lane will create a sense of linkage between the Civic Centre (soon to be university campus) and the Becontree Heath Leisure Centre.

5.15 The proposed development will result in the loss of some green space, mainly to the south and west of Butler Court. This landscape strip is grassed and has some relatively small trees planted along the road. This open space is not protected under planning policy, and appears to serve little purpose, except that a vegetated outlook may contribute to the residential amenities of some neighbouring occupiers, and it provides a tree canopy to the street. However, the proposed development would not cause not harm to residential amenity, would provide attractive buildings on this land and will contribute to housing needs, and to mitigate the impact replacement trees and planting will be provided elsewhere on the site.

5.16 To the west of Butler Court a parking area would be provided on an existing landscaped area. The parking area would incorporate some tree planting and there would remain a landscaped area around its perimeter. It is not considered that this would cause any harm to outlook or the street scene.

5.17 The proposed houses and flats are of contemporary design with large windows, inset balconies and juliet balconies, and flat roofs. Brick is the proposed main external material. The proposed designs are considered to be well proportioned, visually interesting, and appropriate in design and scale for each of the proposed sites.
5.18 The proposed flat block at the junction of Rainham Road North and Stour Road is within the setting of the listed Grade II Dagenham Civic Centre, as is, to a less significant degree, the proposed terrace of housing fronting Wood Lane.

5.19 The proposed flat block is to the side of the Civic Centre in views towards its front elevation. The Civic Centre has a large formal lawn to its front and is set well back from Rainham Road North. The proposed flats are approximately 55 metres from the Civic at the closest point. Whilst the proposed flats block is between 4 to 6 storeys in height, given its siting relative to the Civic Centre it is considered that the proposed development would not ‘compete’ with the Civic, or dominate, or adversely affect its setting. There is already a 6 storey block in the vicinity of the proposed building, Nos. 4 – 82 Stour Road, and the tower blocks in this area are also visible from the Civic.

5.20 The 3 storey terraces are of lesser scale and set further away from the Civic and these are also considered acceptable in respect of the setting of the listed building.

5.21 The proposed main brick for the development is brown in colour with highlights of white bricks around windows. This is intended as a design cue to link with the Civic which has a dark reddish brown brick and Portland stone detailing including the plinth and portico.

5.22 The scheme makes provision for replacement tree planting which will enhance the setting of the development and compensate for trees that would be lost. However, as the Arboricultural Officer has pointed out the opportunities for such tree planting is limited to smaller ornamental varieties, and provision should be made for the planting of larger native species with long term growth potential. This requires greater space and is therefore more suitable adjacent to the road within the adopted highway where it will also be more visible. A condition is therefore proposed to seek to secure the above planting, though this will be subject to feasibility and investigation of services.

**Amenity**

5.23 The vast majority of the proposed dwellings are dual or multi-aspect, and the submitted daylight and sunlight report demonstrates that all would have an acceptable standard of natural lighting.

5.24 10% of the units are designed to wheelchair adaptable standards M4(3) of the Building Regulations and the remainder are designed to the M4(2) accessibility standard in accordance with policy 3.8 of the London Plan.

5.24 All units provide internal space and layouts that are in accordance with the standards set out within policy 3.5 of the London Plan, and all units would have a private terrace, balcony or rear garden that accords with the standards of the London Plan Housing Supplementary Planning Guidance.

5.25 The London Plan Play and Informal Recreation Supplementary Planning Guidance sets a standard for the provision of play space within new developments based upon the housing and tenure mix. This states that play space of 99m2 should be provided for the flatted development, the proposed provision is approximately 80m2 provided within two play spaces one within each communal garden area that is
provided for each of the flat blocks. The two designated play areas are each situated adjacent to a garden area that could also be utilised informally for play. The site is also close to Central Park. Given these circumstances the proposed level of provision is considered acceptable.

5.26 Some of the proposed dwellings are close to the main roads of Wood Lane and Rainham Road North, the building fabric and double glazing has been designed to minimise external noise within dwelling as set out within the submitted noise report, and this is the subject of a proposed compliance condition.

5.27 With regard to neighbouring occupiers, whilst the proposed development would be visible in the outlook from adjacent flats and houses, the relationships are considered acceptable and on the whole would not have any significant impact on outlook, daylight or sunlight.

5.28 The proposed flat Block B, adjacent to Wood Lane, would be sited 13m to the north of the George Crouch Centre at its closest point. The George Crouch Centre is a sheltered housing scheme for over 55s. There are first floor windows within the George Crouch Centre that would be opposite this part of the proposed 6 storey building. It would appear that these windows serve habitable rooms.

5.29 The proposed building is to the north of the George Crouch Centre and therefore there would be no adverse impact in relation to sunlight. The part of the proposed block that is opposite the George Crouch Centre is relatively narrow, 14m in width. This will enable daylight to continue to reach the windows within the sheltered flats to the sides of the proposed building.

5.30 There will be a reduction in the openness of the outlook from some of the north elevation windows of the existing building. As referred to above due to the relatively narrow width of the building longer range diagonal views would remain from the windows directly opposite the building towards a communal garden that will serve the proposed flats to one side, and over a proposed landscaped parking area to the to the other side. On the positive side the existing outlook is over the bus depot and toward the main road (Wood Lane) and therefore not particularly attractive. The proposed building would also serve to reduce the transmission of road noise.

5.31 Taking account of the above factors, whilst it is recognised that there would be some impact on residential amenity, it is not considered that this would cause harm that would warrant the refusal of planning permission.

5.32 With regard to the proposed Block E/F this is located close to the east elevation of the existing 6 storey block of offices/flats 2 – 80 Stour Road. This building is in office use in respect of the bottom 2 floors and residential on the upper 4 floors. Proposed Block E/F is set away from its east elevation by 10m at the closest point and this element is 4 storeys in height. Consequently, the most affected windows within the existing block are second floor windows from which the relative height of the proposed building would be one additional storey.

5.33 It is also the case that the affected windows previously had an outlook onto the sloping roof of the building previously existing on the site though this was somewhat lower in height in comparison with the current proposal.
5.34 On balance this relationship is considered acceptable as it would not result in a significant loss of daylight or outlook.

5.35 The proposed development is considered acceptable in relation to its impact on neighbouring occupiers and would therefore be in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

**Transport**

5.36 The submitted Transport Assessment contends that the proposed development would not materially affect local traffic flow or junction capacity or bus capacity. The Transport Officer has not disagreed with this conclusion.

5.37 The site has a moderate Public Transport Accessibility Level of 3, and there are 10 bus routes in the vicinity of the site.

5.38 The scheme is predicated on the re-location of the existing bus stand from its current site in Wood Lane as this forms the site of proposed flat Block A/B. The re-location of the bus stand and drivers’ facilities is being secured through the development agreement and it is not therefore necessary for this to be Section 106 clause. The Agreement would require that the replacement facilities be ready for occupation by TfL prior to the commencement of works on the site of Block A/B.

5.39 The re-location of the bus stand would result in the loss of some car parking spaces within the existing free Becontree Heath public car park. The development would also result in the loss of a small existing pay and display car park at the junction of Wood Lane and Althorne Way. This latter 32 space car park is very underutilised probably because it is not well located for shops and services and there is alternative parking in the vicinity that is available free of charge.

5.40 The Becontree Heath public car park is a large car park adjacent to the Becontree Heath Leisure Centre but not specifically designated for Leisure Centre users. It is also adjacent and linked to the Morrison’s supermarket car park which is also currently free of charge.

5.41 The new bus terminus would result in the loss of 36 car parking spaces. The level of parking provision and parking management in the area has been discussed in depth with Parking Services, who have no objections to the proposed development. Also, the Transport Officer has raised no objections to the change in public car parking provision that would result from the development. Given the very generous quantity of parking spaces that would remain to serve the local facilities and some available on street parking it is not considered that the development would cause any harm in this respect.

5.42 The bus terminus would include a small two storey building providing toilets, kitchen, and rest area for the use of bus drivers. The design and materials would be similar to the proposed houses and is considered acceptable.

5.43 Cycle parking is provided within the scheme in accordance with London Plan standards and is the subject of a proposed condition.
5.44 With regard to parking provision to serve the proposed development the houses would have one for one allocated parking. Block E/F would have a designated car parking area with 24 parking spaces for the 41 flats giving a parking ratio of 0.59 spaces per flat.

5.45 Block A/B would have a designated parking area providing 38 spaces for the 87 proposed flats resulting in a parking ratio of 0.44 spaces per flat. This car park has been amended and increased in size to provide an additional 18 parking spaces since the submission of the application in response to the concerns raised by the Transport Officer.

5.46 The parking spaces are subject to a condition requiring a management strategy to ensure that accessible parking spaces will be available to meet the needs of any registered disabled occupiers, and to ensure that the spaces are kept available for the use of residents and their visitors only.

5.47 The overall parking ratio for the development as a whole would be 0.6 spaces per dwelling.

5.48 Some parking spaces are also available on street in the vicinity of the development both on the carriageway and in some designated parking bays. This parking is currently unrestricted.

5.49 The application includes the re-provision and re-modelling of existing car parking bays on Althorne Way in front of the proposed terrace of houses to provide echelon parking. However, there will be no net gain and as these spaces will be on the highway they cannot be allocated to individual units.

5.50 The application also includes the loss of 50 existing parking spaces serving Butler Court, a block of flats to the rear of the proposed terrace of houses fronting Wood Lane, and their replacement with 44 new parking spaces. It is not considered that the resulting net loss of 6 spaces would cause harm.

5.51 In addition to the extra 18 parking spaces to serve Blocks A/B, the applicant has agreed to construct 11 new parallel on street parking bays within Althorne Way to the south of the proposed houses through the provision of a ‘build out’ into the adjacent amenity green. Whilst it is already possible to park on Althorne Way the effect of the proposed construction would enable parking on both sides of the road without restricting the passage of vehicles on the carriageway. This would therefore provide some additional parking capacity and help to accommodate any overspill on street parking arising from the development.

5.52 The Transport Officer is satisfied with the additional parking provision following the amendment. In view of the above the proposed parking provision is considered acceptable.

Environmental Sustainability

5.53 The proposed energy strategy is that the majority of the site will be connected to the Council’s Becontree Heath District Heat Network, a local heat network that is in the advanced planning stage. The exception is the terrace of houses fronting Wood Lane that would have individual energy efficient boilers.
5.54 There is a possibility that the heat network will not be completed in time to connect with the proposed development. In that scenario there is an Option B energy strategy that would involve communal boilers to the two flat blocks for an interim period until the completion of the local heat network, after which a connection would be made. Option B would result in the loss of two units from the scheme due to the floor space required for the communal heating system.

5.55 The energy strategy is the subject of proposed condition nos. 3, 4, and 5 which makes provision for the alternative options and securing the eventual connection to the district heat network, and provision of the two flats that would otherwise utilise this floor space, in the event that this is not secured in the initial construction period.

5.56 The energy strategy is designed to achieve a 38% reduction in carbon emissions in comparison with a scheme meeting the minimum standards of the 2013 Building Regulations, and a 28% saving from the use of renewable sources of energy. The renewable energy is provided by the proposed 735m2 array of roof mounted photovoltaic panels.

5.57 Policy 5.2 of the London Plan now sets a zero carbon target for new residential development. Guidance contained within the London Plan: ‘Sustainable Design and Construction’ Supplementary Planning Guidance, states that where it is not possible to achieve zero carbon on site a financial contribution should be provided in order to secure carbon savings elsewhere. 5.59 The Guidance sets a price for carbon off-setting based either on local conditions or a nationally recognised carbon price such as the ‘Zero Carbon Hub’ price of £60 per tonne of carbon over 30 years. It states that account should be taken of the impact of such contributions upon development viability and that the price should not be set at a level where development becomes unviable.

5.58 In this case were the above price to be applied it would result in a contribution of £259,380. The development viability appraisal has already demonstrated that the scheme has provided the maximum quantity of affordable housing that is viable, and therefore it appears that a further large contribution would either result in the provision of less affordable housing or make the scheme unviable. In these circumstances it is considered that it is not appropriate to seek such a contribution. The fact that the scheme will be linked to the Council’s District Heat Network (DHN) nevertheless is a significant benefit which will help contribute to the viability of the DHN which itself will make a significant contribution towards carbon savings in the area it serves.

5.59 The pharmacy unit is designed to achieve a Building Research Establishment Environmental Assessment Method rating of ‘Very Good’. This is in accordance with policy BR1 of the Borough Wide Development Policies Development Plan Document and is therefore acceptable.

5.60 The drainage strategy for the site will be the subject of a proposed condition that will ensure that surface water run-off will be minimised in accordance with policy 5.13 of the London Plan.

Conclusions
5.61 The proposed development would be acceptable in principle and in accordance with the objectives of the Site Specific Allocation policy for Becontree Heath.

5.62 It is considered that the development has the potential to enhance the appearance and perceptions of the area, and create an improved street environment.

5.63 The scheme would provide good quality housing that will contribute to meeting local housing needs. It will provide a greater diversity of tenure and housing choice in the area, specifically adding shared ownership housing of which there is currently very little in Heath Ward. The overall provision of affordable housing has been maximised within the scheme subject to development viability in accordance with development plan policy.

Background Papers

- Planning Application File
  

- Local Plan Policy
  
  SSA SM10  Beacontree Heath – Wider Site
  Policy CM1  General Principles for Development
  Policy CM2  Managing Housing Growth
  Policy CR1  Climate Change and Environmental Management
  Policy CC1  Family Housing
  Policy CC2  Social Infrastructure to Meet Community Needs
  Policy CC3  Achieving Community Benefits through Developer Contributions
  Policy CP3  High Quality Built Environment
  Policy BR1  Environmental Building Standards
  Policy BR2  Energy and On-Site Renewables
  Policy BR3  Greening the Urban Environment
  Policy BR4  Water Resource Management
  Policy BR5  Contaminated Land
  Policy BR9  Parking
  Policy BR10  Sustainable Transport
  Policy BR11  Walking and Cycling
  Policy BR13  Noise Mitigation
  Policy BR14  Air Quality
  Policy BC1  Delivering Affordable Housing
  Policy BC7  Crime Prevention
  Policy BC8  Mixed Use Development
  Policy BP2  Conservation /Areas and Listed Buildings
  Policy BP5  External Amenity Space
  Policy BP8  Protecting Residential Amenity
  Policy BP10  Housing Density
  Policy BP11  Urban Design

- London Plan Policy
Policy 3.3 Increasing housing supply
Policy 3.4 Optimising housing potential
Policy 3.5 Quality and design of housing developments
Policy 3.6 Children and young people’s play and informal recreation facilities
Policy 3.7 Large residential developments
Policy 3.8 Housing choice
Policy 3.9 Mixed and balanced communities
Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.5 Decentralised energy networks
Policy 5.6 Decentralised energy in development proposals
Policy 5.7 Renewable energy
Policy 5.8 Innovative energy technologies
Policy 5.12 Flood risk management
Policy 5.13 Sustainable drainage
Policy 5.21 Contaminated land
Policy 6.9 Cycling
Policy 6.13 Parking
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.5 Public realm
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology

Draft Affordable Housing and Viability SPG
Sustainable Design and Construction SPG
Play and Informal Recreation SPG

• **National Policy**

  National Planning Policy Framework
  National Planning Practice Guidance
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Becontree Heath landscape master plan
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4.6 Character and appearance

To realise the vision set out above, the design challenge has been to create a range of house typologies that support family living, while responding to the constraints and complexity of the sites that have been assembled for the project, including the need for houses that have two active frontages – one to the main street, and the other to the 'garden mews street'.

It has been important to find strong elements within the design solutions to create cohesion between the sites, so that the beginnings of a distinctive 'place' can come forward. The strong elements in the scheme are the brick colour and contrasting white tones picked up from the Civic Centre building. These have been re-interpreted in the palette of white and brown/red bricks in the facades. Reaching the right balance between activity supporting the streetscape, and privacy to support family living, is also key to the success of the scheme and the designs have focused on providing new attractive mews streets as well as strong frontages to the main roads. These interfaces will be the 'face' of the development and provide a strong identity for the place that is being created.

View looking west along Wood Lane with proposed terrace houses in the foreground.

View looking west towards block E+F.

View looking east across the new mews street along Gosfield Road.
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AGENDA ITEM 7

539 Rainham Road South, Dagenham
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## Reason for Referral to DCB as set out in Part 2, Chapter 9 of the Council Constitution

The application is of public or likely Councillor interest and should be determined by the Development Control Board.

### Development:

Application for variation of condition following grant of planning permission by Planning Inspectorate (Ref: APP/Z5060/W/16/3143341) dated 8 July 2016: Variation of condition 3 (hours of use) to allow extended use till 00:45 during the month of Ramadan for those years when devotions cannot be completed in time due to a later sunset (for up to 29 consecutive days a year).

### Applicant:

Mrs R. Ali

### Contact Officer:

Charles Sweeney

### Title:

Principal Development Management Officer

### Contact Details:

Tel: 020 8227 3807
E-mail: charles.sweeney@lbhd.gov.uk

### Summary:

The application site is a community/cultural centre/place of worship operating at the former Post Office along Rainham Road South.

Members may recall the application site has a very detailed planning history relating to applications for changes of use to various community/cultural centre/place of worship type uses (Use Class D1). Of most relevance, in July 2015, planning permission was refused for the change of use of the ground floor of the application site to a community/cultural centre/place of worship (Use Class D1) (Ref: 15/00472/FUL). The decision was appealed to the Planning Inspectorate who subsequently allowed the appeal in July 2016 and granted planning permission (Ref: APP/Z5060/W/16/3143341) subject to a number of conditions. Condition 3 of the planning permission stated that:

"The use hereby permitted shall not take place other than between the hours of 09.00 to 23:00, Monday to Sunday”.

This application seeks to vary that condition to amend the hours to allow extended use until 00:45 during the month of Ramadan for those years when devotions cannot be completed in time due to a later sunset (for up to 29 consecutive days a year). Essentially, this means that there would be extended evening hours until 00:45 for up to 29 consecutive days once a year. The applicant advises that due to the nature of the timing of Ramadan, which shifts by around 10 days each year, this application will only effect the use when Ramadan occurs during peak summer months which are in the region of a few years during any 36 year cycle.
Members may be aware that the centre is now open and has operated without complaint which is an important consideration. The applicant advises that there have been changes to the management of the centre along with the introduction of new highway controls (in the form of double yellow lines) along Reede Road at the junction with Rainham Road South.

This application is solely focusing on the extended hours of opening. The applicant has advised that at the busiest times (typically Friday lunchtimes), the centre caters for up to 60 people (the total membership is less than 100). However, the applicant has confirmed they are willing to cap this figure at 40 people during the proposed extended hours. In addition, the applicant will install CCTV to monitor member numbers and will keep a record of those members who need to travel to the centre by car (such as the elderly or disabled). The applicant has also advised that they are willing to accept a temporary planning permission of 3 months to trial the impact of the proposed extended hours.

This is a finely balanced application. However, subject to the conditions identified above, it is recommended that the extended hours be approved for a temporary period expiring at the end of June after Ramadan has finished to allow a trial period to assess the impact of the extended hours.

Recommendation:

That the Development Control Board grant planning permission subject to the following conditions:

1) The extended hours until 00:45 hereby permitted shall be discontinued on or before 30 June 2017.

Reason: To give the use a trial run, so as to assess its effect on amenity and in accordance with Policy BP8 of the Borough Wide Development Policies DPD (March 2011).

2) The use hereby permitted shall be carried out in accordance with the following approved plans: 539 Rainham Road South, RM10 7XJ Proposed Ground Floor Plan Drafted 04/2012; 539 Rainham Road South, RM10 7XJ Proposed First Floor Plan Drafted 04/2012 and 539 Rainham Road South, RM10 7XJ Proposed Top Floor Plan Drafted 04/2012.

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

3) Following expiration of the extended hours period, the use hereby permitted shall not take place other than between the hours of 09.00 to 23:00, Monday to Sunday.

Reason: To prevent the use causing any undue disturbance to occupants of neighbouring properties at unreasonable hours and in accordance with Policy BP8 of the Borough Wide Development Policies DPD (March 2011).

4) No music or amplified sound shall be played in the premises hereby permitted at any time.

Reason: To prevent the use causing any undue disturbance to occupants of neighbouring properties at unreasonable hours and in accordance with Policy BP8 of the Borough Wide Development Policies DPD (March 2011).
5) Access and egress to the premises must only be taken from the main shop frontage along Rainham Road South. No access or egress shall be taken from Reede Road.

Reason: To prevent the use causing any undue disturbance to occupants of neighbouring properties at unreasonable hours and in accordance with Policy BP8 of the Borough Wide Development Policies DPD (March 2011).

6) The applicant shall ensure that CCTV records of numbers of members using the centre and vehicular trip generation associated with the extended hours shall be kept as may be required to permit the Local Planning Authority to monitor membership levels and vehicular movements. Those records shall be made available to the Local Planning Authority on request.

Reason: To prevent the use causing any undue disturbance to occupants of neighbouring properties at unreasonable hours and in order to minimise the impact of the development on the local highway network and traffic congestion in accordance with Policies BP8 and BR10 of the Borough Wide Development Policies DPD (March 2011).

7) The maximum number of people using the centre during the extended hours hereby permitted shall not exceed 40.

Reason: To prevent the use causing any undue disturbance to occupants of neighbouring properties at unreasonable hours and in accordance with Policy BP8 of the Borough Wide Development Policies DPD (March 2011).

1. Introduction and Description of Development

1.1 The application site is a community/cultural centre/place of worship operating at the former Post Office along the southern side of Rainham Road South, close to the junction with Reede Road Dagenham.

1.2 The application seeks planning permission to vary a condition following the grant of planning permission (on appeal) by the Planning Inspectorate (Ref: APP/Z5060/W/16/3143341) dated 8 July 2016 to allow extended use till 00:45 during the month of Ramadan for those years when devotions cannot be completed in time due to a later sunset (for up to 29 consecutive days a year).

2. Background

2.1 There is a very detailed planning history relating to the application site for changes of use to various community/cultural centre/place of worship type uses (Use Class D1). Of most relevance, in July 2015, planning permission was refused for the change of use of the ground floor of the application site to a community/cultural centre/place of worship (Use Class D1) (Ref: 15/00472/FUL). The decision was appealed to the Planning Inspectorate who subsequently allowed the appeal in July 2016 and granted planning permission (Ref: APP/Z5060/W/16/3143341).

2.2 In January 2017 planning permission was refused to vary the hours of use to include the words “with the exception that during the month of Ramadan this may
be extended to 00:45 only during those years when the completion of related devotions would cease at or before that time” (Ref: 16/01545/FUL). The application was refused on the grounds of noise and disturbance principally due to a lack of information on the frequency of the extended hours, membership levels and management arrangements.

3. **Consultations**

3.1 a) Neighbours/Publicity

48 letters were sent to the surrounding neighbouring premises and 2 identical letters of representation were received from neighbouring properties at 537 and 541 Rainham Road South together with 4 online representations raising no objections to the application.

b) Environmental Health Team

The environmental protection issue raised is possible noise disturbance to nearby residents during the extended hours of use. The current permission is subject to a condition to prohibit the playing of music or amplified sound at any time. There are no records of complaint of noise associated with the current use of the centre albeit that this is restricted to 09:00 to 23:00 Monday to Sunday.

The supporting statement advises that during the proposed extended hours of use, activity within the centre would be speech based reading and not tuition or more general centre activity. It is understood that the applicant would be prepared to accept a temporary consent to permit the impact, if any, of the extended hours of operation to be tested. Based on the above considerations, there are no objections to the grant of a temporary permission months to permit the impact, if any, of the extended hours of operation to be tested over a Ramadan period.

4. **Local Finance Considerations**

4.1 The application is not subject to the Community Infrastructure Levy and there are no other financial considerations.

5. **Analysis**

5.1 This application seeks to vary an hours of use condition to amend the hours to allow extended use until 00:45 during the month of Ramadan for those years when devotions cannot be completed in time due to a later sunset (for up to 29 consecutive days a year). Essentially, this means that there would be extended evening hours until 00:45 for up to 29 consecutive days once a year. The applicant advises that due to the nature of the timing of Ramadan, which shifts by around 10 days each year, this application will only effect the use when Ramadan occurs during peak summer months which are in the region of a few years during any 36 year cycle.

5.2 Policies BR13 and BP8 of the Borough Wide Development Policies DPD seek inter alia, to minimise noise levels and protect existing and proposed occupiers from unacceptable levels of general disturbance arising from proposed developments and in line with these policies, the Council has always carefully considered hours of
use for commercial premises (or indeed any non-residential uses) where there is residential above or in very close proximity, in the interests of residential amenity.

5.3 Above the application site, there is a self contained flat accessed via the rear of the premises which is understood to be used as accommodation for a caretaker who will open up and close the facility. There is however residential accommodation above the other commercial units in this parade and residential development generally in close proximity to the application site (such as Durham Road to the rear of the site). Within this parade, none of the commercial premises operate beyond 23:00. The Council has consistently controlled and restricted opening hours in these localities to 23:00 in the interests of residential amenity.

5.4 However, Members may be aware that the centre is open (operating hours 09.00 to 23:00 Monday to Sunday) and has operated without complaint which is an important consideration. This application is solely focussing on the extended hours of opening until 00:45 for up to 29 consecutive days once a year. The applicant has advised that at the busiest times (typically Friday lunchtimes), the centre caters for up to 60 people (the total membership is less than 100). However, the applicant has confirmed they are willing to cap this figure at 40 people during the proposed extended hours. In addition, the applicant will install CCTV to monitor member numbers and will keep a record of those members who need to travel to the centre by car (such as the elderly or disabled). The applicant has also advised that they are willing to accept a temporary planning permission of 3 months to trial the impact of the proposed extended hours.

6. Summary

6.1 This is a finely balanced application. The previous application was refused principally due to a lack of information on the frequency of the extended hours, membership levels and management arrangements. Following the submission of further information, it is considered that the applicant has satisfactorily addressed these concerns to warrant a temporary planning permission expiring at the end of June after Ramadan has finished to allow a trial period to assess the impact of the extended hours.

Background Papers

- Planning Application File
  
  http://paplan.lbbd.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OLEUE8BL07H00

- Local Plan Policy

Core Strategy

Policy CM5 – Town Centre Hierarchy
Policy CC2 – Social Infrastructure to Meet Community Needs

Borough Wide Development Policies DPD

Policy BR9 – Parking
Policy BR10 – Sustainable Transport
Policy BR13 – Noise Mitigation
Policy BE1 – Protection of Retail Uses
Policy BP8 – Protecting Residential Amenity

Site Specific Allocations DPD (December 2011)

Neighbourhood Centres

- National Planning Policy Framework
- Planning Practice Guidance
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Location of Site

102 North Street, Barking
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**Application No:** 17/00176/FUL  
**Ward:** Abbey

**Reason for Referral to DCB as set out in Part 2, Chapter 9 of the Council Constitution:**  
The application has been submitted by a Councillor.

**Address:** 102 North Street, Barking

**Development:** Use of office building as tuition centre

**Applicant:** Mr Mohammad Miah

**Summary:**

The application site is a 2 storey detached building located on the eastern side of North Street, Barking. The application seeks permission for a proposed change of use from office accommodation (Class B1) to a tuition centre (Class D1).

The proposed tuition centre will offer private tuition to students from age 5 years to 18 years (Year 1 to A Level). It is stated that the centre would offer 8 hours free education per month to students. The proposed facility also seeks to offer free online assessment tests for Year 2 and Year 6 SAT exam practice, and learning material for GCSE and A Level exam practice. The opening hours will be between 9.00am – 9.00pm Monday to Sunday. No car parking is provided within the site for staff or visitors.

The building has been vacant since 2015 and previously comprised the constituency office for Margaret Hodge. The premises are small providing a gross internal floor space of approximately 82sqm. Such a small office has only limited commercial appeal. It is considered that the proposed development would contribute to the wider regeneration initiatives of the Borough by providing social infrastructure, addressing qualification levels and providing accessible education opportunities for local young people.

The application site has a Public Transport Accessibility Level (PTAL) rating of 6a on a scale of 1-6 (where 6 is excellent). The premises are located within close proximity to Barking Town Centre and within easy reach of bus and tube networks. Accordingly, the proposed development is considered to be suitably sited for access by foot, bicycle or public transport. As such the lack of car parking for staff and visitors is considered to be acceptable.

The proposed development would result in a beneficial community facility that will contribute towards educating young people ultimately helping them into jobs and reducing unemployment rates. The beneficial nature of the development for the local community is considered to outweigh the loss of office space in this case.

**Recommendation:**

That the Development Control Board grant planning permission subject to the following conditions:
1) The development permitted shall be begun before the expiration of three years from the date of this permission.

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

2) The premises shall be used as a tuition centre; and for no other purpose (including any other purpose in Class D1; of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

Reason: To protect the locality by avoiding the introduction of a use detrimental to its amenities in accordance with Policy BP8 of the Local Development Framework Borough Wide Development Policies.

<table>
<thead>
<tr>
<th>Contact Officer</th>
<th>Title: Development Management Officer</th>
<th>Contact Details: Tel: 020 8227 3067 E-mail: <a href="mailto:ian.drew@lbld.gov.uk">ian.drew@lbld.gov.uk</a></th>
</tr>
</thead>
</table>

1. **Introduction and Description of Development**

1.1 The application site is a 2 storey detached building located on the eastern side of North Street, Barking close to the junction with Gurdwara Way. The site is adjoined to the east and north by Northbury Primary School. The application seeks permission for a proposed change of use from office accommodation (Class B1) to a tuition centre (Class D1).

1.2 The proposed tuition centre will offer private tuition to students from age 5 years to 18 years (Year 1 to A Level). It is stated that the centre would offer 8 hours free education per month to students. The proposed facility also seeks to offer free online assessment tests for Year 2 and Year 6 SAT exam practice, and learning material for GCSE and A Level exam practice. The opening hours will be between 9.00am – 9.00pm Monday to Sunday. No car parking is provided within the site for staff or visitors.

2. **Background**

2.1 No relevant planning history

3. **Consultations**

3.1 9 Neighbouring occupiers were consulted. No responses were received.

3.2 **Transport Development Management Team**

The current Public Transport Accessibility Level (PTAL) rating has been determined at a level 6a, on a scale of 1 to 6 where 6 is excellent.

There is no dedicated drop-off/pick-up area at this location which can be used by parents in a vehicle without impeding traffic free flow. However, we believe this location is workable if parents are discouraged to drive to the tuition centre; and in
case of necessity where driving is unavoidable, they should be advised to use the London Road multi-storey car park.

The above is to mitigate against illegal/inconsiderate parking thereby causing inconvenience to nearby residents. Subject to the above, we have no objections.

4. Local Finance Considerations

4.1 The scheme is exempt from the Mayoral and Local Community Infrastructure Levy.

5. Analysis

5.1 Policy BE5 of the Borough Wide Development Policies DPD states that any loss of office space (whether in use or vacant) will only be considered acceptable if all of the following criteria are met:

5.2 There is evidence that the possibilities of re-using, refurbishing or otherwise improving the site to encourage continuing B1 office use have been fully considered and explored over a period of time;

5.3 The building has been vacant since 2015, the premises is small providing a gross internal floor space of approximately 82sqm. Such a small office has only limited commercial appeal, such buildings traditionally attract only small/start up businesses, with prospective tenants often unable to provide evidence that they can meet the financial criteria required.

5.4 The alternative scheme will contribute significantly to wider regeneration initiatives;

5.5 The Borough’s Core Strategy sets out, amongst other things, the strategic objectives for Borough. It is considered that the proposed development would contribute to the wider regeneration initiatives of the Council by helping to achieve strategic objectives SO.2 and SO.5 which state:

SO.2 – Ensuring development and growth helps to reduce inequalities and promote community cohesion by providing high quality, accessible, inclusive and integrated social infrastructure.

SO.5 – Addressing low income and qualification levels and high unemployment rates by helping local people into more rewarding, better paid jobs and supporting developments and new schemes that will provide accessible and high quality employment, education and childcare opportunities.

5.6 The alternative scheme will help to achieve a higher quality of design and / or improvements to the public realm;

5.7 The proposed development does not involve any external changes to the building and accordingly is not capable of achieving a higher quality of design and / or improvements to the public realm. 5.8 If possible, employment and training opportunities are retained or created as part of the new development;

5.9 The proposed development would provide employment and training opportunities for the community.
5.10 Policy BE5 further states that the Council’s preferred alternative use will be community based and before other new uses are proposed, the possibility of provision of a beneficial community facility must have been fully and genuinely explored. The proposed development is considered to be a beneficial community facility and therefore meets this requirement.

5.11 Policy CC2 of the Core Strategy states that in order to maintain and improve community wellbeing, 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.

5.12 Policy CC2 further states that community facilities should be sustainable and accessible by being located where they can be accessed on foot, bicycle or public transport, rather than only by car; be fully accessible for people with disabilities; be well linked to housing, jobs, shopping, leisure and other local services; and be located in close proximity to the community they will serve.

5.13 The application site has a Public Transport Accessibility Level (PTAL) rating of 6a on a scale of 1-6 (where 6 is excellent). The premises are located within close proximity to the town centre and within easy reach of bus and tube networks. Accordingly, the proposed development is considered to be suitably sited for access by foot, bicycle or public transport. As such the lack of car parking for staff is considered to be acceptable.

5.14 The proposal is therefore considered to meet the requirements of Policy CC2. The proposed tuition centre will promote the development of key skills and attainment of qualifications which will be accessible for children and young people from the local area, which in turn has a direct correlation to the employability and overall well being of the community.

6. Conclusion

6.1 The proposed development would result in a beneficial community facility that will contribute towards educating young people ultimately helping them into jobs and reducing unemployment rates. The beneficial nature of the development for the local community is considered to outweigh the loss of office space in this case.

Background Papers

- Planning Application File [http://paplan.lbbd.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OKNOTPBLJWV00](http://paplan.lbbd.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OKNOTPBLJWV00)

- Local Plan Policy

  Local Development Framework Core Strategy (July 2010):
  
  Policy CC2 – Social Infrastructure to Meet Community Needs

  Local Development Framework (LDF) Borough Wide Development Plan Document (DPD):
Policy BE5 – Offices - Design and Change of Use
Policy BP8 – Residential Amenity
Policy BP11 – Urban design
Policy BR9 – Parking
Policy BR10 – Sustainable Transport

The London Plan (2016):

Policy 6.13 – Parking
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DEVELOPMENT CONTROL BOARD

8 May 2017

Title: Town Planning Appeals

Report of the Development Management Manager, Regeneration Division

<table>
<thead>
<tr>
<th>Open Report</th>
<th>For Information</th>
</tr>
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<tbody>
<tr>
<td>Wards Affected: Abbey, Alibon, Eastbrook, Eastbury, Longbridge, Mayesbrook, River, Whalebone</td>
<td>Key Decision: No</td>
</tr>
<tr>
<td>Report Author: Dave Mansfield, Development Management Manager</td>
<td>Tel: 020 8227 3999  E-mail: <a href="mailto:dave.mansfield@lbld.gov.uk">dave.mansfield@lbld.gov.uk</a></td>
</tr>
<tr>
<td>Accountable Director: John East, Growth and Homes</td>
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</tbody>
</table>

Summary:
This report advises Members of recent appeals that have been lodged and the outcomes of decisions made.

Recommendation(s)
The Development Control Board is asked to note this report.

1. Appeals Lodged

The following appeals have been lodged:

   a) Conversion of outbuilding into two bedroom bungalow (retrospective) – Annexe to 1 Gay Gardens, Dagenham (Ref: 16/01306/FUL)

   Application refused under delegated powers 13 October 2016 – Eastbrook Ward.

   b) Erection of single storey detached dwelling - Land To Rear Of 82 Saville Road, Chadwell Heath (Ref: 16/00948/FUL)

   Application refused under delegated powers 8 September 2016 – Whalebone Ward.

   c) Change of use from production and storage of cullet to production and storage of secondary aggregates - Land adjoining Gulf House Lane, Perry Road, Dagenham (Ref:16/01295/CTY)

   Application refused under delegated powers 17 November 2016 – River Ward.

   d) Erection of first floor side/rear extension – 45 Clare Gardens, Barking (Ref: 16/01717/FUL)
Application refused under delegated powers 23 January 2017 – Longbridge Ward.

e) Erection of single storey detached dwelling - Land to rear of 82 Saville Road, Chadwell Heath (Ref: 16/00948/FUL)

Application refused under delegated powers 8 September 2016 – Whalebone Ward.

f) Erection of two storey side and rear extension – 83 Meadow Road, Barking (Ref: 16/01510/FUL)


2. Appeals Determined

2.1.1 The following appeal has been determined by the Planning Inspectorate:

a) Erection of first floor side/rear extension, conversion of garage to study, and replacement outbuilding in rear garden 7 Oulton Crescent, Barking (Ref: – 16/01229/FUL – Longbridge Ward)

Application refused under delegated powers 4 October 2016 for the following reason:

1. The proposed two storey side extension would partly close off an important gap within the street scene which provides relief from the built up nature of the street and would have a gable end roof which is out of character with the prevailing roof design in the area and would therefore fail to maintain the character of the area and would be harmful to the street scene. The proposed development is therefore contrary to policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document (March 2011) and the Residential Extensions and Alterations Supplementary Planning Document (February 2012).

Planning Inspectorate’s Decision: Appeal allowed 14 March 2017 (see attached)

b) Enforcement appeal – Change of use of single dwellinghouse to house in multiple occupation – 79 Oulton Crescent, Barking (Longbridge Ward)


c) Erection of two bedroom bungalow in garden – 44 Rugby Gardens, Dagenham (Ref: 16/00727/FUL – Mayesbrook Ward)

Application refused under delegated powers 19 August 2016 for the following reasons:

1. The proposed bungalow would be out of scale and character with the surrounding development, with a cramped and awkward siting, that would be harmful to the character and appearance of the rear garden environment and street scene, and would create a narrow and oppressive approach to the front doors of the adjacent maisonettes and could create a precedent for future
similar developments, contrary to policy CM1 of the Core Strategy, and policies BP8 and BP11 of the Borough Wide Development Policies DPD.

2. Due to inadequate gross internal area, a lack of storage space and inadequate door widths the proposed bungalow would not provide an acceptable standard of accommodation contrary to the requirements of policies 3.5 and 3.8 of the Minor Alterations to the London Plan.

3. The proposed dwelling would provide no off street parking and would contribute to existing high levels of on street parking demand within Rugby Gardens, that has the potential to harm the amenities of existing residents and be harmful to highway safety, contrary to policies BR9 and BP8 of the Borough Wide Development Policies DPD.


d) Application for prior approval of proposed single storey rear extension (depth: 5.0 metres; height to eaves: 2.6 metres and maximum height: 3.35 metres) – 33 Standfield Road, Dagenham (Ref: 16/01101/PRIOR6 – Alibon Ward)

Application refused under delegated powers 22 August 2016 for the following reason:

1. The proposed extension would have an unacceptable impact on the amenities of neighbouring occupiers by virtue of its excessive depth which would result in a loss of light and outlook and would be detrimental to the amenities of and living standards enjoyed by adjoining occupiers at No.31 Standfield Road contrary to Policies BP8 and BP11 of the Borough Wide Development Polices DPD and the guidance within the Residential Extensions and Alterations SPD.


e) Enforcement appeal – Erection of single storey side extension – 12 Felhurst Crescent, Dagenham (Eastbrook Ward)


f) Enforcement appeal – Conversion of single dwelling into 2 flats – 19 Temple Avenue, Dagenham (Whalebone Ward)


g) Enforcement appeals – Change of use of single dwelling to house in multiple occupation – 21 Somerby Road, Barking (Abbey Ward)


h) Demolition of single storey building and erection of three storey building comprising 10 dwellings - Land between 487 - 535A Rainham Road South, Dagenham (Ref: 16/00938/FUL – Eastbrook Ward)
Application refused under delegated powers 27 September 2016 for the following reasons:

1. The proposed development, by reason of its design and appearance, would result in an intrusive and dominant addition to the street scene, harmful to the character of the area and visual amenities of existing residential occupiers and contrary to Policy CP3 of the Core Strategy (July 2010) and Policy BP11 of the Borough Wide Development Policies DPD (March 2011).

2. The proposed development would, by reason of its siting and proximity to residential properties in Durham Road, result in a loss of outlook, harmful to the living standards and visual amenities of existing and future occupiers of Durham Road and contrary to Policy BP8 of the Borough Wide Development Policies DPD (March 2011).

3. The proposed energy strategy fails to achieve sufficient carbon dioxide emissions savings contrary to the Mayor's Energy Hierarchy and Policy 5.2 of the London Plan (March 2016).

Appeal Decision

Site visit made on 28 February 2017

by J Bell-Williamson MA MRTP
an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 14th March 2017

Appeal Ref: APP/Z5060/D/16/3165231
7 Oulton Crescent, Barking IG11 9HE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Faruk Ahmed against the decision of the Council of the London Borough of Barking & Dagenham.
- The application Ref 16/01229/FUL, dated 6 August 2016, was refused by notice dated 4 October 2016.
- The development proposed is described as ‘conversion of a garage in habitable room and two storey first floor side and part two storey rear extension’.

Preliminary Matter

1. The appellant indicates that the description of development has changed from that shown on the application form, referred to above. Consequently, I have dealt with this appeal on the basis that the development proposed is ‘erection of first floor side/rear extension, conversion of garage to study and replacement outbuilding in rear garden’.

Decision

2. The appeal is allowed and planning permission is granted for erection of first floor side/rear extension, conversion of garage to study and replacement outbuilding in rear garden at 7 Oulton Crescent, Barking IG11 9HE. The permission is granted in accordance with the terms of the application, Ref 16/01229/FUL, dated 6 August 2016, subject to the following conditions:

   1) The development hereby permitted shall begin not later than three years from the date of this decision.

   2) Development shall be carried out in accordance with the following approved plans: 16141_104A (location plan), 16141_106B and 16141_107B.

   3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

   4) The outbuilding hereby permitted shall be used only for purposes ancillary to the use of the dwellinghouse and shall not be used as an independent unit of accommodation.
Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the street scene.

Reasons

4. The appeal property is a two storey end of terrace house in a residential road of predominantly terraced dwellings. No 7 and its neighbour, No 9, have adjoining single storey garages, with a gap above this providing separation between properties at first floor and roof levels.

5. The proposal involves the infilling of this space across the full height of the appeal property to the boundary, with the hipped roof becoming a gable. I note, however, that a Certificate of Lawful Development was issued in respect of a loft conversion at No 7 (ref 16/00702/CLU_P) and this work had been undertaken at the time of the inspection. This includes a hip to gable conversion, a rear dormer and front rooflights.

6. Policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document require all development to, amongst other matters, protect and enhance the local character and amenity of the area. These policies are supplemented by more recent guidance in the Residential Extensions and Alterations Supplementary Planning Document (the SPD). This says with regard to side extensions that they should be particularly sympathetic in terms of their form, roof treatment, detailing and materials (paragraph 5.4.1); and that where it is considered that the gaps between buildings contribute positively to the character of the area it will be expected that the first floor of proposed extensions are set off the side boundary of the site (paragraph 5.4.2).

7. The design and materials for the side extension would match those of the existing building and, therefore, the Council’s principal concern is the extent of development to the boundary and the hip to gable conversion. The main parties provide evidence of the properties that have been subject to changes through infilling the gaps above garages. From the site inspection, it is clear that a number of such gaps have been lost along the full length of Oulton Crescent and that some of these are near to the appeal property. Consequently, any pattern of gaps that contributed to the street scene has changed over time and the result is of a street of largely terraced properties with a few irregular gaps. I agree, therefore, with the appellant that it is not the case that separation gaps remain a common characteristic of this part of the street.

8. I acknowledge that the Council introduced the specific guidance in the SPD referred to above to prevent the loss of gaps and that most of the changes within Oulton Crescent took place before it was published. Nonetheless, taking account of the original terraced properties and the infilling that has taken place, the predominant character of the street scene is of properties with no gaps and in the limited instances where these do occur there is no clear pattern or regularity to them. It cannot reasonably be said, therefore, in the terms of the SPD that in this case gaps contribute positively to the character of the street. In this setting, the partial infilling of the gap between the appeal property and its neighbour would not be uncharacteristic or materially harmful.
9. As a result of the majority form of development in the street, there are few examples of hipped roofs and the appeal property already has a gable albeit in a different position to that of the proposed extension. The extension of this existing roof form sideways would not, for the reasons already given, lead to a harmful effect on the street scene.

10. I acknowledge the Council’s concern that allowing this proposal could make it more difficult to resist similar applications, including at No 9, which would lead to full closure of the existing gap. I am mindful, however, of the principle that development proposals must be considered on their individual merits and I have found above that no unacceptable harm would result from the current proposal. Any future development proposals would need to be similarly considered on their merits against policies and circumstances pertaining at the time. However, current concerns about such proposals coming forward are not of sufficient weight to lead to a different overall conclusion in this case.

11. The rear extension would be of limited depth and typical domestic scale and appearance. As such, no harm would result. While relatively large, the proposed outbuilding would be positioned at the end of the garden close to a similar structure in the adjacent garden. I agree with the Council, therefore, that any effects on surrounding amenity would be limited and would not result in substantive harm.

12. Accordingly, I conclude for the reasons given that the proposal would not have an acceptably harmful effect on the character and appearance of the street scene. As such, there is no conflict with the policies and guidance referred to in paragraph six above.

Conditions and overall conclusion

13. Of the Council’s suggested conditions I have imposed the standard time condition and, to ensure the proper implementation of development, one requiring development to be carried out in accordance with the approved plans. I agree also that a condition requiring the external materials used in the extension to match those of the existing building is needed in the interests of the appearance of the host dwelling and wider area.

14. I agree that it is necessary to ensure that the outbuilding is used only for purposes ancillary to the use of the appeal property. Any separate residential use would be uncharacteristic of the area and potentially harmful to neighbouring living conditions. I have, therefore, imposed a condition requiring such ancillary use only. I disagree, however, that it is necessary to require approval of the design, location and external appearance of the building as these are all shown on the submitted plans. I have, therefore, omitted this element of the suggested condition.

15. For the reasons given above and having regard to all other matters raised, it is concluded that the appeal should succeed.

J Bell-Williamson

INSPECTOR
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Appeal Decision

Site visit made on 18 April 2017

by K R Saward Solicitor

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 20 April 2017

Appeal Ref: APP/Z5060/C/16/3164915

12 Felhurst Crescent, Dagenham, Essex RM10 7XT

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeal is made by Mr Arnas Petrauskas against an enforcement notice issued by the Council of the London Borough of Barking & Dagenham.
- The enforcement notice was issued on 17 November 2016.
- The breach of planning control as alleged in the notice is without planning permission, the unauthorised construction of an extension to the side of the property.
- The requirements of the notice are:
  - Remove the unauthorised extension to the side of the property.
  - Remove all waste material from the site.
- The period for compliance with the requirements is 3 months.
- The appeal is proceeding on the ground set out in section 174(2) (c) of the Town and Country Planning Act 1990 as amended. Since the prescribed fees have not been paid within the specified period, the application for planning permission deemed to have been made under section 177(5) of the Act as amended does not fall to be considered.

Decision

1. The appeal is dismissed and the enforcement notice is upheld.

Reasons

2. The appeal has been brought on ground (c). This ground is that the matters alleged in the notice do not constitute a breach of planning control. The onus is on the appellant to make out the case that there has not been a breach of planning control.

3. The appeal property is a two storey end of terrace house occupying a corner plot in Felhurst Crescent. It has been extended at the side by a single storey addition.

4. The appellant maintains that the extension amounts to permitted development because the height and width falls within the parameters of permitted development. Pursuant to Article 3(1) and Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development)(England) Order 2015 planning permission is granted as permitted development for the enlargement, improvement or other alteration of a dwellinghouse. This is subject to a number of limitations and conditions, all of which must be fulfilled.

5. Development is not permitted by Class A where the enlarged part of the dwellinghouse would extend beyond a wall which fronts a highway and forms a side elevation of the original dwellinghouse (paragraph A.1.(e)).
6. As the appeal property sits on a corner plot, both the front and side elevation front the highway in Felhurst Crescent. The extension has been built against the original side elevation of the house. As the extension extends beyond that side wall which fronts the highway, it does not comply with paragraph A.1.(e).

7. Even though the enlarged part of the dwellinghouse may fulfil paragraph A.1.(j) by not exceeding 4m in height and not having a width greater than half the width of the original dwellinghouse, it cannot be permitted development when the limitations in paragraph A.1.(e) are not met.

8. Notwithstanding its use as ancillary accommodation to the main dwelling, the extension itself falls outside the scope of permitted development. Express planning permission was required and not obtained.

9. I conclude as a matter of fact the breach, as alleged, has occurred and the appeal must fail.

KR Saward

INSPECTOR
Appeal Decision
Site visits made on 21 February 2017 and 20 April 2017

by Diane Fleming  BA (Hons) MRTP
an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 24 April 2017

Appeal Ref: APP/Z5060/C/16/3159551
19 Temple Avenue, Dagenham, Essex RM8 1LL

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeal is made by Mrs Jooli Joseph against an enforcement notice issued by the Council of the London Borough of Barking & Dagenham.
- The enforcement notice was issued on 12 September 2016.
- The breach of planning control as alleged in the notice is without planning permission, the unauthorised subdivision of the property into two residential units.
- The requirements of the notice are
  - Cease the use of the property as two residential units;
  - Return the use of the property to a single family dwelling house;
  - Remove all fittings and alterations related to the unauthorised use as two residential units; and
  - Remove all subsequent waste material from the property.
- The period for compliance with the requirements is three months.
- The appeal is proceeding on the grounds set out in section 174(2)(b), (d) and (f) of the Town and Country Planning Act 1990 as amended.

Decision

1. It is directed that the enforcement notice is corrected by: the deletion of the words 'unauthorised subdivision' and the substitution of the words 'material change of use' and varied by: the deletion of the word 'two' and the substitution of the word 'separate' from the first requirement and the deletion of the second requirement of the notice set out in paragraph 5. Subject to these corrections and variations the appeal is dismissed and the enforcement notice is upheld.

Procedural Matter

2. A site visit was arranged for 10.45am on Tuesday 21 February 2017 and the appellant was informed about this on 4 January 2017. The letter set out that it was important that the appellant make arrangements for the Inspector to be met at the site to enable the inspection to be made. If the appellant could not attend then she was to arrange for someone else to take her place and if that was not possible she was to inform the Planning Inspectorate. The details of the site visit were also emailed to the appellant’s new agent on 20 February 2017 when it was confirmed that the site visit would still go ahead as planned even though new agents had been appointed and new grounds of appeal pleaded.

3. On the day of the site visit neither the appellant nor a representative met the Inspector at the site and the Inspector had not been advised of any other
arrangements. The Inspector had been met at the site by a representative from the Council who knocked at the door of the premises and spoke to a gentleman who knew about the visit and purported to know the appellant but would not permit entry. The Council’s representative telephoned the agent but received no reply. The gentleman therefore telephoned the appellant who subsequently spoke to the Inspector. Initially she claimed not to know about the site visit but then advised she did not wish the visit to go ahead unless she was there and she was unable to attend as arranged. The tenant from the first floor was prepared to permit entry to her living area but the gentleman refused access to the premises and so in the circumstances the visit was then aborted.

4. Paragraph B.9 onwards of the Procedural Guide: Enforcement Notice Appeals, England\(^1\) states ‘Where the appeal concerns a case which will be decided purely on the basis of technical and/or legal interpretation of the facts the Inspector may decide the appeal without a site visit.’ In this case the appeal was made initially on ground (b). The appellant then sought to add appeals on grounds (d) and (f) though no facts ever accompanied those grounds. The appellant has not submitted a Statement of Case and in the circumstances it was considered appropriate to arrange a second site visit at 11.00am 20 April 2017. Whilst the appellant did not attend this site visit, the Inspector was accompanied by a Council representative and was shown around the property by the tenants.

5. An enforcement notice must enable every person who receives a copy to know exactly what, in the Council’s view, constitutes the breach of planning control. It is not clear in this case as the description of the allegation is stated as being the ‘subdivision of the property into two residential units’. Subdividing a property does not necessarily amount to a change of use requiring planning permission. Rather it is the making of a material change of use that is defined as development in the Town and Country Planning Act 1990.

6. I consider though that the appellant has not been misled by the incorrect framing of the allegation. This is because from the ground (b) appeal she refers to the premises already being ‘granted double dwelling’ which is an understanding of the nature of the breach of planning control. This error can therefore be corrected without causing injustice to the appellant.

**The appeal on ground (b)**

7. Under a ground (b) appeal the onus of proof falls upon the appellant to show that the alleged breach of planning control has not occurred as a matter of fact. In this case the Council allege that there has been a material change of use to two residential units.

8. The appellant submits that she was not aware of the breach of planning control, that no structural changes have been made by her, that a previous landlord built the extension and that she pays two lots of Council tax for the property. However, these statements do not demonstrate that the alleged breach of planning control has not occurred as a matter of fact and the appellant does not deny that the property is occupied as two units of accommodation. Furthermore she even pays Council tax for both of them.

\(^1\) Published 23 March 2016
9. At the site visit I saw that the property has been divided into two residential units with a flat on each floor, each with its own kitchen and bathroom. It is therefore concluded that the evidence supports the allegation that there has been a material change of use of the property into two residential units. The appeal on ground (b) therefore fails.

The appeal on ground (d)

10. This ground of appeal is that at the date when the notice was issued, no enforcement action could be taken. The burden of proof in an appeal on this ground lies with the appellant. She needs to show, on the balance of probability, that the material change of use of the property to two flats took place more than four years before the notice was issued and that it has continued, without material interruption, since that date. The notice was issued on 12 September 2016 so the appellant needs to show that the material change of use began no later than 12 September 2012.

11. The appellant provides no facts to support this ground of appeal. The Planning Practice Guidance advises\(^2\) that if a local planning authority has no evidence itself, nor any from others, to contradict or otherwise make the appellant's version of events less than probable, there is no good reason to reject it. This is provided the appellant’s evidence alone is sufficiently precise and unambiguous, on the balance of probability.

12. Whilst the appellant has indicated that she wishes to appeal on ground (d), unfortunately she has not demonstrated the veracity of her claim. Furthermore, the appellant does not contradict the Council’s submissions with any further comments and offers no detailed information on the condition of the property prior to her purchase.

13. The Council submit a copy of an extract from a website Rightmove that shows that the property was listed for sale as a three bedroom terrace house in December 2014. No mention is made in the description of the property that it has been subdivided into flats.

14. The burden of proof rests with the appellant and from the extremely limited amount of material before me I conclude that the appellant has not satisfied the requirement to submit evidence that is sufficiently precise and unambiguous. Consequently she has not discharged the onus of proof to demonstrate that the use of the property as two flats has been in existence for the relevant period before the issue of the notice, on the balance of probability. The appeal on ground (d) therefore fails.

The appeal on ground (f)

15. The appeal on ground (f) is that the requirements of the notice exceed what is necessary to achieve the purpose. The purposes of an enforcement notice are set out in section 173 of the Act and are to remedy the breach of planning control (s173(4)(a)) or to remedy injury to amenity (s173(4)(b)). In this case the Council require the cessation of the unauthorised use and the removal of fittings and alterations which facilitate the operation of the use. The purpose of the notice would therefore appear to be to remedy the breach of planning control.

\(^2\) Reference ID: 17c-006-20140306
16. The appellant submits no facts to support this ground of appeal. The onus is on the appellant to state the precise details of any lesser steps otherwise it is not possible to judge whether the Council’s requirements are excessive or not. The appeal on ground (f) therefore fails.

17. It is necessary to vary the notice by the deletion of the requirement to return the property to use as a single family dwelling house. This is because an enforcement notice cannot require the revival of a previous use. Neither party would be prejudiced by this change. In addition it is not necessary to specify that use as two residential units should cease, merely that use as separate residential units should cease.

**Conclusion**

18. For the reasons given above I conclude that the appeal should not succeed. I shall uphold the enforcement notice with corrections and variations.

*D Fleming*

INSPECTOR
Appeal Decision

Site visit made on 21 February 2017

by Diane Fleming  BA (Hons) MRTPI
an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 25 April 2017

Appeals Ref: APP/Z5060/C/16/3159386 (Appeal A) and
Ref: APP/Z5060/C/16/3159387 (Appeal B)

21 Somerby Road, Barking, Essex IG11 9XH

- The appeals are made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeals are made by Miss Agne Lilionyte (Appeal A) and Mr Valdas Jurgelionis (Appeal B) against an enforcement notice issued by the Council of the London Borough of Barking & Dagenham.
- The enforcement notice was issued on 24 August 2016.
- The breach of planning control as alleged in the notice is without planning permission, the material change of use of a single family dwelling house to a house in multiple occupation.
- The requirements of the notice are:
  - Cease the mixed use of the single dwelling house as a house in multiple occupation;
  - Remove the fittings and alterations (including locks on doors and kitchen and bathroom fittings) that have been installed to achieve the mixed use of the single family dwelling house as a house in multiple occupation; and
  - Remove all waste and refuse from the site.
- The period for compliance with the requirements is three months.
- Appeal A is proceeding on the grounds set out in section 174(2)(a) and (g) of the Town and Country Planning Act 1990 as amended and Appeal B is proceeding on ground (g).

Decisions

Appeal A

1. It is directed that the enforcement notice is corrected by the deletion of the word ‘four’ from paragraph 4.1. and the substitution of the word ‘ten’. Subject to this correction the appeal is dismissed and the enforcement notice is upheld, and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Appeal B

2. It is directed that the enforcement notice is corrected by the deletion of the word ‘four’ from paragraph 4.1. and the substitution of the word ‘ten’. Subject to this correction the appeal is dismissed and the enforcement notice is upheld.

The Notice

3. The first reason for issuing the enforcement notice is that it appears the breach of planning control has occurred within the last four years. In this respect the Council are mistaken. Only a material change of use to a single dwelling house is immune from action after four years (section 171 of the Town and Country Planning Act 1990) and a house in multiple occupation (HMO) is not a single
dwelling house. It is open to me to correct the notice to put it in order but this can only be done provided there is no injustice to either party. In this case I believe no injustice would be caused to the appellants as they state the use has only taken place since February 2016 and as such, they have not submitted a ground (d) appeal. I will therefore direct that the notice be corrected.

**The ground (a) appeal and the deemed planning application (Appeal A)**

**Main Issues**

4. The main issues are the effect of the development on i) the stock of family housing in the borough; and ii) the living conditions of the existing occupiers having regard to the standard of accommodation.

**Reasons**

**Housing stock**

5. The appeal site is an end of terrace property situated mid-way along Somerby Road which is a short residential street running between Salisbury Road and Cecil Avenue. The building is two storeys in height with an additional room in a loft extension. There are three rooms on the ground floor, four rooms on the first floor, three bathrooms and a rear garden.

6. For the purpose of my determination under the Planning Acts I am required to have regard to the development plan, unless material considerations indicate otherwise. The development plan in this instance is the Council’s Borough Wide Development Policies Development Planning Document, adopted March 2011 (DPD). Policy BC4 of the DPD seeks to preserve and increase the stock of family housing in the borough and the Council does this by resisting proposals which involve the loss of housing with three bedrooms or more.

7. The appellant submits, within her Final Comments, that she accepts the proposal is not in accordance with Policy BC4 and that she relies on a strong set of material considerations to outweigh the policy position. In addition, she submits that regard should also be had to Policy 3.8 Housing Choice of The London Plan (TLP) which is referred to by the Council in the second reason for issuing the notice. This requires that Londoners should have a genuine choice of homes that they can afford and which meet their requirements for different sizes and types of dwellings. The appellant asserts that this is a more up to date policy than Policy BC4 as it was adopted after the publication of the National Planning Policy Framework (the Framework).

8. The Council’s position is that as the dwelling at the appeal site had more than three bedrooms it falls into a category of housing that it wishes to protect. The appellant’s use of the property conflicts with this objective and is therefore unacceptable. This position has been upheld on appeal. Furthermore TLP neither encourages nor supports the material change of use of family housing to HMO use.

9. Within the Facts and Grounds submission the appellant states that the property is a ‘seven room’ property occupied by five tenants with each bedroom being occupied by a single person. However, within the Statement of Case this

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2 Refs: APP/Z5060/C/14/2225868, 14/3000237, 15/3040475 and 16/3146657
changes to ‘Four of the bedrooms have one permanent occupant and the
largest room is occupied by a couple, so the total number of occupiers is six’.
The Council advise that the property ‘is licensed’ to house up to 8 individuals’.
At the site visit I saw two bedrooms with single beds, two bathrooms and a
kitchen on the ground floor and three bedrooms with double beds and a
storeroom on the first floor. The loft room contained a fitted kitchen, sofa and
another bathroom all of which the appellant stated was a communal facility.

10. I am advised when laid out as a dwelling that the building had three or more
bedrooms. I therefore find its use as a HMO conflicts with the objective of
Policy BC4 as it has resulted in the loss of part of the stock of family housing in
the Borough. The supporting text to the policy emphasises that the Council will
take a ‘strict approach’ to preserving larger units and this ‘helps to address the
loss of family homes and aims to ensure that the current deficit is not
worsened by further flat conversions and HMOs’.

11. Policy 3.8 of TLP is a strategic policy and states that boroughs should ensure
that, amongst other matters ‘the planning system provides positive and
practical support to sustain the contribution of the Private Rented Sector (PRS)
in addressing housing needs’. The supporting text advises where new
proposals for HMO use come forward and are constrained by, for example,
Article 4 Directions4, that boroughs should take into account the strategic as
well as the local importance of HMOs.

12. As such, I find there is no conflict between the requirements of Policy 3.8 and
Policy BC4. This is because the Council have found a balance between
addressing their need for family housing as well as recognising the role of the
PRS in considering HMO uses can be suitable subject to various criteria set out
in Policy BC4.

13. Policy BC4 also remains up to date. Within the supporting text to the policy,
reference is made to the current shortage of family housing as highlighted in
the Council’s Housing Strategy 2007-2010. The strategy has now been
refreshed for the period 2012-2017 and maintains that there is still a
requirement for large family housing units and the supply of new housing in the
borough has declined over recent years. I therefore give weight to Policy BC4
as it is consistent with the Framework which sets out the need to boost
significantly the supply of housing. It stresses Councils should use their
evidence base to ensure that their local plan meets the need for housing in the
housing market area which is the approach taken by the London Borough of
Barking and Dagenham.

14. On the first issue whilst the development does not conflict with Policy 3.8 of
TLP, I find that it does conflict with Policy BC4 of the DPD. The appellant
submits though that there are other material considerations which indicate that
planning permission should be granted for the development and I now deal
with each of these in turn.

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3 This is disputed by the appellant who states that she has not received the licence.
4 The Council has made a borough wide Article 4 Direction which has removed permitted development rights for
the change of use from a use falling within Class C3 to a use falling within Class C4. This came into force in May
2012.
Recent appeal decision

15. This decision\(^5\) was made in respect of an enforcement notice with the same allegation as the current appeal. In that case the appellant argued that use as a HMO was no different from use as a single household. The Inspector looked at the planning consequences of the HMO use though and concluded there was a difference. In the current appeal the appellant seeks to make the same argument relying on the criteria listed in Policy BC4. She submits that as the Council have raised no objections to the manifestation of the HMO use there are no planning consequences and that this is a material consideration. However, the Council do take issue with one aspect of the HMO use, namely the standard of accommodation and the occupiers of the neighbouring property also raise concerns about refuse, noise and disturbance. I will deal with these matters in due course.

Article 4 Direction

16. The appellant refers to the reasons for the making of the Article 4 Direction to support her case and includes a copy of the Council’s Cabinet report from March 2011 that dealt with the matter. In particular, she relies on a point made in the report that the Direction is necessary to retain a reasonable stock of small/medium sized dwellings for families moving out of ‘flatted’ accommodation. As the appeal site would not be a small/medium sized dwelling if the HMO use were to cease, this demonstrates that the HMO use does not conflict with the Council’s general housing strategy and is a material consideration. However, when read as a whole, the Cabinet report presents a more holistic argument for the making of the Direction and there are references to the need to preserve the stock of family-sized houses.

HMO licence

17. The appellant states she applied for a HMO licence in March 2016, as required by the Housing Act 2004. She submits that the licencing system complements planning policy by ensuring a good standard of accommodation and that this is a material consideration. I find such licences ensure that there are suitable facilities such as toilets, bathroom and cooking provision within a property and that rooms are of an adequate size but their scope does not address whether use as a HMO affects the stock of housing in an area.


18. From these documents the appellant submits that the Council is failing to meet its housing targets and the delivery of affordable housing. Therefore the Council needs to rely on other sources of housing such as HMOs. The development at the appeal site has been built to a good standard and therefore its contribution towards meeting housing need should be considered. However, I find that these reports indicate that the number of HMOs in the borough was 400 in 2011 which was 0.6% of the housing stock. Whilst it is predicted that this number will rise, I consider compared to other types of housing, that the contribution of HMOs towards meeting the overall housing needs of the borough is limited.

\(^5\) Ref: APP/Z5060/C/16/3146657 & APP/Z5060/W/16/3146936 dated 2 November 2016
Conclusion on the first issue

19. Taking all these submissions into account I find that there are no material considerations in this case to indicate that the acceptability or otherwise of the development should be determined other than in accordance with Policy BC4. This is the case even though the appellant submits that the development meets the requirements of the Framework for development to be sustainable. This does not override my conclusion on the first issue which is that the development conflicts with Policy BC4.

Standard of accommodation

20. The Council are concerned that the layout of the property fails to meet minimum standards for the provision of internal space and to provide for the changing needs of future occupiers. They refer to Policies BC2, BP6, BP8 and BP11 of the DPD as well as Policy 3.8 of TLP.

21. However, Policy BC2 Accessible and Adaptable Housing and Policy BP6 Internal Space Standards are directed at the creation of new dwellings and are therefore not relevant to this appeal. Furthermore, Policy BP6 is no longer consistent with government policy and has been replaced by the Nationally Described Space Standards for dwellings (adopted by the Mayor of London in 2016). As such, there are no minimum planning standards for the layout of HMO accommodation and as a converted building there is no requirement to make provision for accessible and adaptable dwellings.

22. The appellant makes a comparison with the TLP standard for a five bedroom, six person, single household to support her case that the standard of accommodation at the appeal site is acceptable. She submits that the size of single and double bedrooms exceed the specified minimum floor areas. Whilst her approach might be considered to be pragmatic in the absence of anything else, I find that these standards are designed for dwellings used by single households which may be different from occupation by multiple households. Furthermore, the Council’s HMO licence permits occupation for up to eight people. The appellant states the gross internal floor area of the property is 119 sq m whereas the minimum standard for a six bedroom, seven person household spread over three floors, (the maximum size of property envisaged in Table 3.3), is 129 sq m. Having regard to the appellant’s approach, there is therefore a shortfall in overall floor area notwithstanding the size of each of the bedrooms.

Conclusion on the second issue

23. In the absence of anything else, I consider the issue of the HMO licence is a useful indication that an acceptable standard of accommodation has been provided at the appeal site. One of the core planning principles of the Framework is that planning should always seek to secure a good standard of amenity for all existing and future occupants of buildings. For these reasons I conclude that the development does not cause harm to the living conditions of existing occupiers, having regard to the standard of accommodation.

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6 Set out in Table 3.3 attached to Policy 3.5 of TLP
Other matters

24. Policies BP8 and BP11 are directed at the effect of development on the wider area and the Council have made submissions on this, referring to noise, disturbance and parking. Whilst these matters do not form part of the reasons for issuing the notice, the occupier of No 23 Somerby Road raises concerns about noise, disturbance and overflowing refuse bins.

25. The appellant has submitted layout plans of No 23 which show that in the main these adjoining properties have a stairwell either side of a shared party wall. At first floor level a storage room at the appeal site abuts a bedroom at No 23 and the most rear bedroom at the appeal site abuts a bathroom at No 23. The potential for the transference of noise and disturbance between the properties is therefore limited. In addition, the appellant advises that adequate provision has been made for the storage and collection of waste. I am therefore unable to give much weight to the matters raised by the occupier of No 23.

26. The appellant also suggests that a condition could be imposed to restrict the occupation of the property to no more than six people. This is on the basis that this level of occupation would be similar to occupation by a large household and would allay any fears about additional noise and disturbance made outside the property. If the ground (a) appeal were to succeed then this would be a necessary and reasonable condition, in the interests of protecting the living conditions of neighbouring occupiers. It could also be enforced as the property would be subject to inspections.

27. With regard to parking, I find that the Council’s submissions fail to have regard to the fact that the site is within walking distance of multiple transport links and this reduces the desire to own a car and apply for a parking permit.

28. The Council also submit that the appellant sought to conceal her development by not applying for either planning permission or building regulation approval. However, in order to succeed in this respect they would need to demonstrate that the appellant acted in such a way as to positively deceive the Council with the aim of deliberately undermining the planning process. On the evidence before me I consider she did not as she applied for a HMO licence which would have alerted the Council to the development.

Overall conclusion on the ground (a) appeal and the deemed planning application

29. I find that the development does not have an unacceptable effect on the living conditions of the occupiers, having regard to the standard of accommodation. However, this consideration does not outweigh the material harm the development has on the stock of family housing in the area. I therefore conclude, having regard to all other matters raised, that the appeal on ground (a) fails and that planning permission will not be granted.

The ground (g) appeal (Appeals A and B)

30. The ground (g) appeal is that the three month time period given to comply with the requirements of the notice is too short. The appellants request that this be increased to six months to give the tenants, who all have different contracts, time to find suitable alternative accommodation. The Council submit that it could exercise discretion in terms of seeking compliance with the notice should there be any difficulty with the tenants and that the minimum period required to give Notice to Quit is two months.
31. The time period given for compliance within the enforcement notice is to allow for the unauthorised use to cease and for the physical works associated with the use to be removed. I consider the three month period is sufficient as it allows for the issue of Notices to Quit and for the physical works to be carried out once the property is vacated. These works should be carried out within a reasonable time period to overcome the harm identified by the Council in its reasons for issuing the notice. The appeal on ground (g) therefore fails.

**Conclusions**

**Appeal A**

32. For the reasons given above I conclude that the appeal should not succeed. I shall uphold the enforcement notice with a correction and refuse to grant planning permission on the deemed application.

**Appeal B**

33. For the reasons given above I conclude that the appeal should not succeed. I shall uphold the enforcement notice with a correction.

*D Fleming*

INSPECTOR
Appeal Decision

Site visit made on 14 February 2017

by R J Marshall  LLB DipTP MRTPI
an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date:  24 March 2017

Appeal Ref: APP/Z5060/D/16/3162809
33, Standfield Road, Dagenham, Essex, RM10 8JP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 1, Paragraph A.4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- The appeal is made by Mr N Afzal against the decision of the Council of the London Borough of Barking & Dagenham.
- The application Ref 16/01101/PRIOR6, dated 13 July 2016, was refused by notice dated 22 August 2016.
- The development proposed is single storey rear extension.

Decision

1. The appeal is dismissed.

Background/Procedural matter

2. A single storey extension of the size proposed is permitted development under the provisions of the Town and Country Planning (General Permitted Development) (England) Order (GPDO) 2015. However, under the provision of that Order where an owner or occupier of any adjoining premises objects to the proposed development the prior approval of the local planning authority is required as to the impact of the proposed development on the amenity of any adjoining premises. When considering this impact the local planning authority must take into account any representations made as a result of the notice given to adjoining occupiers and consider the amenity of all adjoining premises, not just the adjoining premises which are the subject of representations.

Main Issue

3. The main issue in this appeal is the effect of the proposed extension on the living conditions of those in the adjoining house, No. 31 Standfield Road.

Reasons

4. The appeal property is an end of terrace house. The proposal is for a single-storey rear extension extending 5 metres out from the main wall of the house. It would have a shallow pitched roof with an eaves height of 2.6 metres and Ridge height of 3.35 metres. It would extend the full width of the property and would thus abut the side boundary with the neighbouring house at no. 31 Standfield Road.
5. An extension of this depth abutting the neighbouring boundary would appear over dominant and intrusive when seen from a sitting out area to the rear of the adjoining property No. 31. I accept that there is an existing boundary fence between the 2 properties. However, it is lower and to some extent see-through. It thus has much less impact than would the proposed extension. Given the proximity of a first-floor window on the ground floor elevation of No. 31 to the site boundary it is likely that, in view of the depth of the proposed extension, there would also be loss of daylight to one of the ground floor rooms in the neighbouring property. At 5 metres in length the extension would be notably longer than the 3.65 metres generally regarded as acceptable in the Council’s adopted Supplementary Planning Document (SPD) Residential Extensions and Alterations. I am less concerned about loss of sunlight given that the proposed extension would lie to the north of this neighbouring house.

6. I appreciate that it is not the occupier of this house who has objected to the proposal. However, I need to have regard to potential future occupiers as well and many would find the proposed extension harmful for the reasons I have given. Whilst the proposed development might provide some screening for the sitting out area at No. 31 this would not outweigh the harm identified and could probably be achieved in other ways.

7. An objection to the proposed extension also came from the occupier of No. 35 Standfield Road. However, there would be a sufficient gap between this house and the appeal property for the proposed extension to cause no undue harm through visual impact or loss of light to the occupiers of this property. Loss of wildlife and impact on drainage would most likely be negligible if not non-existent. Views from the upper floor rear windows of No. 35 onto roof light windows in the proposed extension would so oblique as to cause no unacceptable loss of privacy for those occupying the appeal property. However, lack of harm in these respects would not make the proposal more acceptable given the harm identified to those at No. 31.

8. I conclude that the proposed development would harm the living conditions of those in the adjoining house. No. 31 Standfield Road with special reference to visual impact and loss of daylight. It would be contrary to the SPD referred to above and to Policies BP8 and BP11 of the Planning for the future of Barking and Dagenham Borough Wide Development Policies Development Plan Document (2011) which seek to retain residential amenity.

**Conclusion**

9. For the reasons given above it is concluded that the appeal should be dismissed.

R J Marshall

INSPECTOR
Appeal Decision

Site visit made on 1 March 2017

by Claire Victory BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 22 March 2017

Appeal Ref: APP/Z5060/W/16/3164589

44 Rugby Gardens, Dagenham RM9 4BA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr George Le Port against the decision of the Council of the London Borough of Barking & Dagenham.
- The application Ref 16/00727/FUL, dated 14 May 2016, was refused by notice dated 19 August 2016.
- The development proposed is dividing plot in 2. Construction of single storey bungalow. Second part of plot to be retained as garden space of first floor 1 bedroom flat.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in the appeal are:
   - The effect of the proposal on the character and appearance of the surrounding area;
   - Whether the development would provide satisfactory living accommodation for future occupiers; and
   - The effect of the proposal on highway safety.

Reasons

Character and Appearance

3. The appeal site is a piece of garden land to the north of the host property, a ground floor flat located within a semi-detached maisonette building. No 45, the first floor flat has a garden to the rear of this building, and the appeal site forms the garden to No 44, each with their separate gated access. These properties share a pedestrian access with Nos 42 and 43, flats at the end of a two storey terraced block.

4. Rugby Gardens is a cul-de-sac designed in a T-shape and formed predominantly of semi-detached buildings with some terraced blocks, set out in a regular pattern. The hipped roofed, semi-detached buildings at each end of the cul-de-sac have space on either side formed by side gardens. This open aspect provides relief from the relatively densely built up urban form of Rugby Gardens, and views are possible through the appeal site to the rear of properties on nearby Cannington Road.
5. The proposed dwelling would have an eaves height of 2.7m and a ridge height of 4.9m, and so the dwelling would be visible from the street, closing the gap between the two blocks. In addition, it would be located within about 1 metre from the common boundary with Nos 42 and 43, and about the same distance from the boundary with Nos 44 and 45, and the proximity to the timber fence surrounding the appeal site would add to the cramped appearance of the development.

6. Furthermore, the bungalow would be out of character with the pattern of development in Rugby Gardens. Whilst there are terraced and semi-detached houses and flats, the properties in the cul-de-sac are all two storeys and maintain the original interwar layout. The proposed bungalow, by reason of its siting and design would introduce a discordant element to the composition of Rugby Gardens. As such it would fail to reinforce the local distinctiveness of the area.

7. For these reasons I conclude that the proposal would harm the character and appearance of the surrounding area, and would be contrary to Policies BP8 and BP11 of the Borough Wide Policies Development Plan Document (BWP) (2011). These policies require, amongst other things, that development should have regard to local character and help to create a sense of local identity.

**Living conditions for future occupiers**

8. The Council has confirmed that the room sizes would be adequate but the overall floorspace proposed would be 55sqm gross internal area (GIA). This would be below the minimum floorspace standard of 61 sqm GIA for a three person, 1 storey dwelling, as set out in Policy 3.5 of the Minor Alterations to the London Plan (MALP) (2016). Policy 3.5 also requires storage space to be provided in addition to the GIA requirement. The dwelling would not make provision for additional storage space, and as it would be below the minimum floorspace standard in any case, there would be pressure on other living areas to accommodate storage requirements, to the detriment of the living conditions of future occupiers.

9. Furthermore, the door widths do not meet LP Policy 3.8 of the MALP, which requires all new dwellings to meet the Building Regulation requirement M4 (2) for accessible and adaptable dwellings. This would be particularly relevant for a bungalow, which might be used by an older person or person with mobility difficulties. Consequently, the proposal would not provide adequate living accommodation for all future occupiers.

10. For the above reasons I conclude that the development would not provide satisfactory living accommodation for future occupiers. This would be contrary to Policies 3.5 and 3.8 of the MALP (2016), which require that new developments reflect the minimum space standards and requirements for accessibility and adaptability in order to provide high quality, accessible and sustainable new homes.

**Highway Safety**

11. 44 Rugby Gardens is a ground floor flat, situated at one end of a T shaped cul-de-sac, some distance from the central parking and turning area. There is no

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1 Including Table 3.3 Minimum Space Standards for New Development
vehicular access to the appeal site, with only pedestrian access provided from the turning head.

12. BWP Policy BR9 requires developments to meet the Transport for London car parking standards. The Council has not stated what the parking requirement would be for the two bedroom dwelling, and no off-street car parking spaces are proposed. Nevertheless, on-street car parking is available within Rugby Gardens and along part of Rugby Road in the vicinity of the site, where there are no parking restrictions. As such there is nothing to suggest that additional parking associated with the dwelling could not be accommodated satisfactorily within the locality, or that the lack of parking on site would be likely to cause safety problems for pedestrians or road users.

13. Furthermore, BWP Policy BR9 allows for a relaxation of car parking standards within a CPZ or close to public transport hubs. Although the site lies a short distance outside the controlled parking zone (CPZ) on Rugby Road between Gale Street and Waterbeach Road\(^2\), the site is within walking distance of Becontree underground station and bus services are available on Gale Street.

14. Taking all of the above into account I conclude that the development would not unacceptably increase highway safety risks and thus there would be no conflict with BWP Policies BR9 and BP8. These require development to meet the Transport for London car parking standards and that existing and proposed occupiers are not exposed to unacceptable levels of traffic movement, to, from, and within the site during construction and occupation. The proposal would also accord with the National Planning Policy Framework, which states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development would be severe.

Other Matters

15. It has been suggested that if the Council is the freeholder of the appeal site it could prevent the land from being built on. However, this would be a private legal matter to be resolved between the relevant parties and outside the scope of this appeal. As such I can afford it little weight in making my decision.

Conclusion

16. I have found that there would be no unacceptable harm to highway safety, but the proposal would harm the character and appearance of the surrounding area, and it would not provide adequate living accommodation for all future occupiers.

17. For the reasons set out above I conclude the appeal is dismissed.

Claire Victory
INSPECTOR

\(^2\) The CPZ allows permit parking for residents only between 0830 and 1730 Monday to Friday
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Appeal Decision
Site visit made on 21 February 2017

by Diane Fleming  BA (Hons) MRTPi
an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 20 March 2017

Appeal Ref: APP/Z5060/C/16/3158858
79 Upney Lane, Barking, Essex IG11 9LD

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeal is made by Mrs Zahidha Parveen against an enforcement notice issued by the Council of the London Borough of Barking & Dagenham.
- The enforcement notice was issued on 24 August 2016.
- The breach of planning control as alleged in the notice is without planning permission, the material change of use of a single family dwelling house to a house in multiple occupation.
- The requirements of the notice are:
  - Cease the mixed use of the single dwelling house as a House in Multiple occupation;
  - Remove the fittings and alterations (including locks on doors and kitchens and bathroom fittings) that have been installed to achieve the mixed use of the single family dwelling house as a House in Multiple Occupation; and
  - Remove all waste and refuse from the site.
- The period for compliance with the requirements is three months.
- The appeal is proceeding on the grounds set out in section 174(2)(b) of the Town and Country Planning Act 1990 as amended.

Decision

1. It is directed that the enforcement notice is varied by the deletion of the word ‘mixed’ from the first and second requirements set out in paragraph 5 of the notice. Subject to this variation the appeal is dismissed and the enforcement notice is upheld.

Procedural Matter

2. A site visit was arranged for 11.40am on Tuesday 21 February 2017. The appellant was informed about this on 9 January 2017 and the letter setting out the details of the site visit was sent by email, as the appellant had indicated on her appeal form that this was her preferred method of contact. The letter set out that it was important that the appellant make arrangements for the Inspector to be met at the site to enable the inspection to be made. If the appellant could not attend then she was to arrange for someone else to take her place and if that was not possible she was to inform the Planning Inspectorate.

3. On the day of the site visit neither the appellant nor a representative met the Inspector at the site and the Inspector had not been advised of any other arrangements. The Inspector had been met at the site by a representative from the Council who knocked at the door of the premises and spoke to a tenant. She telephoned the letting agent as she knew nothing about the site...
visit but the agent was unable to assist so in the circumstances the tenant declined to permit the Inspector to enter the premises. The visit was then aborted.

4. Paragraph B.9 onwards of the Procedural Guide: Enforcement Notice Appeals, England\(^1\) states ‘Where the appeal concerns a case which will be decided purely on the basis of technical and/or legal interpretation of the facts the Inspector may decide the appeal without a site visit.’ In this case the appeal has been made solely on ground (b). This will involve an interpretation of the facts and the Procedural Regulations\(^2\) permit a decision being made taking into account only such written representations as have been submitted within the time limits. Having looked at the evidence, I am satisfied that it is not necessary to arrange a second visit and I am content that I have all of the evidence to enable me to make a decision taking into account only the written representations.

The Notice

5. The first and second requirements in paragraph 5 of the notice refer to a ‘mixed’ use of the property. This is incorrect as the allegation is the material change of use of a single dwelling to a house in multiple occupation (HMO) and the parties have responded to this appeal on that basis. I will therefore vary the notice to omit the word ‘mixed’. This would not result in either injustice or prejudice to either the appellant or the Council.

The ground (b) appeal

6. Under a ground (b) appeal the onus of proof falls upon the appellant to show that the alleged breach of planning control has not occurred as a matter of fact. In this case the Council allege that there has been a material change of use of a single dwelling house to a HMO.

7. The appellant submits that she did not know about the breach of control and has no details of the tenants; however she does not deny that the property is occupied by a number of tenants. She states though that this was not her doing and encloses a copy of her agreement with a lettings agency, Nouveau Homes at 29a Longbridge Road, Barking. This deed, which is not dated, is signed by the appellant (who gives her name as Zahida Parveen Iqbal) and Nouveau Homes and covers the letting of the property by the letting agent to tenants and the provision of a guaranteed rent to the appellant for three years. Within the terms of the agreement it states that this is to commence 1 August 2014. On receipt of the enforcement notice the appellant states that she has given notice to the letting agent to empty the property and return the dwelling to her. However it is not clear who she has contacted, or when, as these details were not included with her copy of the email.

8. The Council were first made aware of the HMO use on 3 December 2014 after a Council Tax officer visited the property and found eleven unrelated persons in residence. On 11 December 2014 Primelodge Estates at 29 Longbridge Road, Barking contacted the Council and stated that they were evicting the tenants in order to cease the HMO use. They enclosed a copy of a tenancy agreement, dated 15 June 2014, which was made between Misses Angelova and Doncheva.

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\(^1\) Published 23 March 2016
(the tenants) and themselves and which states that the landlord is Mrs Iqbal. This agreement also states that the landlord’s agent is Primelodge Estates. The Council produced a copy of the eviction notice which was given by Primelodge Estates. There was a follow up visit by a Planning Enforcement officer on 5 August 2015 when seven people were found to be in residence and another visit a year later on 3 August 2016 when it was found that the HMO use was still taking place.

9. I find that, whilst the appellant may have signed an agreement with a letting agency ultimately, as the owner of the property, its use is her responsibility. There is no explanation from the appellant as to why, if she leased the property to Nouveau Homes for the purpose of letting it to tenants by the lessee, that Primelodge Estates appear also to be the landlord’s agent and are managing the property in December 2014. The Council have produced evidence of HMO use by various officers beginning in December 2014 and the appellant has not disputed this evidence. For these reasons I conclude that as the appellant has been unable to demonstrate that the alleged breach of planning control has not occurred as a matter of fact, the appeal on ground (b) fails.

**Conclusion**

10. For the reasons given above I conclude that the appeal should not succeed. I shall uphold the enforcement notice with a variation.

*D Fleming*

INSPECTOR
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Appeal Decision

Site visit made on 14 March 2017

by Richard Aston  BSc (Hons) DipTP MRTPI
an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 30th March 2017

Appeal Ref: APP/Z5060/W/16/3160560
Land between 487-535a Rainham Road South, Dagenham RM10 7XJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Shapeup Investments Limited against the decision of the Council of the London Borough of Barking & Dagenham.
- The application Ref 16/00938/FUL, dated 17 June 2016, was refused by notice dated 27 September 2016.
- The development proposed is demolition of single storey building and erection of three storey building comprising 10 no. dwellings.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:

   - The effect of the proposal on the character and appearance of the area.
   - The effect of the proposal on the living conditions of adjoining occupiers within Durham Road, with particular regard to outlook.

Reasons

Background

3. The proposal before me follows the refusal of a similar application for residential development and the subsequent dismissal of an appeal in 2016. Whilst each case must be determined on its own merits I have had regard to this previous decision in the determination of this appeal.

Character and appearance

4. The appeal site fronts onto Rainham Road South and comprises a broadly rectangular plot of land currently in use for the sale of motor vehicles. Some single storey buildings associated with this use are located towards the rear boundary of the appeal site. The site lies on a busy and well trafficked urban thoroughfare, characterised by a variety of buildings from different periods and of different sizes and designs. This includes three storey blocks opposite with commercial and retail ground floor uses and residential above.

1 APP/Z5060/W/16/3153743.
5. To the rear and sides are modest two storey terraced and semi-detached buildings of a strong traditional character and appearance. There were examples of mansard roofs on flatted blocks further along the road but I found that the prevailing character and appearance of the immediate surroundings and streetscene of the appeal site was one of buildings of a strong traditional scale, roof form and appearance.

6. There are examples of more contemporary architecture, including Dagenham Police Station and further along the road, large contemporary office, commercial and leisure buildings. I share the view of the previous Inspector that these examples are a considerable distance from the appeal site and do not share the same context. In any event I am required to determine the proposal on its own merits.

7. The proposed roof form of the 3 storey building would be a combination of a part mansard style and gable end with forward facing inset balcony and terrace areas and large forward facing windows serving the flats within it. Three glass balconies would project beyond the front elevation and a central flat roof three storey lift core would extend slightly above the ridge. The proposal would also sit substantially forward of the semi-detached building to the side.

8. The form, scale and height of the lift core would be a particularly dominant feature that would unacceptably draw the eye to it and appear at odds with the facades of two storey buildings on this side of the road. Moreover, the juxtaposition within the roof of the inset terraces, projecting balconies, the mansard roof and the lift core would be clearly conspicuous on the approach along the road. Such an array of features and their overall appearance would fail to reflect the traditional roof form of the area and would be an overly dominant and unduly prominent addition to the streetscene that would be discordant.

9. Furthermore, whilst the proposed part use of brick would reflect the prevailing use of building materials in the area, such widespread use of rendered cladding is not reflective of surrounding buildings. This would appear considerably out of keeping and visually jarring, exacerbating its prominence within the street.

10. While I accept there were projecting window features on three storey buildings in the wider area that contain first and second floor windows, such features were not prevalent and they were of a much lesser scale. Projecting balconies on 3 storey residential buildings further along the road were also set out in a more symmetrical arrangement and these buildings were set back much further from the highway. Therefore they have a lesser effect than those proposed and before me.

11. I also acknowledge that in design terms it is not always essential for such a proposal to replicate the traditional design or appearance of a building or area and contemporary design can develop a further layer of townscape which complements, rather than competes with the past. However, despite the changes I find that the attempt at addressing the previous design objections has resulted in an inappropriate and confused mix of traditional and contemporary architectural features that in its context would not represent a high quality of design and would fail to protect or enhance the character of the area.
12. For these reasons, the proposal would cause significant harm to the character and appearance of the area. It would conflict with Policy CP3 of the London Borough of Barking and Dagenham Core Strategy 2010 (‘CS’) and Policy BP11 of the London Borough of Barking and Dagenham Borough Wide Development Policies Development Plan Document 2011 (‘DPD’). These policies require, amongst other things, development to respect, strengthen, protect or enhance the character of an area and achieve a high quality of design.

13. These policies are consistent with the aims and objectives of the National Planning Policy Framework (‘the Framework’) which seeks planning to take account of the different roles and character of different areas and emphasises that good design is indivisible from good planning. Although it indicates that that planning decisions should not attempt to impose architectural styles or particular tastes, it is nevertheless clear that planning decisions should aim to ensure that developments respond to local character, materials and identity. The proposal would therefore also conflict with the design objectives of the Framework.

Living conditions of neighbouring occupiers

14. The 2 storey residential dwellings on Durham Road to the rear of the appeal site have short rear garden depths. I agree with the previous Inspector that the low height of the existing buildings on the appeal site affords a reasonable level of outlook for the occupiers of these properties from any rear facing windows to habitable rooms and from the rear gardens of these properties.

15. The degree of setback of the rear elevation when viewed from the properties would not be oppressive in any views from the rear windows or rear gardens of the properties. It would appear as a continuation of the 2 storey terrace and in combination with an acceptable expanse of roof slope, whilst there would be a change in the view from the properties along Durham Road it would not provide any overwhelming sense of enclosure from the rear or be visually intrusive.

16. For these reasons, the proposal would not cause harm to the living conditions of the occupiers of properties within Durham Road in terms of outlook. It would accord with Policy BP8 of the DPD which requires, amongst other things, development to not lead to significant loss of outlook. The proposal would also accord with the Framework’s objective of always seeking to secure a good standard of amenity for all existing and future occupants of land and buildings.

Other Matters

17. The Council’s third reason for refusal refers to failure to achieve sufficient carbon dioxide emissions savings. There is nothing substantive before me before me to suggest that this could not be achieved with the additional measures suggested by the appellant. These could be secured by a condition were I minded to allow the appeal and is something which may have caused me to go back to the parties. However, because I have dismissed the appeal for other reasons it has not been necessary for me to consider this matter any further.

18. The appellant also refers to the presumption in favour of sustainable development within the Framework. However, the proposal would not accord with an up to date development plan which is not absent, nor is it silent and on
the evidence before me there are no relevant policies that are out of date. As such, it would not be the sustainable development for which the Framework indicates a presumption in favour. In the unweighted balancing exercise required the proposal would provide 10 additional units in an area of high housing demand, close to services and facilities and on a previously developed site. Even in combination with the modest economic and social benefits and the use of sustainable construction methods, these do not outweigh the significant harm to the character and appearance of the area that I have identified.

19. I have also had regard to the appellant’s contention that the proposal would ensure economic viability when compared with a previously approved scheme. Nonetheless, I have not been provided with any substantive viability evidence to demonstrate that proposal would be unviable and consequently, I afford minimal weight to such a consideration.

Conclusion

20. Whilst I have not found harm to the living conditions of adjoining occupiers in terms of outlook, I have found significant harm to the character and appearance of the area. In my view, that is the prevailing consideration and whilst there would be compliance with some policies of the development plan, the proposal would conflict with the development plan, when read as a whole and the Framework. Material considerations do not indicate that a decision should be made other than in accordance with the development plan.

21. Having considered all other matters raised, I therefore conclude that the appeal should be dismissed.

Richard Aston

INSPECTOR
## Applications Decided/Refused under Delegated Powers

**LONDON BOROUGH OF BARKING AND DAGENHAM REGENERATION AND ECONOMIC DEVELOPMENT DEVELOPMENT CONTROL BOARD**

### Application Reference | Decision | Applicant | Brief Description of Development and Location | Ward
---|---|---|---|---
16/01521/CLU_P | Certificate issued on 23 January 2017 | Mr A Khyar | Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of gable end roof, rear dormer window and front rooflights. 92 Upney Lane Barking Essex IG11 9LR | Longbridge
16/01696/FUL | Application Permitted on 23 January 2017 | Mrs L A Ajala | Erection of single storey side and rear extension to create two bedroom flat. 207 Reede Road Dagenham Essex RM10 8EH | Eastbrook
16/01717/FUL | Application Refused on 23 January 2017 | Mr S Zamil | Erection of first floor side/rear extension. 45 Clare Gardens Barking Essex IG11 9JH | Longbridge
16/01850/FUL | Application Permitted on 23 January 2017 | Mr P Fawsitt | Erection of single storey rear extension. 31 Malpas Road Dagenham Essex RM9 5SD | Mayesbrook
16/01856/FUL | Application Permitted on 23 January 2017 | Mr C Chinengundu | Erection of single storey rear extension. 5 Croppath Road Dagenham Essex RM10 8BW | Alibon
16/01997/PRIOR6 | Prior approval required and permission refused on 23 January 2017 | Mr M A Ahmed | Application for prior approval of proposed single storey rear extension (depth: 5.0 metres; height to eaves: 3.0 metres and maximum height: 3.5 metres). 69 Upney Lane Barking Essex IG11 9LD | Longbridge
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## Applications Decided/Refused under Delegated Powers

### 25 January 2017

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## Applications Decided/Refused under Delegated Powers

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<tbody>
<tr>
<td>16/01862/ADV</td>
<td>Permitted</td>
<td>McDonald's Restaurants Ltd</td>
<td>Installation of internally illuminated fascia signs. MacDonal ds Drive In Eldonwall Trading Estate</td>
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<td>Whalebone Lane South Dagenham Essex RM8 1AT</td>
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<td>16/01869/FUL</td>
<td>Permitted</td>
<td>Great Commission Ministries</td>
<td>Retention of alterations to front elevation (retrospective). Unit 1 102 Longbridge Road Barking Essex</td>
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<tr>
<td>16/01870/ADV</td>
<td>Permitted</td>
<td>Great Commission Ministries</td>
<td>Installation of non-illuminated fascia signage (retrospective). Unit 1 102 Longbridge Road Barking Essex</td>
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<tr>
<td>16/01871/FUL</td>
<td>Refused</td>
<td>Mr P Hare</td>
<td>Subdivision of house into 2 one bedroom flats. 69 Salisbury Avenue Barking Essex IG11 9XW</td>
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<tr>
<td>16/01874/FUL</td>
<td>Permitted</td>
<td>LBBD - Mrs J Hardy</td>
<td>Erection of single storey rear extension. 128 Auriel Avenue Dagenham Essex RM10 8BU</td>
<td>Village</td>
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<tr>
<td>16/01987/PRIOR6</td>
<td>Prior approval required and permission refused</td>
<td>Mr D Mensah</td>
<td>Erection of single storey rear extension. 59 Essex Road Barking Essex IG11 7QN</td>
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<tr>
<td>16/01874/FUL</td>
<td>Permitted</td>
<td>LBBD - Mrs J Hardy</td>
<td>Erection of single storey rear extension. 128 Auriel Avenue Dagenham Essex RM10 8BU</td>
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<td>16/01987/PRIOR6</td>
<td>Prior approval required and permission refused</td>
<td>Mr D Mensah</td>
<td>Erection of single storey rear extension. 59 Essex Road Barking Essex IG11 7QN</td>
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## London Borough of Barking and Dagenham
### Regeneration and Economic Development
#### Development Control Board

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<tr>
<td>16/01526/ TPO</td>
<td>Application Permitted on 27 January 2017</td>
<td>Mitchells And Butlers</td>
<td>Application for tree works subject to a tree preservation order: Felling of 3 sycamores, 2 pseudoacacia and 1 horse chestnut, hawthorn and prunus trees. White Horse High Road Chadwell Heath Romford Essex RM6 6NU</td>
<td>Whalebone</td>
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<tr>
<td>16/01550/ FUL</td>
<td>Application Refused on 27 January 2017</td>
<td>Liberty Property Developments Ltd</td>
<td>Removal of external staircase in connection with subdivision of upper floor flat into 2 one bedroom flats. 183A Broad Street Dagenham Essex RM10 9JD</td>
<td>River</td>
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<tr>
<td>16/01794/ FUL</td>
<td>Application Permitted on 27 January 2017</td>
<td>Mr S S Ali</td>
<td>Erection of single storey rear extension and relocated external rear staircase. 33 - 35 Longbridge Road Barking Essex</td>
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<td>16/01810/ FUL</td>
<td>Application Permitted on 27 January 2017</td>
<td>Mr H O Akoto</td>
<td>Erection of single storey rear extension. 20 Park Drive Dagenham Essex RM10 7AA</td>
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<tr>
<td>16/01837/ FUL</td>
<td>Application Permitted on 27 January 2017</td>
<td>Mr S Hussain</td>
<td>Erection of outbuilding in rear garden. 19 Cornworthy Road Dagenham Essex RM8 2DE</td>
<td>Mayesbrook</td>
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<tr>
<td>16/01877/ CLU_P</td>
<td>Certificate issued on 27 January 2017</td>
<td>Mr E Petravicius</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of rear dormer window and front rooflight. 3 Arnold Road Dagenham Essex RM10 9PJ</td>
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<tr>
<td>16/01883/ FUL</td>
<td>Application Refused on 27 January 2017</td>
<td>Mr A Seniunas</td>
<td>Demolition of garage and erection of two storey side extension, single storey front and rear extensions and loft conversion involving construction of rear dormer window. 98 Burdetts Road Dagenham Essex RM9 6XY</td>
<td>Goresbrook</td>
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<tr>
<td>16/01890/ CLU_P</td>
<td>Certificate issued on 27 January 2017</td>
<td>Mr &amp; Mrs Duhitaz &amp; Tawhudul Meah &amp; Hoque</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of rear dormer window and front rooflights. 46 Dereham Road Barking Essex IG11 9HA</td>
<td>Longbridge</td>
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<tr>
<td>16/01891/ FUL</td>
<td>Application Permitted on 27 January 2017</td>
<td>Mr S Hussain</td>
<td>Conversion of garage to habitable room and erection of single storey rear/side extension. 3 Manor Road Barking Essex IG11 9JA</td>
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<tr>
<td>16/01985/ PRIOR6</td>
<td>Prior approval not required on 27 January 2017</td>
<td>Mr S A Hussain</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 6.0 metres; height to eaves: 2.6 metres and maximum height: 4.0 metres). 58 Melford Avenue Barking Essex IG11 9HT</td>
<td>Longbridge</td>
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<tr>
<td>16/02000/ PRIOR6</td>
<td>Prior approval not required on 27 January 2017</td>
<td>Mr P Malik</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 8.0 metres; height to eaves and maximum height: 3.0 metres). 371 Whalebone Lane North Romford Essex RM6 6RH</td>
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<td>16/02001/ PRIOR6</td>
<td>Prior approval required and permission refused on 27 January 2017</td>
<td>Mr I Latif</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 4.0 metres; height to eaves: 2.8 metres and maximum height: 3.2 metres). 66 Thatches Grove Romford Essex RM6 5LH</td>
<td>Chadwell Heath</td>
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<tr>
<td>16/01148/ FUL</td>
<td>Application Permitted on 30 January 2017</td>
<td>Sandra McIntosh</td>
<td>Change of use to a House in Multiple Occupation (retrospective). 39A Ripple Road Barking Essex IG11 7NX</td>
<td>Abbey</td>
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<tr>
<td>16/01857/ FUL</td>
<td>Application Permitted on 30 January 2017</td>
<td>Mr A Tilvikas</td>
<td>Erection of single storey front and rear extension and loft conversion involving construction of rear dormer window. 14 Bull Lane Dagenham Essex RM10 7HA</td>
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<tr>
<td>16/01882/ FUL</td>
<td>Application Permitted on 30 January 2017</td>
<td>EE Ltd &amp; H3G Ltd</td>
<td>Temporary relocation of 6 antennas, 2 dish antennas, equipment cabin and ancillary works on roof of building and permanent relocation of equipment on roof of extended building. New Enterprise House High Road Chadwell Heath Essex</td>
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<tr>
<td>16/01056/ FUL</td>
<td>Application Refused on 31 January 2017</td>
<td>Mr B Patel</td>
<td>Change of use of a single family dwelling (Use Class C3) to a House in Multiple Occupation (Class C4). 7 Cecil Avenue Barking Essex IG11 9TA</td>
<td>Abbey</td>
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<tr>
<td>16/01813/ FUL</td>
<td>Application Permitted on 31 January 2017</td>
<td>Mr M Power</td>
<td>Erection of two storey rear extension to provide additional surgery space and relocation of rear fire escape staircase. Chadwell Heath Orthodontic Practice 165 High Road Chadwell Heath Romford Essex RM6 6NR</td>
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<td>16/01900/ FUL</td>
<td>Application Permitted on 31 January 2017</td>
<td>LBBD - Mrs J Hardy</td>
<td>Installation of access ramp with handrails to front of house. 23 Bennett Road Chadwell Heath Romford Essex RM6 6ES</td>
<td>Whalebone</td>
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<td>16/02002/ PRIOR6</td>
<td>Prior approval not required on 31 January 2017</td>
<td>Mr W Un</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 6.0 metres; height to eaves: 3.0 metres and maximum height: 4.0 metres). 310 Hedgemans Road Dagenham Essex RM9 6BX</td>
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<td>16/02009/ PRIOR6</td>
<td>Prior approval not required on 31 January 2017</td>
<td>Mrs U Vundavalli</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 4.0 metres; height to eaves: 2.82 metres and maximum height: 3.45 metres). 12 Ray Gardens Barking Essex IG11 0PW</td>
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<td>Mr J Ali</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 6.0 metres; height to eaves and maximum height: 3.0 metres). 8 Coombewood Drive Chadwell Heath Romford Essex RM6 6AA</td>
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<tr>
<td>16/01799/ FUL</td>
<td>Application Permitted on 1 February 2017</td>
<td>Mrs H Mulla</td>
<td>Erection of single storey rear conservatory. 78 Lindisfarne Road Dagenham Essex RM8 3SR</td>
<td>Parsloes</td>
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<td>16/01908/ FUL</td>
<td>Application Refused on 1 February 2017</td>
<td>Mr D Daly &amp; K Nikoladze</td>
<td>Erection of two storey side and rear extensions to Nos. 17 and 19, 17 &amp; 19 Ashbrook Road Dagenham Essex RM10 7ED</td>
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<td>16/01909/ FUL</td>
<td>Application Refused on 1 February 2017</td>
<td>Mr N Buzhala</td>
<td>Erection of two storey side extension and front porch. 331 Sheppey Road Dagenham Essex RM9 4JU</td>
<td>Eastbury</td>
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<tr>
<td>16/01897/ FUL</td>
<td>Application Permitted on 2 February 2017</td>
<td>Mr B Tasci</td>
<td>Erection of single storey extension to provide new shop. 114 Becontree Avenue Dagenham Essex RM8 2AU</td>
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<td>16/01911/CLU_P</td>
<td>Certificate issued on 2 February 2017</td>
<td>Mr J Acolatse</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of rear dormer window. 20 Broomfield Road Chadwell Heath Romford Essex RM6 6JT</td>
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<td>16/01912/ FUL</td>
<td>Application</td>
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<td>Erection of two storey side extension, first floor front extension and single storey rear extension.</td>
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<td>16/01913/ FUL</td>
<td>Application</td>
<td>Mr M F Sethi</td>
<td>Demolition of conservatory and rear projection and erection of single storey rear extension.</td>
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<td>119 Wilmington Gardens Barking Essex IG11 9TR</td>
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<td>16/01921/ CLU_P</td>
<td>Certificate</td>
<td>Mr Ioannou</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction</td>
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<td>of gable end roof, rear dormer window and front rooflights.</td>
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<td>2 February</td>
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<td>65 Rose Glen Rush Green Romford Essex RM7 0SL</td>
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<td>16/01923/ CLU_P</td>
<td>Certificate</td>
<td>Mr H Badshah</td>
<td>Application for a certificate of lawfulness for a proposed use: Use of single dwelling as house in</td>
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<td>46 Essex Road Barking Essex IG11 7QL</td>
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<td>16/01924/ FUL</td>
<td>Application</td>
<td>Mr &amp; Mrs Egle</td>
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<td>47 Crescent Road Dagenham Essex RM10 7HS</td>
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<td>Application</td>
<td>Ms S Adeyemi</td>
<td>Erection of outbuilding to provide granny annexe.</td>
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<td>41 Hooks Hall Drive Dagenham Essex RM10 7BD</td>
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<td>16/02016/PRIOR6</td>
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<td>Mr S Z Rahman</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 6.0 metres; height to eaves: 3.12 metres and maximum height: 3.4 metres). 95 Devon Road Barking Essex IG11 7QX</td>
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<tr>
<td>16/01477/FUL</td>
<td>Application Permitted on 3 February 2017</td>
<td>Miss M Kachale</td>
<td>Demolition of rear conservatory and erection of replacement conservatory. 102 Treswell Road Dagenham Essex RM9 6XJ</td>
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<td>16/01487/FUL</td>
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<td>Erection of first and second floor rear extension and external staircase to provide 17 additional guest rooms and new screening to roof of ground floor side extension. 2 Linton Road Barking Essex IG11 8HG</td>
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<td>16/01574/CDN</td>
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<td>East Thames Group &amp; LBBD</td>
<td>Application for approval of details reserved by condition 25 (archaeology) of planning permission 15/01084/FUL in respect of Phase 1A and Phase 1B of the Gascoigne estate east development. Gascoigne Estate East King Edwards Road Barking Essex</td>
<td>Gascoigne</td>
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<td>Application for prior approval of proposed single storey rear extension (depth: 3.65 metres; height to eaves: 2.65 metres and maximum height: 2.95 metres). 229 Osborne Square Dagenham Essex RM9 5BD</td>
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<td>16/02018/ PRIOR6</td>
<td>Prior approval not required on 3 February 2017</td>
<td>Mr S Khan</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 6.0 metres; height to eaves: 2.7 metres and maximum height: 3.6 metres). 20 Halsham Crescent Barking Essex IG11 9HQ</td>
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<td>16/02020/ PRIOR6</td>
<td>Prior approval not required on 3 February 2017</td>
<td>Mrs H Awal</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 6.0 metres, height to eaves and maximum height: 3.0 metres). 10 Ely Gardens Dagenham Essex RM10 7BE</td>
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<td>16/02019/ PRIOR6</td>
<td>Prior approval required on 3 February 2017</td>
<td>Mr M Ali</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 6.0 metres, height to eaves and maximum height: 3.0 metres). 122 Wilmington Gardens Barking Essex IG11 9TU</td>
<td>Longbridge</td>
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<td>16/02021/ PRIOR6</td>
<td>Prior approval required and permission refused on 3 February 2017</td>
<td>Mr S F Ahmed</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 7.0 metres, height to eaves and maximum height: 3.0 metres). 117 Tallow Close Dagenham Essex RM9 6EU</td>
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<td>Application Permitted on 6 February 2017</td>
<td>Mr J Macdonald</td>
<td>Demolition of existing extension and erection of replacement rear extension and external staircase. 683 Green Lane Dagenham Essex RM8 1UU</td>
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<td>Application Permitted on 6 February 2017</td>
<td>Mr T Shipton</td>
<td>Erection of two storey 2 bedroom end of terrace dwelling. 80 Verney Road Dagenham Essex RM9 5JJ</td>
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<td>16/01795/ FUL</td>
<td>Application Permitted on 6 February 2017</td>
<td>Mrs M Khatun</td>
<td>Erection of single storey rear extension. 30 Lancaster Avenue Barking Essex IG11 7RB</td>
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<td>16/01880/ FUL</td>
<td>Application Refused on 6 February 2017</td>
<td>3DReid Architects</td>
<td>Erection of single storey front and rear extensions and loft conversion involving construction of rear dormer window and removal of chimney. 229 Bastable Avenue Barking Essex IG11 0QQ</td>
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<td>Mr Z Sheikh</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of rear dormer window and front rooflights. 61 Victoria Road Barking Essex IG11 8PY</td>
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<td>16/01938/ FUL</td>
<td>Application Permitted on 6 February 2017</td>
<td>Mr M Allaraj</td>
<td>Retention of outbuilding in rear garden. 32 Rose Glen Rush Green Romford Essex RM7 0SP</td>
<td>Eastbrook</td>
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<td>Application Refused</td>
<td>Mr M Allaraj</td>
<td>Erection of single storey front extension and part single/part two storey side and rear extension. 28 Oglethorpe Road Dagenham Essex RM10 7RX</td>
<td>Heath</td>
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<td>16/02022/ PRIOR6</td>
<td>Prior approval required and permission refused</td>
<td>Mrs S Kaur</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 6.0 metres, height to eaves and maximum height: 3.0 metres). 39 Lyndhurst Gardens Barking Essex IG11 9YB</td>
<td>Longbridge</td>
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<td>16/02025/ PRIOR6</td>
<td>Prior approval not required</td>
<td>Mr E Jago</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 3.65 metres, height to eaves and maximum height: 2.95 metres). 62 Vincent Road Dagenham Essex RM9 6AT</td>
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<td>Application Permitted</td>
<td>Mr S Moheuddin</td>
<td>Erection of first floor rear extension. 39 Langley Crescent Dagenham Essex RM9 6TB</td>
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<td>16/01941/ FUL</td>
<td>Application Permitted</td>
<td>Mr W Ryan</td>
<td>Erection of single storey side extension. 156 Billet Road Romford Essex RM6 5PS</td>
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<td>16/01942/ CLU_P</td>
<td>Certificate issued</td>
<td>Mr C Singh</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of gable end roof, rear dormer window and front rooflights. 17 Roxwell Road Barking Essex IG11 0PP</td>
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<td>16/01955/ FUL</td>
<td>Application Permitted on 7 February 2017</td>
<td>Anstee And Ware</td>
<td>Installation of 3 &quot;mushroom' vents on roof apex and 4 off wall vents. 2 The Invicta Centre 11 Alfreds Way Barking Essex IG11 0BA</td>
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<tr>
<td>16/01956/ FUL</td>
<td>Application Permitted on 7 February 2017</td>
<td>Mr G Bassi</td>
<td>Erection of single storey side/rear extension. 462 Whalebone Lane North Romford Essex RM6 6RJ</td>
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<td>Installation of internally illuminated double sided sign to existing pole sign. McDonalds Ballards Road Dagenham Essex RM10 9LU</td>
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<td>Application for a certificate of lawfulness for an existing development: Erection of single storey rear extension and loft conversion involving construction of rear dormer window. 62 Canonsleigh Road Dagenham Essex RM9 4DJ</td>
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<td>16/01958/ CLU_P</td>
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<td>Miss N Bhola</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of rear dormer window and front rooflights. 399 Whalebone Lane North Romford Essex RM6 6RH</td>
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<td>Loft conversion involving construction of rear dormer window. 175 Woodward Road Dagenham Essex RM9 4SU</td>
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<td>Refused on 8 February 2017</td>
<td>Mr D Franklin</td>
<td>Erection of part single storey/part two storey side and rear extension. 242 Hedgemans Road Dagenham Essex RM9 6DH</td>
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<td>16/01807/ FUL</td>
<td>Permitted on 9 February 2017</td>
<td>Lithuanica UK Ltd</td>
<td>Change of use from community centre/place of worship (Class D1) to flexible use for class B1 and B2 industrial use. 23 Thames Road Barking Essex IG11 0HN</td>
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<td>16/01822/ CDN</td>
<td>Permitted on 9 February 2017</td>
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<td>16/01896/ FUL</td>
<td>Permitted on 9 February 2017</td>
<td>Mr B Tasci</td>
<td>Erection of single storey side/rear shop extensions. 110 -114 Becontree Avenue Dagenham Essex RM8 2AU</td>
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<td>16/02026/ PRIOR6</td>
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<td>Mrs L Gonta</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 5.5 metres; height to eaves: 3.0 metres and maximum height: 3.2 metres). 75 Standfield Road Dagenham Essex RM10 8JT</td>
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<td>16/01482/ FUL</td>
<td>Permitted on 10 February 2017</td>
<td>Resco Investments</td>
<td>Application for removal and variation of conditions following grant of planning permission by Planning Inspectorate (Ref: APP/Z5060/W/15/3140439 dated 7 April 2016): Removal of condition 20 (CHP plant) and variation to condition 23 to allow Class A2 use (estate agency only). 4 - 6 Ripple Road Barking Essex IG11 7PE</td>
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<td>16/01630/ CDN</td>
<td>Permitted on 10 February 2017</td>
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<td>Application for approval of details reserved by conditions 23 (investigation and risk assessment) and 24 (remediation scheme) in respect of planning permission 13/01087/FUL. Land Adjacent To 50 Blake Avenue Barking Essex</td>
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<td>Mr M Iqbal</td>
<td>Erection of first floor side extension. 74 Tanner Street Barking Essex IG11 8QF</td>
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<td>16/01815/CLU_P</td>
<td>Certificate issued on 10 February 2017</td>
<td>Mr &amp; Mrs D Owusu-Yeboah</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of rear dormer window. 229 Osborne Square Dagenham Essex RM9 5BD</td>
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<tr>
<td>16/01884/CDN</td>
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<td>Resco Investments Ltd</td>
<td>Application for approval of details reserved by condition 19 (energy statement) in respect of planning permission by Planning Inspectorate (Ref: APP/Z5060/W/15/3140439 dated 7 April 2016). 4 - 6 Ripple Road Barking Essex IG11 7PE</td>
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<td>16/01898/FUL</td>
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<td>Poundworld Retail Ltd</td>
<td>Installation of shopfront. 782 Green Lane Dagenham Essex</td>
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<td>Application Permitted on 10 February 2017</td>
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<td>Installation of internally illuminated fascia and projecting signs. 782 Green Lane Dagenham Essex RM8 1YT</td>
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<td>16/01950/FUL</td>
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<td>Mr Turja</td>
<td>Erection of single storey side and rear extension. 63 Hunters Hall Road Dagenham Essex RM10 8HX</td>
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<td>16/01979/ FUL</td>
<td>Refused</td>
<td>Mr H S Hyer</td>
<td>Erection of single storey side extension. 88 Spring Close Dagenham Essex RM8 1SR</td>
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<td>16/01304/ CLU_E</td>
<td>Certificate refused on 14 February 2017</td>
<td>Mr M S Akhtar</td>
<td>Application for a certificate of lawfulness for an existing use: Use of outbuilding as independent dwelling. 106 Manor Road Dagenham Essex RM10 8BE</td>
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<tr>
<td>16/01699/ FUL</td>
<td>Permitted</td>
<td>Mr S Shah</td>
<td>Erection of single storey rear extension. 181 Lodge Avenue Dagenham Essex RM8 2JL</td>
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<tr>
<td>16/01879/ FUL</td>
<td>Permitted</td>
<td>Mr &amp; Mrs Dhami</td>
<td>Enlargement of existing rear dormer window. 2 Goring Road Dagenham Essex RM10 8BL</td>
<td>Village</td>
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<tr>
<td>16/01949/ FUL</td>
<td>Refused</td>
<td>Mr &amp; Mrs Gargan</td>
<td>Erection of two storey side extension. 331 Porters Avenue Dagenham Essex RM9 4LX</td>
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<tr>
<td>17/00005/ PRIOR6</td>
<td>Prior approval not required on 14 February 2017</td>
<td>Mr Andoh</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 6.0 metres; height to eaves 3.0 metres and maximum height: 3.5 metres). 261 Porters Avenue Dagenham Essex RM9 4LX</td>
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<td>17/00017/ PRIOR6</td>
<td>Prior approval not required on 14 February 2017</td>
<td>Mr S Zaman</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 4.0 metres; height to eaves: 3.0 metres and maximum height: 3.25 metres). 50 Winstead Gardens Dagenham Essex RM10 7TL</td>
<td>Eastbrook</td>
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<tr>
<td>17/00018/ PRIOR6</td>
<td>Prior approval not required on 14 February 2017</td>
<td>Mr S &amp; Mrs T J Denovan</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 4.0 metres; height to eaves: 3.0 metres and maximum height: 3.25 metres). 82 Hunters Hall Road Dagenham Essex RM10 8HX</td>
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<td>17/00024/ PRIOR6</td>
<td>Prior approval not required on 14 February 2017</td>
<td>Mr B Nuhialari</td>
<td>Application for prior approval of proposed single storey rear extension (Depth 4.0 metres; height to eaves 3.0 metres and maximum height: 3.0 metres). 76 Stamford Road Dagenham Essex RM9 4EU</td>
<td>Goresbrook</td>
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<tr>
<td>17/00032/ PRIOR6</td>
<td>Prior approval required and permission refused on 14 February 2017</td>
<td>Mr K Ahmed</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 6.0 metres; height to eaves 2.9 metres and maximum height: 3.0 metres). 13 Bastable Avenue Barking Essex IG11 0NF</td>
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<tr>
<td>17/00039/ PRIOR6</td>
<td>Prior approval not required on 14 February 2017</td>
<td>Mr J Valderueda</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 3.5 metres; height to eaves 2.75 metres and maximum height: 3.85 metres). 74 Blackborne Road Dagenham Essex RM10 8SP</td>
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<td>16/01262/ FUL</td>
<td>Permitted</td>
<td>The Beaver Centre</td>
<td>Erection of three storey extension and five storey lift shaft extension to Beaver Centre and two storey extension to buildings at rear to provide additional employment units, reprovision of church and formation of ancillary security office and caretaker's flat and recladding of existing buildings. The Beaver Centre Selinas Lane Dagenham Essex RM8 1QH</td>
<td>Whalebone</td>
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<tr>
<td>16/01367/ FUL</td>
<td>Permitted</td>
<td>Mr Amruj</td>
<td>Retention of alterations to the rear extension including a domed rooflight in connection with use of storage area for dining (Class A3). 81 Longbridge Road Barking Essex IG11 8TG</td>
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<td>16/01809/ FUL</td>
<td>Permitted</td>
<td>Mr A Ene</td>
<td>Demolition of existing garage and subdivision of land to provide two bedroom chalet bungalow. 67 Oval Road North Dagenham Essex RM10 9EU</td>
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<tr>
<td>16/01858/ FUL</td>
<td>Permitted</td>
<td>Mr F Delia</td>
<td>Retention of single storey rear extension in connection with change of use of Class A2 office to Class A3 cafe (retrospective). 34 London Road Barking Essex IG11 8AG</td>
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<td>16/00767/ FUL</td>
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<td>Mr A Juma</td>
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<td>Application for a certificate of lawfulness for a proposed development: Erection of single storey rear extension. 223 Westrow Drive Barking Essex IG11 9BS</td>
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<td>Mr I Patel</td>
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<td>16/02028/ FUL</td>
<td>Application Refused on 17 February 2017</td>
<td>Mr R Bednarz</td>
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<td>Mr A Mehmood</td>
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<td>Dorel Apostol</td>
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<td>Mr M Docker</td>
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<td>16/01855/ FUL</td>
<td>Permitted on 21 February 2017</td>
<td>Mrs B Begum</td>
<td>Erection of part single/part two storey rear extension. 48 Ingleby Road Dagenham Essex RM10 8SA</td>
<td>Village</td>
</tr>
<tr>
<td>16/01980/ FUL</td>
<td>Permitted on 21 February 2017</td>
<td>Mr A Vaiciulis</td>
<td>Erection of outbuilding in rear garden. 59 Orchard Road Dagenham Essex RM10 9PT</td>
<td>River</td>
</tr>
<tr>
<td>17/00069/ PRIOR6</td>
<td>Prior approval required and permission refused on 21 February 2017</td>
<td>Mr J Badut</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 4.5 metres; height to eaves 3.0 metres and maximum height: 3.0 metres). 254 Woodward Road Dagenham Essex RM9 4TB</td>
<td>Eastbury</td>
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<tr>
<td><strong>22 February 2017</strong></td>
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<tr>
<td>17/00068/ PRIOR6</td>
<td>Prior approval not required on 22 February 2017</td>
<td>Mrs S Begum</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 6.0 metres; height to eaves 2.7 metres and maximum height: 3.0 metres). 306 Parsloes Avenue Dagenham Essex RM9 5QL</td>
<td>Parsloes</td>
</tr>
<tr>
<td>17/00077/ PRIOR6</td>
<td>Prior approval not required on 22 February 2017</td>
<td>Mr A Rama</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 6.0 metres; height to eaves and maximum height: 3.0 metres). 41 Dorothy Gardens Dagenham Essex RM8 2HR</td>
<td>Becontree</td>
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<tr>
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<td>17/00088/PRIOR6</td>
<td>Prior approval required and permission refused on 22 February 2017</td>
<td>Mr L Rahman</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 5.0 metres; height to eaves: 2.9 metres and maximum height: 3.0 metres). 72 Sheringham Drive Barking Essex IG11 9AN</td>
<td>Longbridge</td>
</tr>
<tr>
<td>16/00762/FUL</td>
<td>Application Refused on 23 February 2017</td>
<td>Mr A Igandan</td>
<td>Erection of two storey side/rear and single storey rear extension in connection with subdivision of dwelling to form 1 three bedroom and 1 two bedroom houses. 36 Crescent Road Dagenham Essex RM10 7HT</td>
<td>Heath</td>
</tr>
<tr>
<td>16/01914/FUL</td>
<td>Application Refused on 23 February 2017</td>
<td>Ms R Leboho</td>
<td>Erection of log cabin extension to the rear of the property (retrospective). 32 Rothwell Road Dagenham Essex RM9 4JB</td>
<td>Goresbrook</td>
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<tr>
<td>16/02014/FUL</td>
<td>Application Refused on 23 February 2017</td>
<td>Mr S F Ahmed</td>
<td>Demolition of garage and erection of single storey side and rear extension. 117 Tallow Close Dagenham Essex RM9 6EU</td>
<td>Goresbrook</td>
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<tr>
<td>17/00078/PRIOR6</td>
<td>Prior approval not required on 23 February 2017</td>
<td>Mr O Ayanwale</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 6.0 metres; height to eaves: 2.8 metres and maximum height: 3.8 metres). 49 Melford Avenue Barking Essex IG11 9HS</td>
<td>Longbridge</td>
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## LONDON BOROUGH OF BARKING AND DAGENHAM
### REGENERATION AND ECONOMIC DEVELOPMENT
#### DEVELOPMENT CONTROL BOARD
### Applications Decided/Refused under Delegated Powers

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<td>17/00132/PRIOR6</td>
<td>Prior approval not required on 23 February 2017</td>
<td>Mr T Jadeja</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 4.0 metres; height to eaves: 2.55 metres and maximum height: 2.8 metres). 28 Benning Drive Dagenham Essex RM8 1DT</td>
<td>Valence</td>
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<tr>
<td>17/00091/PRIOR6</td>
<td>Prior approval required and refused on 23 February 2017</td>
<td>Mr R Schwartz</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 6.0 metres; height to eaves 3.0 metres and maximum height: 4.0 metres). 24 Hurstbourne Gardens Barking Essex IG11 9UX</td>
<td>Longbridge</td>
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### 24 February 2017

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<tr>
<td>14/01028/CDN</td>
<td>Application Permitted on 24 February 2017</td>
<td>Estuary Housing Association</td>
<td>Application for approval of details reserved by conditions 3 (materials), 7 (crime prevention), 18 (piling), 22 (construction method statement), 29 (foundations) and 30 (HS1) in respect of planning permission 13/01087/FUL. Land Adjacent To 50 Blake Avenue Barking Essex</td>
<td>Eastbury</td>
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<tr>
<td>16/01811/CDN</td>
<td>Application Permitted on 24 February 2017</td>
<td>Mr H Kataria</td>
<td>Application for approval of details reserved by conditions 7 (construction environmental management plan and site waste management plan) and 8 (construction logistics plan) in respect of planning permission 16/00368/FUL. Site Consisting Of Land To The Rear Of And Including 243 - 245 High Road Chadwell Heath Essex</td>
<td>Whalebone</td>
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<td>16/01843/ FUL</td>
<td>Application Permitted on 24 February 2017</td>
<td>Mr M K Ramay</td>
<td>Erection of part single/part two storey rear extension and single storey side extension. 116 Upney Lane Barking Essex IG11 9LR</td>
<td>Longbridge</td>
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<tr>
<td>17/00089/ PRIOR6</td>
<td>Prior approval required on 24 February 2017</td>
<td>I Malik</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 3.3 metres; height to eaves: 2.95 metres and maximum height: 3.95 metres). 4 Gallipoli Place Dagenham Essex RM9 4BG</td>
<td>Thames</td>
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</tbody>
</table>