Notice of Meeting

DEVELOPMENT CONTROL BOARD

Monday, 9 October 2017 - 7:00 pm
Council Chamber, Town Hall, Barking

Members: Cllr Faraaz Shaukat (Chair), Cllr Syed Ahammad (Deputy Chair), Cllr Sanchia Alasia, Cllr Saima Ashraf, Cllr Faruk Choudhury, Cllr Edna Fergus, Cllr Irma Freeborn, Cllr Cameron Geddes, Cllr Syed Ghani, Cllr Amardeep Singh Jamu, Cllr Giasuddin Miah, Cllr Margaret Muliane, Cllr Adegbuyega Oluwole, Cllr Chris Rice, Cllr Bill Turner, Cllr Dominic Twomey, Cllr Jeff Wade and Cllr John White (one vacancy)

Date of publication: 29 September 2017

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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 - To confirm as correct the minutes of the meeting held on 4 September 2017 (Pages 7 - 28)

New Planning Applications

4.  Land between Whiting Avenue and Gurdwara Way, Barking- 17/00698/FUL (Pages 29 - 95)
5. Hawkwell House, 2 Gosfield Road, Dagenham-17/01167/FUL, Laburnum House, 89 Bradwell Avenue, Dagenham-17/01168/FUL and Peverel House, Stour Road, Dagenham-17/01169/FUL (Pages 97 - 121)

6. 1 Dunchurch House, 31 Ford Road, Dagenham-17/01170/FUL (Pages 123 - 137)

Advertisement Applications

7. Town Planning Appeals (Pages 139 - 169)

8. Delegated Decisions (Pages 171 - 204)

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

10. 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.

11. 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
<table>
<thead>
<tr>
<th>Use Class</th>
<th>Use/Description of Development</th>
<th>Permitted Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>A1</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</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</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</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</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</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</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>
</tr>
<tr>
<td>B8</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</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</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>
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<td>C2A</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>
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<td>C3</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>C4 Houses in multiple occupation</td>
<td>Small shared houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.</td>
<td>C3 (dwelling houses) State funded school for single academic year – see footnote 2</td>
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<td>D2 Assembly &amp; Leisure</td>
<td>Cinema, concert hall, bingo hall, dance hall, swimming bath, skating rink, gymnasium, or area for indoor or outdoor sports or recreations, not involving motor vehicles or firearms.</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. Some temporary uses – see footnote 4.</td>
</tr>
<tr>
<td>Sui – Generis</td>
<td>A use on its own, for which any change of use will require planning permission. Includes, theatres, nightclubs, retail warehouse clubs, amusement arcades, launderettes, petrol filling stations, casinos, taxi businesses, waste management facilities, motor car showrooms, betting offices and pay day loan.</td>
<td>Casino to Class D2 Amusement arcades/centres and casinos to C3 (up to 150 m2) See footnote 8 Betting offices and pay day loan to A1 and A2 plus two flats above See footnote 9. Betting offices, pay day loan and casinos to A3 (up to 150 m2) See footnote 10. Betting offices and pay day loan to D2 (up to 200m2) – see footnote 10. Betting offices and payday loan to C3 residential use - see footnote 5</td>
</tr>
</tbody>
</table>

**Footnotes**

1. B1a (Offices) can change use to C3 (Dwelling houses) provided development commenced before 30/06/16. Need to apply to Council for prior approval to confirm no significant transport and highway impacts, contamination risks and flood risks.

2. State funded schools can open without planning permission for a single academic year without planning permission from any existing use within the Use Classes Order. School must be approved by Secretary of State and school must notify Council before they open. School must revert to its previous use at end of year. Does not apply to listed buildings.

3. B1 (business), C1 (hotel), C2 (residential institution), C2A (secured residential institution) and D2 (assembly and leisure) can convert to a state funded school or registered nursery providing early years childcare without planning permission. Need to apply to Council for prior approval to confirm no significant transport and highways impact, noise impacts and contamination risks. D2 uses that have changed use from A1 or A2 using permitted development right (see footnote 10) cannot then change use to state funded school or registered nursery under this permitted development right.

4. A1 (shops), A2 (financial and professional services), A3 (restaurants and cafes), A4 (pubs), A5 (takeaways), B1a (offices), B1b (light industry), B1c ( R&D), D1 (non-residential institutions) and D2 (assembly and leisure) can change to A1, A2, A3, B1a,b & c without planning permission. Change of use must be less than or equal to 150 square metres. Applies for single continuous period of two years. Can change to other permitted use within two year period. Must revert to original use at end of two year period and notify Council before use begins.

5. A1 (shops) and A2 (financial and professional services) can change to C3 (residential). Building operations and partial demolition works that are “reasonable necessary” are also permitted. Prior approval required for transport and highways impact, contamination, flooding, the design and external appearance of the building and undesirable impacts on shopping facilities. This right only applies to buildings of 150 square metres or less and does not apply in Conservation Area or to listed buildings.

6. Does apply in Conservation Areas but not to listed buildings.

7. B8 (storage of distribution) to C3 (residential). Prior approval required for transport and highways impact, air quality impacts on intended occupiers, noise impacts of the developments, risks of contamination, flooding and the impact the 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.

8. Prior approval required for transport and highways impact, flooding, contamination and where building works are to be carried out under the permitted development right, design.

9. A1 (shops), A2 (financial and professional services) and betting offices and pay day loans to A3 (restaurants and cafes). Prior approval required for noise, smell/odours, transport and highways, hours of opening as well as siting and design in relation to extraction, ventilation, waste management, storage and undesirable impacts on shopping facilities.

10. A1 (shops) and A2 (financial and professional services) can change to D2. Applies to premises in A1 or A2 use on 5 December 2013. Prior approval required for transport and highways impact, hours of opening, noise impacts of the development and undesirable impacts on shopping facilities. Does not apply to listed buildings.
Planning Application Procedure

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

2. The Planning Officer presents the report to the 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 of 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, 4 September 2017
(7:00 - 8:50 pm)

Present: Cllr Syed Ahammad (Deputy Chair in the Chair), Cllr Saima Ashraf, Cllr Faruk Choudhury, Cllr Edna Fergus, Cllr Irma Freeborn, Cllr Cameron Geddes, Cllr Syed Ghani, Cllr Amardeep Singh Jamu, Cllr Giasuddin Miah, Cllr Margaret Mullane, Cllr Adegboyega Oluwole, Cllr Chris Rice and Cllr Jeff Wade

Apologies: Cllr Faraaz Shaukat, Cllr Sanchia Alasia, Cllr Bill Turner, Cllr Dominic Twomey and Cllr John White

15. Declaration of Members’ Interests

There were no declarations of interest.

16. Minutes - To confirm as correct the minutes of the meeting held on 31 July 2017

The minutes of the meeting held on 31 July 2017 were confirmed as correct.

17. The Short Blue, Bastable Avenue, Barking -16/02007/FUL

The Development Management Manager (DMM) introduced a report on the application relating to the Short Blue, Bastable Avenue, Barking.

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 sought 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, the scheme was acceptable in terms of the principle of the development, external appearance, internal design, amenity space, accessibility, sustainability, and parking provision. The applicant was also now prepared to make a £12,000 contribution towards the improvement to the facilities at Newlands Park.

The Chair invited Allan Thacker, an objector to the application, to address the Board. He was Chair of Thames View TRA and had lived there for 37 years. He had received a number of complaints from local residents about the planning application in relation to the height of the proposed build. He considered that up to five storeys in the application is unacceptable as it would lead to a loss of privacy and reduction of light into other properties. Although he welcomed the
development of the vacant site, he considered that the building was too high and not in keeping with the locality.

The Chair invited James Boulter, the applicant, to address the Board. He considered that there was a need for affordable homes and the area has been blighted since the site became vacant in 2009. There was a need for a greater number of dwellings to make the scheme financially viable and Estuary Housing Association were committed to providing affordable homes, which they were keen to build as soon as possible. They were prepared to accept a condition requiring the commencement of works within 18 months rather than the normal period of 3 years. The sale of new homes would be reserved for local people for a period of three months and also there would be twenty-three parking spaces available for all properties. In particular, parking had been maximised, with no visual impact on the streetscene. Estuary Housing Association, the developer, were willing to gift a strip of land on the Endeavour Way frontage to enable the Council to mark out formal car parking spaces on-street. The design of the building would enhance the area. The application had complied with planning policy and would make a positive contribution to the area.

Members asked why the height of the building was considered acceptable for planning approval. The DMM responded that although this was one storey higher than neighbouring buildings, officers felt that it was acceptable as Bastable Avenue is a wide road and could accommodate the extra height without appearing over-dominant. He advised that the development was a mixture of 3, 4 and 5 storeys.

Members asked about the potential for overlooking of local residencies in respect of this development. The DMM stated that officers were satisfied that the development would not lead to overlooking into adjacent properties although care needed to be taken to ensure that the roof terraces were properly screened.

Members sought clarification about parking. The DMM advised that the number of parking spaces provided by the applicant was higher now than originally proposed. Any more parking places would be contrary to the London Plan.

Members asked the applicant to consider increasing the three-month period of priority for local applicants to be raised to six months. James Boulter responded that the three-month period had been agreed with the developer, Estuary Housing Association. He would need to go back to them to see if it was possible to negotiate for a six-month period in this instance.

Members asked whether encouragement for cycling could be considered by providing bikes to residents and whether trees would be planted. James Boulter responded that cycling was supported and he could raise this matter with Estuary Housing Association as part of the letting agreement and in conjunction with the Section 106 agreement. With reference to trees, there were some areas for landscaping where trees could be provided.

Members welcomed that the application proposed a tenure of 100% shared ownership however they asked about the amount of social housing in the Thames View area. The DMM responded that the amount of intermediate
forms of tenure such as shared ownership is quite low.

Members asked about the accessibility for disabled people. James Boulter confirmed that there would be two wheelchair units with adaptations. All units are equivalent to “life time” homes with space standards adhered to.

In answer to a question, the DMM advised that Children’s Services had calculated that the child yield of the development would be seventeen.

The Board granted planning permission subject to the completion of a Section 106 agreement to secure the shared ownership sub-market housing, a Marketing Strategy that gives priority to Borough residents to acquire the shared ownership units and which includes a restriction on sales to any non-Borough residents within the first 3 months of marketing, a restriction on sub-letting of the flats, a contribution of £12,000 towards improvements to Newlands Park and a clause that will prevent residents of the development from obtaining a parking permit for on street parking in the event that a Controlled Parking Zone (CPZ) is in future introduced within the vicinity of the site, and the transfer to the Council of a strip of land along the east boundary of the site in order to enable the widening of the pavement of Endeavour Way, and the following conditions (subject to any minor amendments):

1. The development permitted shall be begun before the expiration of **eighteen months** 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; SK270717 Rev. A; D004; 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, subject to any agreed amendment to the layout secured through the Section 106 agreement associated with the widening of the Endeavour Way footway.

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

3. The landscaping scheme shown on drawing No. L(9-)030 (subject to any agreed amendment to the layout secured through the Section 106 agreement associated with the widening of the Endeavour Way footway) 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. SK270717 Rev. A 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

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
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

11. Before occupation 90% (21 no.) of the dwellings shall comply with Building
Regulations Optional Requirement Approved Document M4(2) Category 2:
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.

13. The development hereby permitted shall be constructed in accordance with
the submitted Bastable Avenue Energy Statement and shall achieve as a
minimum a 35% reduction in carbon dioxide emissions over Part L of the
Building Regulations (2013).

Reason: To ensure compliance with the proposed energy strategy in

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 demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. No demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

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

A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;

B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in
accordance with the programme set out in the stage 2 WSI.

Reason: To safeguard the heritage of the Borough by providing an adequate opportunity to investigate and excavate archaeological remains on the site prior to the commencement of the development 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 Wide Development Policies Development Plan Document.

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.

23. No development shall commence, including any works of demolition, until an Employment and Skills Strategy applicable to the development has been submitted to the Local Planning Authority for approval. The Strategy shall promote employment opportunities for, and encourage job applications from, local people and businesses. In particular, work experience opportunities for young people 18-24 years should be included within the Strategy. Any skills training opportunities should also be considered and incorporated if possible. The approved Strategy shall be implemented in partnership with the Council’s
Employment and Skills Team.

Reason: In order to contribute to the local economy and local residents in need of employment and in accordance with the principles within policy CC3 of the Core Strategy, details are required prior to commencement in order to ensure that any demolition and groundworks are included within the approved Strategy.

24. No above ground development shall commence until the submission to and approval by the Local Planning Authority of details of privacy screening to prevent overlooking of rear gardens of the adjacent maisonettes from the roof terraces of Plots 16 and 23 (floor plans as shown on drawing nos. D102 and D103). In each case, the approved screen shall be installed prior to the occupation of the flat it serves.

Reason: In order to protect the privacy and amenities of neighbouring residents and in accordance with policies BP8 and BP11 of the Borough Wide Policies Development Plan Document.

18. Civic Centre, Rainham Road North, Dagenham- 17/01204/CDN

The Development Management Manager (DMM) introduced a report on the application relating to the Civic Centre, Rainham Road North, Dagenham.

At the Development Control Board meeting on 7 November 2016, it was requested that this application should be determined by the Development Control Board due to Members’ Interest. The Civic Centre has been occupied by Coventry University London from 1 September 2017.

Condition 14 of planning permission 16/01390/FUL required a community use scheme for the Civic Centre to be submitted to and approved in writing by the Local Planning Authority before occupation of the University.

The community use scheme had been submitted for approval and full details were set out in the report.

Officers considered that the submitted community use scheme offered a satisfactory level of commitment that following the occupation of the Civic Centre by Coventry University London in September 2017, the buildings will continue to be available for wider community use.

It was noted that the entire premises were now leased to Coventry University London, who would let out various parts of the premises by prior arrangement.

Andy Gill, the applicant (Coventry University), addressed the Board and in answer to questions from Members, underlined that security of the premises was very important and in addition safeguarding was taken very seriously. All visitors to the CUL would need to have a lanyard and pass whilst on the premises. Parking was allocated as follows: the front area was for staff and visitors and the middle and back areas were by permit only.

The Board granted approval of condition 14 (details of community use scheme) of planning permission 16/01390/FUL as follows:
1. The submitted details set out below are in keeping with the relevant policies and are approved:

Dagenham Civic Centre, Community Use Scheme, dated July 2017 and prepared by Turnberry.

19. **Part of Becon House, Sterling Works, Rainham Road South, Dagenham-17/00480/FUL**

The Development Management Manager (DMM) introduced a report on the application relating to Part of Becon House, Sterling Works, Rainham Road South, Dagenham.

The application site is located on Rainham Road South, Dagenham within the Sterling Industrial Estate/Wantz Road Locally Significant Industrial Site. This application sought permission for the change of use of part of a warehouse in Becon House to a place of worship (Use Class D1).

The space was owned by Blutex and formed a small part of a larger warehouse that is used for archive storage. A site visit confirmed that there is space in the main warehouse to store these files and the proposal would involve no loss of employment.

The owner of Blutex had confirmed that worshippers would be able to use their 42 parking spaces with the exception of five parking spaces which will be required by Blutex employees between 9am-5pm Monday to Saturday.

The proposed hours of use were 6:30am to 11:00pm. The estimated number of visitors would range between 20-80 during a standard week and up to 150 for the Eid morning prayer twice a year. It was not anticipated that the use would have an adverse effect on nearby businesses due to the associated car parking facilities, the lack of openings in the external façade which should retain sound and the location of the premises at the edge of the industrial area. The site is separated from the nearest residential properties on the opposite side of Rainham Road South by the busy carriageway and is situated in a mixed commercial/residential area where noise levels are generally higher than in a purely residential street.

Four objections were received relating to the need for the facility, the loss of employment land and noise and car parking concerns. The responses came from a local businessman and one nearby resident plus two residents who lived some distance from the site. At that time, the applicant had not clarified the extent of the car parking provision for the premises.

The proposal was contrary to the Local Plan due to it involving the loss of an employment use in a Locally Significant Industrial Site. However, the proposal would only involve the loss of a small area of the existing warehouse which is currently used for archive storage and this could be accommodated elsewhere in the warehouse. There would be no loss of employment to the existing operator. It is therefore considered that the proposal would not be materially harmful to the employment function of the estate and would not be harmful to amenity or result in highway safety concerns.
In answer from questions, the applicant Mr Ali stated that the site was a new premises for him and was currently still occupied by Blutex. He stated that the number of worshippers for Friday prayers was based on previous numbers.

Members expressed concern about parking and that there are already cars parking on double yellow lines near the premises. The DMM responded that it cannot be assumed that users of the premises would park illegally and that the number of parking spaces proposed for the use was considered to be more than adequate.

The Board granted 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 use hereby permitted shall be carried out in accordance with the following approved plans: 17110_099A, 17110_099B and 17110_099D.
   
   Reason: For the avoidance of doubt and in the interests of proper planning.

3. No external amplification or loud speaker system shall be placed on or used beyond any walls, roof or roof structures of the building.
   
   Reason: To safeguard the living conditions of neighbouring occupiers and to comply with policies BP8 and BP11 of the Borough Wide Development Policies DPD 2011.

4. The car parking areas indicated on drawing No. 17110_099D shall be marked out prior to the commencement of the use hereby approved and thereafter retained permanently for the accommodation of vehicles of users of the premises with the exception of 5 spaces which may be used by employees of the adjacent BLUTEX warehouse, as indicated in blue on the location plan submitted with the application, between the hours of 9am and 5pm Monday to Saturday.
   
   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.

5. The use hereby permitted shall not take place other than between the hours of 6:30am and 11:00pm.
   
   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 Development Plan Document.
6. Prior to the use commencing a secondary emergency exit shall be provided connecting the proposed place of worship and the existing warehouse.

Reason: To ensure there are sufficient exit routes out of the space in case of emergency.

20. 16-48 Cambridge Road, Barking- 17/00517/CDN

The Development Management Manager (DMM) introduced a report on the application relating to 16-48 Cambridge Road, Barking. The application proposed key changes to the external materials strategy originally presented to Members.

Condition 11 of planning permission 16/01183/FUL required the developer to enter into detailed discussions with the Local Planning Authority around the external facing materials for the development and then to submit full details of the external materials to the Local Planning Authority for approval in writing.

The external materials condition was initially submitted for approval on 27 March 2017. It was noted that key changes were proposed to the original materials strategy that was presented in the application documents for Planning Application No. 15/01252/FUL and later in the application documents for the S73 amendment under Planning Application No. 16/01183/FUL. These applications were determined by the Development Control Board on 7 December 2015 and 7 November 2016 respectively.

Officers had been in detailed discussions with the developer over the past four months around the proposed materials to arrive at a revised scheme that could be supported by officers. Officers requested that the original scheme architects, Studio Egret West, be brought into those discussions.

The main changes to the materials strategy related to the prominent vertical and horizontal banding on the building façade which was originally identified as Portland stone cladding and the balcony cladding which was originally identified as stone cladding. It is proposed to replace these with powder coated aluminium sheet due to issues that have arisen at the detailed design stage.

It was considered that the revised materials would not materially affect the overall character, appearance and exemplar quality of the development as originally proposed and for this reason officers and the original scheme architect, Studio Egret West, are in full support of the proposals.

The proposed fire strategy for the development was summarised in the report for Members information, but the strategy was not for planning approval as it is a Building Regulations matter.

The Chair invited Christopher Egret, architect and on behalf of the applicant, to address the Board. He stated that consultations had been held about the building process and referred to the curved aluminium which was very thick and imitated the effect of stone. He was very happy with the overall effect of
the building. He also stated that there were fire sprinklers and alarms and the building was as safe as they could be.

In answer to Members questions, Mr Egret stated that approximately one third of the proposed 291 flats in the development were of an affordable nature.

The Board granted approval of condition 11 (external materials) of planning permission 16/01183/FUL as follows:

1. The submitted details set out below are in keeping with the relevant policies and are approved:

Drawing Nos. 3360_PLC_001_r1 and 3360_PLC_002_r1.

21. **736 and 738 Green Lane, Dagenham- 17/00731/FUL**

The Development Management Manager (DMM) introduced a report on the application relating to 736 and 738 Green Lane, Dagenham.

The application comprised the demolition of two existing single storey shops and the redevelopment of the site to provide a 3-storey building plus basement comprising two A1 (retail) shop units on the ground floor, ancillary storage use of the basement and four 1-bedroom flats above.

The development would result in four good quality flats, each with balcony space which exceeds London Plan requirements, and an improved retail offer for the site.

The development would not include any off-street parking provision, however, officers considered that the development would not materially increase parking pressures on nearby residential streets and therefore is acceptable with no car parking provision.

The principle and design of the development was considered acceptable and generally in keeping with the relevant policies.

In answer to a question, DMM advised that access to the premises would be from the front entrance.

The Board granted planning permission subject to the following conditions:

1. The development permitted shall be begun before the expiration of three years from this 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: 16287_01 Revision A, 16287_02, 16287_04 Revision C

   Reason: For the avoidance of doubt and in the interest of proper planning.
3. The combined rating level of the noise from plant installed pursuant to this permission 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 ensure that the residential occupiers are adequately protected from noise and in accordance with policy BR13 of the Borough Wide Development Policies Development Plan Document.

4. The delivery/collection of goods from the commercial use hereby permitted is only permitted to take place between the hours of 07:00hrs and 21:00hrs on any day.

Reason: To prevent any undue disturbance to residential occupiers at unreasonable hours and in accordance with policy BP8 of the Borough Wide Development Polices Development Plan Document.

5. Habitable rooms having openings facing onto Green Lane or Dunkeld Road are to be provided with acoustic ventilators which are commensurate with the performance specification set out in Schedule 1 (paragraphs 6 and 7) of The Noise insulation Regulations 1975 (as amended).

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

6. 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'.

Page 20
7. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

8. 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.

9. 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 6 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 7 which is subject to the approval in writing of the Local Planning Authority.

Reason: 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.
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.

10. Demolition and construction work and associated activities are only to be carried out between the hours of 08:00 and 18:00 Monday to Friday and 08:00-13:00 Saturday with no work on Sundays or public 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.

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.

11. 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 at unreasonable hours and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

12. No development shall commence, including any works of demolition, 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 affected persons who have any problems or questions related to the ongoing development.
Reason: The CEMP and SWMP are 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 Plan Document.

13. 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.

14. No development above ground level shall commence until details of the balustrade and privacy screens for the balconies have been submitted to and approved in writing by the Local Planning Authority. The balustrade and privacy screens shall be designed in a manner to prevent overlooking between the proposed flats and adjacent properties. The approved details shall be implemented prior to occupation of the development and thereafter permanently maintained, to the satisfaction of the Local Planning Authority.

Reason: In the interests of design quality and to protect amenities in accordance with policy CP3 of the Core Strategy and policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

15. Before occupation all 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.

16. The ground floor commercial space hereby approved shall be used for any purpose falling within Class A1 of the Use Classes Order and for no other purpose. The basement commercial space shall only be used for storage ancillary to the ground floor commercial space.

Reason: To protect the locality by avoiding the introduction of a use detrimental to its amenities and for which there is no local need.

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

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

22. **56 Whalebone Lane South, Dagenham- 17/00672/FUL**

The Development Management Manager (DMM) introduced a report on the application relating to 56 Whalebone Lane South, Dagenham.

The application site was located on the eastern side of Whalebone Lane South, Dagenham. No.56 is a 2-storey building located in a shopping parade which formed part of the Whalebone Lane South Neighbourhood Centre. The ground floor comprised a vacant retail unit, with ancillary storage space at first floor level.

The application sought permission for the demolition and rebuilding of a single storey rear extension, and the reconfiguration of the internal layout to provide ground floor retail accommodation and a two bedroom flat on the first floor.

The first-floor accommodation within the adjoining premises and nearby neighbouring premises were in residential use, as such the principle of the conversion of storage space into a two bedroom flat in this location was considered acceptable.

The proposal would not materially impact on the character and appearance of the area and would not result in unacceptable levels of overlooking or loss of privacy and complies with policies BP8 and BP11 of the Borough Wide Development Policies DPD 2011.

The proposed new dwelling accorded with the Technical Housing Standards – nationally described space standards (March 2015).

The application did not make any provision for access to amenity space, however, it was common for flats above shops not to benefit from such amenity space and in these circumstances the lack of such provision is considered to be acceptable.

No off-street parking provision was proposed for this development. The site has a PTAL (Public Transport Accessibility Level) of 2 on a scale of 1-6 where 6 is excellent. However, it was not considered that the absence of off-street parking provision would materially increase parking pressure within the immediate locality. was is unrestricted parking in nearby streets and any additional parking demand could be accommodated without resulting in highway safety concerns.

The Board **granted** 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: PL-5565_01, PL-5565_02, PL-5565_03, PL-5565_04, PL-5565_05A, PL-5565_06A, PL-5565_07A, PL-5565_08A.

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

3) The materials to be used in the construction of the external surfaces of the development 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.

23. Town Planning Appeals

The Board noted details of the following appeals:

Appeals Lodged

The following appeals have been lodged:

a) Demolition of existing conservatory and erection of a part single/part two storey side extension – 4 Dronfield Gardens, Dagenham (Ref: 17/00122/FUL)

Application refused under delegated powers 28 March 2017 – Mayesbrook Ward

b) Application for prior approval of proposed single storey rear extension (depth: 5.0 metres; height to eaves: 3.0 metres and maximum height: 3.0 metres) – 56 Stratton Drive, Barking (Ref: 17/00286/PRIOR6)

Application refused under delegated powers 27 March 2017 – Longbridge Ward

c) Application for prior approval of proposed single storey rear extension (depth: 6.0 metres; height to eaves: 2.8 metres and maximum height: 3.0 metres) – 41 Victoria Road, Barking (Ref: 17/00527/PRIOR6)

Application refused under delegated powers 9 May 2017 – Abbey Ward

d) Retention of 3 canopy roofs and roller shutter to side of industrial
unit - Emperor House, Freshwater Road, Dagenham (Ref: 17/00328/FUL)

Application refused under delegated powers 15 May 2017 – Whalebone Ward

e) Erection of two storey 2 bedroom dwelling – 12 Hainault Road, Chadwell Heath (Ref: 16/01992/FUL)

Application refused under delegated powers 30 March 2017 – Whalebone Ward

f) Demolition of existing garages and erection of 8 two bedroom flats with associated car parking and landscaping - Garages to the rear of 82 - 94 High Road, Back Lane, Chadwell Heath (Ref: 16/01708/OUT)

Application refused under delegated powers 29 December 2016 – Whalebone Ward

g) Erection of one-bedroom bungalow – 84C Westminster Gardens, Barking (Ref: 16/01272/FUL)

Application refused under delegated powers 8 December 2016 – Thames Ward

Appeals Determined

The following appeal has been determined by the Planning Inspectorate:

a) Erection of a single storey front extension and a two storey side extension – 3 Ivy Walk, Dagenham (Ref: 17/00084/FUL - Alibon Ward)

Application refused under delegated powers 27 March 2017 for the following reason:

1. The proposed side extension would partly close off an important gap within the street scene and fail to maintain the spacious character of the Becontree Estate and would have an unsympathetic roof design contrary to policy CP2 of the Core Strategy DPD, policies BP2, BP8 and BP11 of the Borough Wide Development Policies DPD and guidance within the Supplementary Planning Document for Residential Extensions and Alterations.

Planning Inspectorate’s Decision: Appeal dismissed 24 July 2017

b) Erection of single storey front extension and part single/part two storey side and rear extension – 28 Oglethorpe Road, Dagenham (Ref: 16/01943/FUL – Heath Ward)

Application refused under delegated powers 6 February 2017 for the following reason:
1. The two storey side and rear extensions, by reason of their siting and scale, would result in dominant and intrusive additions in the rear and side garden environment resulting in overshadowing and loss of outlook to the occupiers of 30 Oglethorpe Road. 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 21 July 2017

c) Erection of two storey side extension – 81 Keir Hardie Way, Barking (Ref: 16/01840/FUL – Eastbury Ward)

Application refused under delegated powers 19 January 2017 for the following reason:

1. The proposed side extension would close off an important gap within the street scene which provides relief from the built-up nature of the street. It would reduce the space between the 2-storey host property and the 3 storey development at 83 Keir Hardie Way which currently mitigates the increased bulk and height of the adjacent terrace and would result in a cramped street scene. It would therefore fail to maintain the character of the area and would be harmful to the street scene 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 dismissed 1 August 2017

d) Erection of first floor side extension incorporating rear dormer window and single storey side/rear extension – 113 Hunters Hall Road, Dagenham (Ref: 16/01962/FUL – Alibon Ward)

Application refused under delegated powers 1 March 2017 for the following reasons:

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, fail to maintain the character of the Becontree Estate and be harmful to the street scene. The proposed development is therefore contrary to policy CP2 of the Core Strategy Development Plan Document, policies BP2, 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).

2. The proposed side extension, involving the formation of a gable
end roof and additional rear dormer extension would appear incongruous, disharmonious and out of keeping with the design of other terraces in Hunters Hall Road and the original design of the host terrace, disrupting the appearance of the roofscape and resulting in harm to the character and appearance of the streetscene contrary to policy CP2 of the Core Strategy Development Plan Document, policies BP2, BP8 and BP11 of the Borough Wide Development Policies Development Plan Document (March 2011) and the Supplementary Planning Document for Residential Extensions and Alterations (February 2012).

Planning Inspectorate’s Decision: Appeal dismissed 31 July 2017

24. Delegated Decisions

The Board noted details of delegated decisions for the period 2-22 May 2017.
Land between Whiting Avenue and Gurdwara Way, Barking
Reason for Referral to DCB as set out in Part 2, Chapter 9 of the Council Constitution

The application is a major development which is of a scale and importance that should be determined at DCB and there is a shortfall in amenity space and wheelchair housing.

Address:

Land between Whiting Avenue and Gurdwara Way, Barking

Development:

Redevelopment of site comprising a car park, turning head and incidental open space for the erection of two new buildings (4 storeys and part 4, part 6 storeys) to provide 78 one-bedroom flats (Use Class C3) together with associated communal and private amenity spaces, cycle parking and refuse storage; provision of substation; creation of new publicly accessible route between Whiting Avenue and Gurdwara Way; landscaping and highways alterations including works to and re-configuration of existing access road, turning head and the re-provision of 10 car parking spaces.

Applicant:

Pocket Living (2013) LLP

Summary:

The application site is located to the east of Gurdwara Way (A124), to the north of Abbey Road and to the west of Whiting Avenue and currently comprises contaminated open space. The site is unallocated on the Local Plan proposals map. A planning application for the remediation of the land has previously been approved.

The proposal comprises the redevelopment of an existing car park, turning head and incidental open space and the erection of two new buildings (4 storeys and part 4, part 6 storeys) to provide 78 intermediate affordable one-person, one-bedroom flats (Use Class C3) together with associated communal and private amenity spaces, cycle parking and refuse storage; provision of a substation; creation of a new publicly accessible route between Whiting Avenue and Gurdwara Way; landscaping and highways alterations including works to and re-configuration of the existing access road and turning head and the re-provision of 10 car parking spaces.

There have been 4 objections to the proposed development (two from the same address) which relate to matters of parking and the adverse impact of the proposed development on the residential amenity of the occupiers of Aveley and Harlow Mansions which are adjacent to the site. The development is considered to be acceptable as car-free given the excellent public transport accessibility of the site. Furthermore, the proposed development is not considered to be significantly detrimental to the residential amenity of the occupiers of Aveley and Harlow Mansions.

In July 2015, the Council’s Cabinet agreed in principle to the disposal of the application site and its use for low-cost homes as part of the Council’s Housing Zone strategy.
March and July 2016, further reports to the Council’s Cabinet agreed in principle the eligibility criteria for the proposed flats and priority categories of key workers.

Due to the amenity space constraints of the site it is generally considered to be unsuitable for family housing. The proposal for an exclusive development of 78 one-bedroom flats is considered to be acceptable in this case.

Officers welcome the proposed 100% on-site intermediate affordable housing provision. The proposed flats would be purchased on a 100% equity basis with no public subsidy. Sale prices would be set at least 20% below the open market price of an equivalent property. Through lease conditions and provisions and clauses to be secured in a S106 Agreement, the developer, Pocket Living (2013) LLP (hereinafter referred to as Pocket), would ensure that its flats remain affordable in perpetuity.

The proposed flats would not be available to those who already own property or buy-to-let investors and this is to be secured in a S106 Agreement.

To maximise local benefit, a S106 Agreement would also secure that all qualifying potential purchasers of flats within the development must be resident or working in the Borough. This is in addition to being first-time buyers and under 40 years of age. Qualifying and eligible potential purchasers under the key worker categories set out in this report would be given priority for sales and re-sales. If, following a period of six months of first round marketing of the flats, there are found to be insufficient qualifying and eligible purchasers under the key worker, residency and local working categories, the flats would be offered for sale to potential buyers who are first-time buyers and under 40 years of age, with priority awarded to those who qualify under the key worker categories set out in this report.

The taller part 4/part 6 storey building is positioned in a north-south orientation, while the smaller building is orientated east-west to the north of the site. A new, step-free, public pedestrian route is proposed through the site, providing access between Whiting Avenue and Gurdwara Way.

The two buildings have been designed along simple principles, with flats arranged in a uniform layout accessed from central corridors. The proposed flats are compact and of a standard layout that meets the London Plan and nationally prescribed space standards.

The bulk, massing, siting and layout of the proposed development is considered to be acceptable within its surroundings.

A brick finish is proposed for the ground floor of both buildings and the garden walls as it is considered to be robust to withstand everyday contact. Brick detailing is proposed to add further interest to the ground floor elevations.

Pocket's preferred external treatment of the upper floors of the buildings is hung tiles to reflect the materials of the cat-slide roofs on the houses adjacent to the site and the warm tones of nearby buildings. Cast glass is also proposed to partially enclose the circulation core.

Officers remain to be convinced that hung tiles, as an alternative to more commonly used brick or brick slips, would result in an effective, attractive and robust finish for the upper floors of the buildings. Further information is required about the product, including a
sample board. It is considered that the proposed external materials condition would allow for ongoing discussions between officers and the developer, and the examination of various materials, to arrive at an acceptable palette of materials for the exterior of the buildings in due course.

Pocket has advised that providing 10% wheelchair user units would not be practicable or proportionate to the level of demand that they have experienced in other boroughs in the past and they have been in direct discussions with the Council’s Access Officers around the local demand for such flats. Pocket has advised that the demand for wheelchair user flats amongst buyers of traditional intermediate affordable housing is exceptionally low.

In recognition of the policy requirement and at the request of the Council’s Access Officers, Pocket has agreed to provide two wheelchair user flats for suitable purchasers. A clause within a S106 Agreement would require the two wheelchair user flats to be marketed to eligible wheelchair users for 6 months, and if no wheelchair user comes forward, the flats would be able to be sold to other eligible purchasers.

The proposed external amenity space does not meet the quantity requirements sought under Policy BP5 of the Borough Wide Development Policies DPD which in this case would be 1,560 square metres (based on 20 square metres per flat). The proposed development falls 329 square metres short of this target. Furthermore, the upper floor flats would not have access to any private amenity space. Policy BP5 acknowledges that it will not always be possible in town centre locations to meet the quantity requirements for amenity space. Officers consider the overall proposed level of communal amenity space to be generous given the location and constraints of the site and officers welcome the proposed high-quality nature of the landscaped spaces.

Through a combination of on-site energy measures and a carbon off-set payment which is to be secured in a S106 Agreement, the proposed development is considered to meet the energy policy requirements.

A good standard of design is proposed throughout the development resulting in 78 good quality, intermediate affordable, one-bedroom flats targeted at helping people who are under 40 years of age and resident or working in the Borough onto the property ladder, with priority given to key workers.

The proposed development is considered to comply with the relevant policies set out in the National Planning Policy Framework, the London Plan and the Local Plan, with the exception of wheelchair housing and external amenity space provision as discussed and justified in Sections 6.3 and 6.4 of this report.

**Recommendation:**

That the Development Control Board grants planning permission subject to:

1. A Section 106 legal agreement to secure the matters set out in section 6.9 of this report; and

2. The following conditions (with any amendments that might be necessary up to the issue of the decision).
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 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:


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

3. Prior to any part of the development hereby permitted being brought into residential use a verification report demonstrating the completion of the works set out in the approved Remediation Plan dated October 2016 (Ref: SRS/16/1283/RPT2 ISS2) and the approved Groundwater Remediation, Verification and Long Term Monitoring Plan dated March 2017 (Ref: SRS/16/1283/RPT6 ISS3), and the completion of the construction phase works identified in the Technical Note: Whiting Avenue, Barking IG11 (Ref: SRS/17/1337 RPT 1 ISS2), or any subsequent versions of the aforementioned reports that have been submitted to and approved in writing by the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and the remediation of the site is complete and in accordance with policies BR4 and BR5 of the Borough Wide Development Policies Development Plan Document and policy 5.21 of the London Plan.

4. Development shall take place in accordance with the Construction Logistics Plan prepared by SIG Building Systems and dated 26 April 2017, or in accordance with any revised Construction Logistics Plan which may be submitted to the Local Planning Authority for approval in writing. Minor amendments may be agreed in writing from time to time by the Local Planning Authority.

Reason: 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.

5. 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) the parking of vehicles of site operatives and visitors;
b) loading and unloading of plant and materials;
c) storage of plant and materials used in constructing the development;
d) the erection and maintenance of security hoarding(s) including decorative displays and
facilities for public viewing, where appropriate;
e) wheel washing facilities;
f) 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;
g) a scheme for recycling/disposing of waste resulting from demolition and construction works;
h) the use of efficient construction materials;
i) methods to minimise waste, to encourage re-use, recovery and recycling, and sourcing of materials; and
j) 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.

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.

The mitigation measures set out in Appendix A4 of the report ‘Air Quality Assessment, Whiting Avenue, Barking & Dagenham’ (reference J0128/1/F1 dated 20 April 2017) are to be fully implemented throughout the construction of the development.

The approved CEMP and SWMP shall be implemented for the entire period of the construction works at the site, to the satisfaction of the Local Planning Authority.

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

6. No development shall commence, except any works of site clearance, until a Surface Water Drainage Scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development and how it affects flood risk both on and off the site, has been submitted to and approved in writing by the Local Planning Authority. The Scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: The Drainage Scheme is required prior to commencement of development in order to reduce the risk of flooding and in accordance with policy BR4 of the Borough Wide Development Policies Development Plan Document and policy 5.13 of the London Plan.

7. No deliveries, external running of plant and equipment, or demolition and 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. Any works which are associated with the generation of ground borne vibration are only to be carried out between the hours of 0800 and 1800 Monday to Friday.
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.

8. 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 shall be undertaken in accordance with the terms of the approved piling method statement.

Reason: Piling has the potential to impact on local underground sewerage utility infrastructure and in order to minimise noise and disturbance in the interest of residential amenity and in accordance with policies BR13 and BP8 of the Borough Wide Development Policies Development Plan Document and policy 7.15 of the London Plan.

9. No above ground new development shall commence until the developer has submitted to the Local Planning Authority for approval in writing, in consultation with the Local Highway Authority, a scheme of highway works associated with the development. The approved works shall be carried out prior to the occupation of the development, or as otherwise agreed in writing with the Local Planning Authority, in consultation with the Local Highway Authority.

Reason: In the interests of highway safety and in accordance with policies BR9 and BR10 of the Borough Wide Development Policies Development Plan Document.

10. 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 and policies 7.1, 7.4 and 7.6 of the London Plan.

11. No above ground new development shall commence until full details of the hard landscaping have been submitted to and approved in writing by the Local Planning Authority. The hard landscaping scheme shall include, but not be limited to, details of the following:

   a) surface materials;
   b) boundary treatment;
   c) refuse storage; and
   d) management and maintenance.

The hard landscaping scheme shall be implemented prior to occupation of the development in accordance with the approved details and thereafter permanently maintained, to the satisfaction of the Local Planning Authority.

Reason: In the interests of design quality, residential amenity, walking, accessibility and public safety, in accordance with policy CP3 of the Core Strategy and policy BP11 of the
12. No above ground new development shall commence until a detailed scheme of soft landscaping for the site has been submitted to and approved in writing by the Local Planning Authority. All trees, shrubs, plants and seeds introduced to the site should generally be native (except for fruit trees) and of local provenance, unless otherwise agreed. The approved landscaping scheme shall be carried out in the first planting and seeding seasons following the occupation or 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 of the landscaping in the interests of the visual amenity of the area and in accordance with policy CP3 of the Core Strategy and policies BR3 and BP11 of the Borough Wide Development Policies Development Plan Document.

13. No above ground new development shall commence until a scheme showing the provisions to be made for external lighting, CCTV coverage, access control and any other measures to reduce the risk of crime, has been submitted to and approved in writing by the Local Planning Authority. The external lighting of the development is to be designed, installed and maintained so as to fully comply with The Association of Chief Police Officers Secured by Design publication 'Lighting Against Crime - A Guide for Crime Reduction Professionals', ACPO SPD, January 2011. The design shall satisfy criteria to limit obtrusive light presented in Table 1, p25 of the guide, relating to Environmental Zone E3 - Medium district brightness areas. All external lighting shall also be designed to minimise upwards light and obtrusive light and avoid light spill onto trees, hedges and bird and bat boxes. Lighting should be designed in accordance with Bats and Lighting in the UK (http://www.bats.org.uk/pages/bats_andlighting.html) or the latest advice from the Bats Conservation Trust. The development shall not be occupied until the approved scheme has been installed. Thereafter the approved measures shall be permanently retained.

Reason: In the interests of security and safety, to avoid light pollution, to safeguard neighbouring amenity and to minimise any impact on ecology, and in accordance with policies BR3, BC7 and BP11 of the Borough Wide Development Policies Development Plan Document.

14. The 10 car parking spaces as indicated on drawing No. 1617(0)100 Rev A shall be constructed and marked out prior to the occupation of the development. 2 of the car parking spaces shall be marked as accessible parking bays (to be clearly marked with a British Standard disabled symbol). The car parking spaces shall thereafter be retained permanently.

Reason: To ensure and promote easier access for disabled persons and to ensure sufficient replacement off-street parking, in accordance with policies BC2, BR9 and BR10 of the Borough Wide Development Policies Development Plan Document and policy 6.13 of the London Plan.

15. No occupation of the development shall occur until details of the cycle parking facilities shown on drawing No. 1617(0)100 Rev A have been submitted to and approved in writing by the Local Planning Authority. The submission should include details of the security, monitoring and access arrangements for the cycle parking facilities. The
development shall not be occupied until the approved details have been implemented. Thereafter, the cycle parking facilities shall be permanently retained.

Reason: In the interests of promoting cycling as a safe, efficient and non-polluting mode of transport and in accordance with policy BR11 of the Borough Wide Development Policies Development Plan Document and policy 6.9 of the London Plan.

16. A scheme of acoustic protection of the mechanical heat ventilation recovery (MHVR) system is to be provided to habitable rooms where the traffic noise levels will exceed 35 dB LAeq in bedrooms (23:00 hours to 07:00 hours) or 40 dB LAeq in living rooms (07:00 hours to 23:00 hours) with windows open. The scheme shall be sufficient to secure ‘windows closed’ internal traffic noise levels no greater than 30 dB LAeq in bedrooms (23:00 hours to 07:00 hours) or 35 dB LAeq in living rooms (07:00 hours to 23:00 hours).

Reason: To ensure that the proposed residential units are adequately protected from noise and in accordance with policy BR13 of the Borough Wide Development Policies Development Plan Document and policy 7.15 of the London Plan.

17. The combined rating level of the noise from any plant installed pursuant to this permission shall not exceed 45 dB 1 metre 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 ensure that noise-sensitive rooms within the proposed development and neighbouring developments are adequately protected from noise and in accordance with policy BR13 of the Borough Wide Development Policies Development Plan Document and policy 7.15 of the London Plan.

18. The development hereby permitted shall be carried out in accordance with the submitted Energy Strategy Report (Issue 2) prepared by TUV SUD Limited and dated 24 April 2017. Details of the location and quantum of photovoltaic cells shall be submitted to and approved in writing by the Local Planning Authority and the photovoltaic cells shall be implemented in accordance with the approved details and thereafter maintained to the satisfaction of the Local Planning Authority.

Reason: In the interests of safeguarding the environment and providing sustainable development in accordance with policies BR1 and BR2 of the Borough Wide Development Policies Development Plan Document and policies 5.2, 5.3, 5.5, 5.6 and 5.7 of the London Plan.

19. The development hereby permitted shall not be occupied until bird nesting and bat roosting bricks/boxes have been installed in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. The bird and bat boxes should be incorporated into the structure of the new buildings or roof spaces where feasible. 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.
20. Before occupation 76 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.

21. The 2 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.

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

Reason: To safeguard the external appearance of the buildings in accordance with policy CP2 of the Core Strategy and policies BP2 and BP11 of the Borough Wide Development Policies Development Plan Document.

23. All retained trees on, and adjacent to, the site must be protected in accordance with British Standard 5837:2012, 'Trees in relation to design, demolition and construction'.

Reason: In order to ensure the safety and well-being of the trees on, and adjacent to, the site that are to remain after remediation works are completed, and in accordance with policies BR3 and BP11 of the Borough Wide Development Policies Development Plan Document.

24. Prior to occupation of the development hereby permitted one new private fire hydrant shall be installed by the developer in consultation with London Fire Brigade Water Team. The hydrant shall be sited within the footpath – not in the carriageway, grass verge or flower bed. The hydrant shall be one metre clear of all obstructions, with the outlet no more than 300mm below the finished ground level. The hydrant shall conform to BS:750 and be indicated with a hydrant indicator plate conforming to BS:3251. The ongoing future maintenance and repairs shall be the responsibility of the site owner or management company.

Reason: To satisfy the requirements of London Fire Brigade Water Team.

25. 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.

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<tr>
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<th>Title: Planning Development Management Officer</th>
<th>Contact Details: Tel: 020 8227 3552 E-mail: <a href="mailto:adele.lawrence@lbld.gov.uk">adele.lawrence@lbld.gov.uk</a></th>
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1.0 Introduction and Description of Development

Existing Site

1.1 The application site is located to the east of Gurdwara Way (A124), to the north of Abbey Road and to the west of Whiting Avenue.

1.2 The site to be developed comprises an area of unallocated open space, mainly laid to grass, which is a short walk from Barking Town Centre. It should be noted that the site to be developed sits centrally within a wider area of unallocated open space.

1.3 The site is located in the Barking Town Centre Area Action Plan (AAP) area but outside of the Barking Town Centre boundary.

1.4 To the east of the site, Whiting Avenue is generally characterised by 3 and 4-storey mansion blocks and 2-storey houses. To the west of the site across Gurdwara Way is a locally listed former pumping station and associated house.

Proposal

1.5 The proposal comprises the redevelopment of an existing car park, turning head and incidental open space and the erection of two new buildings (4 storeys and part 4, part 6 storeys) to provide 78 one-bedroom flats (Use Class C3) together with associated communal and private amenity spaces, cycle parking and refuse storage; provision of a substation; creation of a new publicly accessible route between Whiting Avenue and Gurdwara Way; landscaping and highways alterations including works to and re-configuration of the existing access road and turning head and the re-provision of 10 car parking spaces.

1.6 The proposed development comprises 100% intermediate affordable housing.

2.0 Background

16/01604/FUL - Engineering operations involving excavation of soil and other material, remediation of land, provision of new capping layer with associated re-grading and landscaping of site. Planning permission granted on 7 April 2017.

3.0 Consultations
3.1 Neighbours / Publicity:

6 site notices were posted on 5 May 2017 and expired on 26 May 2017. A press notice was also published in the Barking and Dagenham Post on 10 May 2017 and expired on 31 May 2017.

132 neighbouring occupiers, including the Chair of the Whiting Avenue Tenants and Residents Association, were consulted on 5 May 2017 and the 21-day consultation period expired on 26 May 2017.

There have been 4 objections to the proposed development (two from the same address) as summarised below:

6 Aveley Mansions, Whiting Avenue, Barking

The development will take away what little greenery/landscape we have left in the area. The development will also take away the current view from my balcony. There will be an increase of noise, cars, crime and even more reduction in parking spaces. The area will get overpopulated and the facilities already available will become limited. Properties will be devalued.

12 Harlow Mansions, Whiting Avenue, Barking

Two separate responses have been received from different individuals at this address.

Response 1:

The development is too large for the size of the site. All the trees will be removed and obviously with such a large development in front of my flat this will cause overlooking meaning that we won't be able to use the balcony anymore. All the positive points of living in this flat, balcony, large windows with lots of natural light, views on trees and not concrete, in a quiet position, will be a thing of the past.

Response 2:

As immediate neighbours to the site of the proposed development, we are of the view that it will have a serious impact on our standard of living. We feel that it would totally ruin the character of the area and it is absolutely unacceptable in terms of visual impact, looking over-bearing, out-of-scale, and out of character in terms of its appearance compared with existing development in the vicinity. We strongly feel that the scale and proportions and the external appearance of the buildings will have a negative impact on the character of the neighbourhood. This development does not respect local context and would be detrimental to the local environment.

We have so far enjoyed a very pleasant and safe residential environment. Unfortunately, more flats mean more cars and therefore more traffic and noise disturbance on a crescent (Whiting Avenue) which has always been safe and noise-free in terms of traffic.

Moreover, this proposal allows very little space for landscaping and we strongly
believe that it would definitely not result in a benefit in environmental and landscape terms. To the contrary it would lead to the loss of valuable green space and the destruction of the open aspect of the neighbourhood.

Although there is no "right to a view" in legal terms, the enjoyment of a view is an essential part of the residential amenity of a property. The obvious loss of a view will therefore have an adverse impact on ours (and a wider impact on our whole neighbourhood) by reason of overlooking, overshadowing, loss of privacy and loss of light. This proposed development does not appear in any way to have been designed to minimise overlooking of all the neighbouring properties. It is on land higher than ours and the close proximity, combined with the height, means it would substantially overshadow our flat. It will prevent us from enjoying our balcony as overlooking will understandably make us feel that our privacy is being invaded.

As this proposal does not afford adequate privacy for our home, we are urging you to consider the responsibilities of the Council under the Human Rights Act in particular Protocol 1, Article 1 (a person has the right to peaceful enjoyment of all their possessions which includes the home and other land) and Article 8 of the Human Rights Act which states that a person has the substantive right to respect for their private and family life. We strongly believe that the proposed development would have a detrimental impact on us and our right to the quiet enjoyment of our home.

120 London Road, Barking

There are not enough parking spaces allocated for this project. We, the residents of Whiting Avenue, do not have enough parking spaces ourselves.

We feel the development would generate more traffic in our area which is not healthy for our children and not good for access for emergency vehicles.

**Officer Note:** Matters relating to the amenity of neighbouring residential occupiers are discussed in detail at Section 6.5 of this report. It is considered that the proposed development would not be significantly detrimental to the residential amenity of the occupiers of Aveley and Harlow Mansions.

**Matters relating to car parking are discussed in detail at Section 6.6 of this report.** There is an existing controlled parking zone (CPZ) operating in the Whiting Avenue Estate area. The proposed development is considered to be acceptable as car-free given the site’s excellent public transport accessibility level and subject to future residents being prevented from obtaining a permit for any local CPZ.

3.2 Consultees:

**Environment Agency** – We have no objections to the proposed works. We request, however, that a condition is imposed that requires a verification report to be submitted prior to occupation demonstrating the completion of the works set out in the previously approved Remediation Plan and Groundwater Remediation, Verification and Long Term Monitoring Plan.

**Officer Note:** The recommended condition would be imposed on any planning permission granted.
Designing Out Crime Officer – I have met with the project architects to discuss the intention around Secured by Design. We are in possession of a Secured by Design (SbD) Homes application form. If our recommendations are carried out, and subject to a compliance sign-off visit, the project will achieve at least a SbD Silver award and potentially a SbD Gold award if the perimeter design/layout is completed as discussed.

Essex and Suffolk Water Company - Our records show that we do not have any apparatus located in the proposed development. We have no objection to this development subject to compliance with our requirements. Consent is given to the development on the condition that a water connection is made onto our Company network for the new dwellings for revenue purposes.

National Grid - The apparatus that has been identified as being in the vicinity of the proposed works is high or intermediate pressure (above 2 bar) gas pipelines and associated equipment; low or medium pressure (below 2 bar) gas pipes and associated equipment; and electricity transmission overhead lines. As a result it is highly likely that there are gas services and associated apparatus in the vicinity.

The Cadent Pipelines Team verbally confirmed on 3 July 2017 that they had no objection to the proposed development.

EDF Energy – No response.

London Fire and Emergency Planning Authority – Each block will require a fire main (2 in number) therefore access should be provided for a pump appliance to within 18 metres of the inlet to the fire main which should be visible from the appliance. There should be a fire hydrant within 90 metres of the inlets to the fire mains. It is recommended that the turning area be cross hatched to deter parking.

London Fire Brigade Water Team – Consideration has been given to the provision of fire hydrants and it will be necessary to install one new private fire hydrant. The installation cost for the private hydrant will be the responsibility of the developer and the ongoing future maintenance and repairs will be the responsibility of the site owner or management company. The hydrant should be sited within the footpath – not in the carriage way, grass verge or flower bed. The hydrant should be one metre clear of all obstructions, with the outlet no more than 300mm below the finished ground level. The hydrant should conform to BS:750 and be indicated with a hydrant indicator plate conforming to BS:3251.

If this development is to be gated, the gates must be fitted with a London Fire Brigade lock so our fire crew can gain 24-hour access.

Officer Note: A condition requiring the installation of a new private fire hydrant would be imposed on any planning permission granted.

Thames Water – With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the developer should ensure that storm flows are attenuated or regulated into the receiving public network through on or off-site storage. When it is proposed to connect to a
combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

A condition requiring the submission of a piling method statement is recommended.

The developer should incorporate within their proposal protection to the property by installing, for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

**Officer Note:** The recommended piling condition would be imposed on any planning permission granted.

**Historic England (Archaeology)** - The proposal is unlikely to have a significant effect on heritage assets of archaeological interest. The application site has potential for palaeoenvironmental and geoarchaeological evidence as well as prehistoric and medieval remains. I have examined the submitted archaeological desk-based assessment which as a next stage could be usefully updated using geotechnical data. No further assessment or conditions are therefore necessary.

**School Investment, Organisation & Admissions** - The possible number of pupils to come from this development is calculated to be 10 (6 primary and 4 secondary pupils).

**Arboricultural Officer** – The tree survey recommends new screen planting to the east of the site which appears to be included in the landscape proposal.

The principle of site clearance and replacement is appropriate here. The existing vegetation is not quality amenity planting but rather abandoned, unmanaged growth causing obstructions. It would be much better to remove this and replace it. The level of replacements and the spread of planting around the site looks adequate to cover the losses.

**Transport Development Management** - Based on the information that has been provided within the Transport Statement and having considered the merits of this application, there are no apparent major adverse highway safety implications arising from the proposed development.

It is recommended that the Council extends the existing local controlled parking zone (CPZ) to include parking control over this area, making the proposed scheme car-free. Residents of the proposed development would not be eligible to obtain a permit for the CPZ and this should be made clear and included in the residents’ leases. We recommend this is also secured by S106 Agreement.

The developer should cover the cost incurred by the Council for carrying out the process to extend and implement the CPZ. This should also be secured by S106 Agreement.
It should be noted that the Transport Development Management Officer has liaised with the Council’s Parking Team regarding this application to agree the above response.

**Officer Note:** The above matters relating to the CPZ are to be secured in a S106 Agreement.

**Environmental Health Officer** – The environmental protection issues raised by this application are noise, air quality, land quality, possible light pollution and construction phase impacts.

**Noise**

The submitted Noise Assessment presents the results of the environmental noise survey undertaken in order to measure prevailing site noise levels and seeks to outline any necessary mitigation measures.

A glazing configuration to achieve the recommended internal noise levels for residential spaces as per BS8233:2014 ‘Sound insulation and noise reduction for buildings’ is provided. I agree that, provided that windows are kept closed, a good standard of aural amenity will be secured.

However, if residents choose to open windows then, based on the site noise levels and allowing for an open window noise attenuation of 13 dB(A) at the most exposed properties, the recommended internal levels would be exceeded by some 12 dB(A) during the day and 14 dB(A) at night and traffic noise would be in the order of twice as noisy as the recommended levels.

I note that the Energy Strategy states “the windows have been designed to fully open to allow natural ventilation through the apartment. Mechanical ventilation incorporating heat recovery (MVHR) is also specified to achieve continuous air turnover in the dwellings”.

Based on the information presented in the Energy Strategy, I am satisfied that, subject to the MVHR system incorporating suitable noise attenuation, the residential noise climate will be acceptable. I recommend the imposition of a safeguarding condition.

The Noise Assessment proposes a limit on noise emissions from fixed plant of no more than 45 LAeq dB at the outside of any noise-sensitive premises. I think this limit is appropriate and recommend the imposition of a suitable condition.

**Air quality**

I have evaluated the submitted Air Quality Assessment and concur with the methodological approach and conclusions drawn that:

- Air quality conditions for new residents within the proposed development have been shown to be acceptable, with pollutant concentrations predicted to be below the air quality objectives at the worst-case locations assessed; and
During construction, it will be necessary to apply a package of mitigation measures to minimise dust emissions. With the mitigation measures in place, the overall impacts during construction are judged to be insignificant.

I recommend the imposition of a condition to ensure the implementation of the dust mitigation measures.

**Land quality**

Land quality considerations have been subject to extensive and detailed evaluation. The engineering and regrading works to be carried out pursuant to planning permission 16/01604/FUL will incorporate some components of the necessary remediation works.

During the construction phase, other components will need to be completed to ensure the success of the remediation proposals. These are identified in the submitted report, ‘Technical Note: Whiting Avenue, Barking IG11’, as being:

- Completion of a foundation works risk assessment;
- Complete reinstatement within the soft landscaping areas;
- Complete reinstatement within the embankment areas;
- Detailed design and implementation of ground gas protection measures; and
- Remediation measures associated with underground services.

I note that the Environment Agency has recommended a condition. To pick up on the additional work identified in the submitted Technical Note, I have added to the Environment Agency condition wording.

**Possible light pollution**

The proposed development will require external lighting to facilitate safe access, egress and movement within the site. I would recommend that any permission that might be granted be subject to a condition to require the design and implementation of a lighting scheme which conforms to the Association of Chief Police Officers (ACPO) guidance.

**Construction phase impacts**

There is potential for significant adverse impact from demolition/construction phase noise, dust and other emissions to air and so I would recommend that any approval that might be granted be subject to conditions requiring dust mitigation and limiting the hours of demolition/construction.

**Summary**

I do not wish to object to the application but recommend that any approval that might be granted be subject to the conditions recommended above.

**Officer Note:** The recommended conditions would be imposed on any planning permission granted.
Access Officers – The accessible parking bays require 1.2 metre hatched rear transfer zones as well as the side transfers shown. The study and workshop spaces are a great idea but must be suitable for all users. The workstations shown in the Design and Access Statement will not be suitable for wheelchair users so ensure that there are alternative provisions within the rooms. They will require induction loop facilities.

Detailed comments were also made which relate to minimum part M (Building Regulations) requirements and the developer’s duties under the Equality Act 2010.

Officer Note: The rear transfer zone has been amended as requested.

With respect to the comments relating to the study and workshop spaces, the developer has confirmed that the fit-out will be designed to reflect the needs of individuals and this will be reviewed regularly and adjusted to suit needs as they change over time.

The developer has confirmed that the other matters which are covered by Building Regulations will all be addressed as part of the detailed design stage.

Refuse Services - The locations of the refuse storage areas are adequate for refuse collection. Accommodation should be provided for 13 x euro bins for general rubbish and 6 euro bins for recycling (3 sets). This is based on once a week refuse collections and fortnightly recycling collections.

Lead Local Flood Authority – Detailed comments on drainage and surface water flooding were initially made by the Sustainable Urban Drainage (SUDs) Officer during the course of the application and this has culminated in a trail of correspondence between the SUDs Officer and the developer.

The main outstanding matters relating to drainage appear to be whether a connection can be made over the existing Thames Water pipe which bisects the site. This requires information from Thames Water. Officers also need reassurance that the proposed development will not exacerbate flood risk, or that the displaced flood volume will be offset by the creation of an equivalent volume of storage.

A condition is proposed which seeks the submission and approval of a detailed surface water drainage scheme for the site and this will also pick up on the above outstanding matters.

Officer Note: The recommended condition would be imposed on any planning permission granted.

4.0 Local Financial Considerations

4.1 The application is subject to the Community Infrastructure Levy based on 4,007 square metres of residential floorspace (GIA).

4.2 The developer would be liable for a Mayoral CIL contribution of £102,780.45 based on a rate of £20 per square metre of chargeable floorspace, with indexation applied. This could be reduced to £0 on submission and approval of an application for social housing relief for the 78 intermediate affordable flats.
4.3 A Borough CIL contribution of £314,588.78 would also be payable based on a rate of £70 per square metre of residential floorspace, with indexation applied. This contribution could also be reduced to £0 on submission and approval of an application for social housing relief for the 78 intermediate affordable flats.

5.0 Equalities and Human Rights Considerations

5.1 The Equality Act 2010 requires the Council to advance equality of opportunity in the exercise of its functions. In this respect, as elaborated upon below, conditions are proposed to ensure that all units are accessible and adaptable, with two units having a layout and size specifically enabling ease of use by a wheelchair user. The units are aimed at people under the age of 40 which is in line with the Government’s proposals for Starter Homes. The justification for this is that over the last twenty years the proportion of under 40 year olds who own their home has fallen by over a third, from 61% to 38%. The age restriction is therefore intended to improve the accessibility of home ownership for a generation of young people.

5.2 Members should take account of the provisions of the Human Rights Act 1998, as they relate to the application and the conflicting interests of the developer and any third party opposing the application, in reaching their decision. The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report. In particular, Article 6(1) of the European Convention on Human Rights (ECHR) which gives the right to a fair and public hearing if a public authority is making a decision that has an impact upon civil rights or obligations; Article 8 of the ECHR in relation to the right to respect for ones private and family life; and Article 1 Protocol 1 of the ECHR in relation to the protection of property, have all been taken into account.

6.0 Analysis

6.1 Principle of Development

6.1.1 The application site currently comprises contaminated open space and is unallocated on the Local Plan proposals map. It is noted that the site has been previously developed at least twice with associated access roads and hardstanding. The site is in the Barking Town Centre Area Action Plan (AAP) area. Policy CM2 of the Core Strategy sets a target of 6,000 new homes in the Barking Town Centre AAP area through redevelopment in line with the AAP.

6.1.2 In July 2015, the Council’s Cabinet agreed in principle to the disposal of the application site and its use for low-cost homes as part of the Council’s Housing Zone strategy.

6.1.3 The Council has secured grant funding for the wider open space, of which the application site is a part, under the Government’s Starter Home Initiative to remediate and re-level the contaminated land in order to facilitate the proposed housing development. A planning application for the remediation (16/01604/FUL) has previously been approved. It is expected that the remediation process, including monitoring and validation exercises, will continue until October 2018 after which time the land should be suitably remediated and fit for development works to take place.
6.1.4 It is noted from the Council’s Cabinet reports that there were no objections received to the Council’s statutory consultation process under Section 122(2A) of the Local Government Act 1972 and Section 233(4) of the Town and Country Planning Act 1990 relating to the potential loss of open space.

6.1.5 The principle of the use of the site for low-cost homes is acceptable subject to the matters below being satisfactorily addressed.

6.2 Housing

Housing Mix

6.2.1 Policy CC1 of the Core Strategy states that major housing developments will generally be expected to provide a minimum of 30% family accommodation (3-bedrooms or larger) in the Barking Town Centre AAP area. The policy goes on to state, however, that not all sites will be suitable for family-sized accommodation. For example, in town centre locations where the size and form of the site is too tight, and where it would not be possible to provide a satisfactory environment for young children, particularly in respect of access to external amenity space.

6.2.2 There are limited opportunities for the provision of private amenity space on the application site, making it generally unsuitable for family housing. The proposal for an exclusive development of 78 one-bedroom flats is considered to be acceptable in this case.

Density

6.2.3 The density matrix in the London Plan identifies that a site with a PTAL of 6a in a central setting should provide 215-405 units per hectare (u/ha). The proposed development of 78 flats gives a density of 229 u/ha which is in keeping with the London Plan density guidance.

Affordable Housing

6.2.4 The developer, Pocket Living (2013) LLP (hereinafter referred to as ‘Pocket’), is a private development company that specialises in the provision of intermediate affordable housing. Pocket’s housing model is low-cost, one-bedroom flats for those people who are unable to secure home ownership in the open market. The flats are wholly compliant with the National Planning Policy Framework (NPPF) and London Plan definitions of affordable housing.

6.2.5 Officers welcome the proposed 100% on-site intermediate affordable housing provision. Pocket flats are purchased on a 100% equity basis with no public subsidy. Sale prices are set at least 20% below the open market price of an equivalent property. Through lease conditions and provisions and clauses to be secured in a S106 Agreement, Pocket ensures that its flats remain affordable in perpetuity. This distinguishes Pocket flats from typical shared-ownership flats, whose buyers can, over time, acquire additional equity until they own 100% equity and then sell the property freely on the open market, at which point the property is no longer within the affordable housing stock. Pocket flats are also not available to those who already own property, or buy-to-let investors. These matters are to be secured in a S106 Agreement.
6.2.6 In March and July 2016, further reports to the Council’s Cabinet agreed in principle the eligibility criteria for the proposed flats on the application site and the priority categories of key workers. The main points are summarised below and are to be secured in a S106 Agreement. Please note that references in the Cabinet Report to Starter Homes criteria have been removed since the legislation has not yet been approved:

- To maximise local benefit, all qualifying potential purchasers of flats within the development must be resident or working in the Borough. This is in addition to being a first-time buyer and under 40 years of age. Qualifying and eligible potential purchasers under the key worker categories below should be given priority for sales and re-sales.

- If there are found to be insufficient qualifying and eligible purchasers under the key worker, residency and local working categories, the flats are to be offered for sale to potential buyers who are first-time buyers and under 40 years of age, with priority awarded to those who qualify under the key worker categories below.

- As the Council has no existing key worker policy, internal consultations have identified three priority categories of public sector workers, the recruitment or retention of whom is particularly difficult locally with vacancies affecting the delivery of essential public services or adding costs to the delivery of those services through employing staff on temporary contracts as locums or consultants. Two further priority categories of key workers have also been identified. The priority categories are below (the descriptors reflect those used in the National Homebuy Service Key Worker categories):

  National Health Service (NHS) – all clinical staff working for the NHS (excluding doctors and dentists);

  Education – qualified nursery nurses; teachers in schools and sixth form colleges; lecturers in further education colleges; and child social workers employed by the Local Education Authority;

  Local Authority – social workers and other staff employed in social services departments – including occupational therapists; educational psychologists; local authority clinical staff; and speech and language therapists. Officers employed by the Local Planning Authority employed in grades L1-L4;

  Police – including serving police officers, community support officers and British Transport Police; and

  Fire Brigade – uniformed members of staff having successfully completed initial training or training to qualify as control officers.

6.3 Design and Heritage

Design

6.3.1 The proposed development comprises the erection of two buildings of 4 storeys and part 4/part 6 storeys to provide 78 one-bedroom flats. The taller building is
positioned in a north-south orientation, while the smaller building is orientated east-west to the north of the site. A new, step-free, public pedestrian route is proposed through the site, providing access between Whiting Avenue and Gurdwara Way.

6.3.2 The two buildings have been designed along simple principles, with flats arranged in a uniform layout accessed from central corridors. Pocket flats are compact and of a standard layout. The compact nature enables them to be built to a high specification with low maintenance costs and low service charges.

6.3.3 Each corridor per floor serves a maximum of six flats. Due to their standard layout, Pocket flats are inherently single-aspect, however, they feature large floor-to-ceiling windows in both the bedroom and living areas to ensure that plenty of natural light is received internally. A small number of dual-aspect units have been included in the proposed development. Of the 78 flats proposed, only 4 would be solely north-facing. All other flats would face in other directions, or where they are north-facing they would be dual-aspect.

6.3.4 The bulk, massing, siting and layout of the proposed development is considered to be acceptable within its surroundings.

6.3.5 Pocket is proposing the use of modular construction methods where each flat is formed from two prefabricated elements which are joined together on site. It is understood that this would greatly reduce the time spent on site and the potential nuisance to neighbours.

6.3.6 A brick finish is proposed for the ground floor of both buildings and the garden walls as it is considered to be robust to withstand everyday contact. Brick detailing is proposed to add further interest to the ground floor elevations.

6.3.7 Pocket’s preferred external treatment of the upper floors of the buildings is hung tiles to reflect the materials of the cat-slide roofs on the houses adjacent to the site and the warm tones of nearby buildings. Cast glass is also proposed to partially enclose the circulation core.

6.3.8 While the use of hung tiles on building façades is common in the south-east of England, there are few precedents for their use on buildings of the scale proposed in this development.

6.3.9 A combination of two fibre cement products is proposed, Thrutone and Vertigo, both supplied by Marley Eternit. A mix of tile colours is proposed comprising Russet, Orléane and Terracotta, with Russet used as the base colour, although the final tile choice would be dependent on availability at the time of construction.

6.3.10 The developer has advised that the proposed tiles are non-combustible and have been tested in accordance with BS EN 1187 (Test methods for external fire exposure to roofs) and BS 476-7 (Fire tests on building materials and structures). The developer has also advised that under current Building Regulations, there are no limits to their use on buildings.

6.3.11 The developer has advised that they will be developing the proposed fixing details for the tiles in due course and at that time they will consider matters of fire safety and longevity. There would be fire stops in the cavity and the fire strategy would be
reviewed by the developer’s fire consultant and the Fire Brigade. It should be noted that matters of fire safety are Building Regulation issues rather than material planning considerations, but details are provided here for members’ information.

6.3.12 Officers remain to be convinced that hung tiles, as an alternative to more commonly used brick or brick slips, would result in an effective, attractive and robust finish for the upper floors of the buildings. Further information is required about the product, including a sample board, and as stated above more work needs to be done by the developer around how the hung tiles could be fixed to the building. It is considered that the proposed external materials condition would allow for ongoing discussions between officers and the developer, and the examination of various materials, to arrive at an acceptable palette of materials for the exterior of the buildings in due course.

Heritage

6.3.13 The site falls outside of the Abbey and Barking Town Centre Conservation Area. There are, however, several designated and non-designated heritage assets near to the site.

6.3.14 The submitted Planning Statement includes a brief heritage assessment provided by a heritage consultant. This concludes that the proposed development would preserve, and in some cases enhance, the setting of the various heritage assets. It is further considered that the design of the proposed development does not interfere with important views to or from the heritage assets.

Internal Design

6.3.15 The one-person, one-bedroom units have a gross internal area of 38 square metres, exceeding the 37 square metre requirement set out in the London Plan and nationally prescribed space standards. It is noted that the two wheelchair user flats are larger at 44 square metres.

Wheelchair Housing

6.3.16 Policy 3.8 of the London Plan and M4(3) ‘Wheelchair User Dwellings’ of the Building Regulations state that 10% of new housing should be wheelchair accessible or easily adaptable for wheelchair users. On this basis, the proposed development would require 8 wheelchair user flats.

6.3.17 Pocket has advised that 10% provision would not be practicable or proportionate to the level of demand that they have experienced in the past and they have been in direct discussions with the Council’s Access Officers around the local demand for such flats. Pocket has advised that the demand for wheelchair user flats amongst buyers of traditional intermediate affordable housing is exceptionally low. Pocket has endeavoured to find an eligible person who is registered disabled in several boroughs and have yet to find one. It is noted that other boroughs where Pocket has a presence have accepted this reality and no longer require wheelchair unit provision from Pocket developments, or require a small number of units which, if no buyer is found, can be sold to a non-disabled person.
6.3.18 In recognition of the policy requirement and at the request of the Council’s Access Officers, Pocket has agreed to provide two wheelchair user flats for suitable purchasers. These flats would meet M4(3) of the Building Regulations.

6.3.19 A clause within a S106 Agreement would require the two wheelchair user flats to be marketed to eligible wheelchair users for a period of 6 months, and if no wheelchair user comes forward, the flats would be able to be sold to other eligible purchasers.

6.3.20 A dedicated on-site car parking space is proposed for each of the two wheelchair user flats and these are positioned near to the flat entrances.

6.3.21 The application proposes a lift within the taller part 4/part 6 storey building which includes the two wheelchair user flats.

*Accessible and Adaptable Dwellings*

6.3.22 The remaining 76 dwellings proposed are to meet M4(2) ‘Accessible and Adaptable Dwellings’ of the Building Regulations, with the exception that there is no lift access to the smaller 4-storey building.

6.3.23 It is noted that the Mayor’s ‘Housing’ Supplementary Planning Guidance (SPG) states that Local Planning Authorities should seek to ensure that all dwellings entered at the fourth floor (fifth storey) and above be served by at least one wheelchair accessible lift. The SPG further states that it is desirable for 4-storey flats to have access to a lift.

6.3.24 The ‘Housing’ SPG recognises that in certain specific cases the provision of a lift may cause practical difficulties, make developments unviable and/or have significant implications for the affordability of service charges for intended residents.

6.3.25 It is understood that the cost of the provision and maintenance of a lift in the 4-storey building would be passed to residents in the long-term through increased service charges, which is contrary to the objective of providing 100% intermediate affordable housing.

6.3.26 In total, 56 of the 78 proposed flats would have access to a lift. Officers consider that the proposal not to provide a lift in the smaller 4-storey building is justified in this case having regard to the Mayor’s guidance.

6.4 *External Amenity Space*

6.4.1 Pocket aspires to create a sense of shared community within their developments. Their previous developments are understood to be characterised by successful and well-used communal spaces. The proposed development incorporates communal amenity space to the north and south of the car parking area.

6.4.2 The proposed development comprises 651 square metres of shared/private amenity space adjacent to the southern building (of which 80 square metres is private amenity space). A further 357 square metres of shared/private amenity space is proposed adjacent to the northern building (of which 40 square metres is private amenity space). The proposed public pedestrian route through the site and the planted areas adjacent to it will comprise a further 185 square metres of amenity space.
space and have been included in the amenity space calculation since, if these were not being provided for the benefit of the wider local community, they would supplement the communal and private amenity areas for the flats themselves. The proposal also includes 38 square metres of internal amenity space in the form of a residents’ workshop where residents can meet and socialise. Overall, these spaces amount to 1,231 square metres of amenity space for the development (an average of almost 16 square metres per flat).

6.4.3 The proposed amenity spaces would include communal seating and growing space (allotments) in raised beds, as well as a combination of hard and soft landscaping. A barbeque area is also proposed.

6.4.4 Private patios spaces are proposed for the ground floor flats, but as with all Pocket developments the upper floor flats do not have any private external amenity space. Juliet balconies will, however, be provided to the main living room windows of the upper floor flats. The proposal is this respect does not comply with the Mayor of London’s ‘Housing’ SPG which seeks a minimum of 5 square metres of private external amenity space for a one-bedroom flat.

6.4.5 Balconies have not been proposed for the upper floor flats because the cost of providing them, relative to the restricted sale price of each flat, is financially onerous and would be passed on to the purchaser, thereby increasing the sale price of each flat. Furthermore, it is considered that the quality of amenity provided by balconies has the potential to be compromised due to the environmental health constraints of the site, namely traffic noise and air quality. On the other hand, communal amenity spaces can more easily be shielded from such effects.

6.4.6 The proposed external amenity space also does not meet the quantity requirements sought under Policy BP5 of the Borough Wide Development Policies DPD which in this case would be 1,560 square metres (based on 20 square metres per flat). The proposed development falls 329 square metres short of this target. Policy BP5 acknowledges, however, that it will not always be possible in town centre locations to meet the quantity requirements for amenity space. Officers consider the overall proposed level of communal amenity space to be generous given the location and constraints of the site and officers welcome the proposed high-quality nature of the landscaped spaces.

6.4.7 Having regard to the above matters, officers are content that future occupiers of the proposed development would have access to an acceptable quantity and quality of external amenity space.

6.5 Amenity Issues

6.5.1 Policy BP8 of the Borough Wide Development Policies DPD states that all developments are expected to have regard to the local character of the area and help to create a sense of local identity, distinctiveness and place. It further states that developments should not lead to significant overlooking or overshadowing.

Outlook and Privacy

6.5.2 The proposed flats have been designed to have an appropriate level of outlook and visual privacy. Potential overlooking to neighbouring residential properties and
gardens has been mitigated by good quality design and natural screening within the surrounding environment.

6.5.3 While both the proposed northern and southern buildings have some habitable rooms facing east towards the adjacent 3-storey mansion blocks (Harlow and Aveley Mansions), this is not considered to result in significant overlooking or loss of privacy given the distance between the proposed and existing buildings. Furthermore, it is considered that the distance is sufficient to ensure an acceptable level of outlook from the proposed and existing buildings.

6.5.4 In the case of the proposed 4-6 storey southern building, the distance between the proposed building and the rear façade of Harlow Mansions fluctuates due to various projections on the buildings. The minimum distance between buildings is approximately 24 metres which is considered to be generous in this setting.

6.5.5 In the case of the proposed 4-storey northern building, there is a minimum distance of approximately 14 metres from the side of the staircase on the eastern (shortest) side elevation of the building to the rear façade of Aveley Mansions. From the main façade of the building to the closest part of the rear façade of Aveley Mansions the distance is approximately 16 metres. The distance between buildings is considered to be acceptable in this setting.

6.5.6 New tree planting is also proposed to the eastern boundary of the site to provide screening, thus minimising any overlooking impact.

6.5.7 Overall, it is considered that the proposed development would not result in significant overlooking or loss of privacy, or immediate outlook, for neighbouring residential occupiers. Future occupiers of the proposed development would also benefit from an acceptable level of residential amenity.

**Daylight, Sunlight and Overshadowing**

6.5.8 The application was accompanied by a Daylight, Sunlight and Overshadowing Assessment which tests the relevant surrounding windows and gardens against the Building Research Establishment (BRE) guidelines.

6.5.9 The primary method for measuring the adequacy of daylight received by existing neighbouring buildings is the use of Vertical Sky Components (VSC). VSC is a “spot” measurement of daylight taken on the face of a window and is a measure of the availability of direct light from the sky received from over and around the “existing” and “proposed” obstruction caused by the buildings or structures in front of the window. It therefore represents the actual amount of direct light from the sky available on the face of the window.

6.5.10 The only existing neighbouring properties that could potentially be affected by the proposed development are the flats within the adjacent Aveley Mansions and Harlow Mansions buildings. The impact on those properties is not fully compliant with the BRE recommendations, however this is not surprising given that both of those buildings presently have an almost clear and unobstructed outlook over open space. The VSC values that would be achieved in the current case would all continue to exceed 20% VSC which is considered to be a good and acceptable level of daylight for a dense urban environment such as this.
6.5.11 It is understood that the only habitable rooms in Aveley Mansions and Harlow Mansions that face onto the proposed development are small kitchens which are under the 13 square metre threshold that is usually applied to determine whether a kitchen should be classed as a habitable room. Nevertheless, those kitchens have been tested for sunlight and the results show that they will continue to achieve very good levels of sunlight, well above the BRE recommendations, with only a handful of shortfalls in respect of winter sunlight which is not objectionable given the sun’s low angles at that time of year.

6.5.12 The proposed new amenity spaces would comfortably exceed the BRE recommendations having regard to ensuring that amenity spaces are sun-lit and not significantly overshadowed.

6.5.13 The habitable rooms in the proposed flats would also comfortably meet and exceed the target daylight standards in BS8206 Part 2 which is the British Standard Code of Practice for Daylighting. On this basis, future occupiers of those rooms would enjoy a good level of daylight amenity.

6.6 Transport / Parking

6.6.1 The site has a public transport accessibility level (PTAL) of 6a which is excellent.

6.6.2 Policy BR9 of the Borough Wide Development Policies DPD states that the car parking standards set out in the London Plan will be used as maximum parking standards for new development. For example, the maximum parking standards set out in Policy 6.13 of the London Plan are less than 1 space for a unit with 1-2 beds.

6.6.3 Whiting Avenue and other roads within the adjacent estate are within Controlled Parking Zone (CPZ) B where restrictions are in place Monday to Saturday between 08:30 and 17:30. It is noted that there are some roads within the estate which are currently private and not subject to parking controls.

6.6.4 Parking beat surveys that have been undertaken show that there is a high level of on-street parking within the surrounding area.

6.6.5 The existing car parking area that is to be developed as part of the proposal is currently a private estate road and not subject to CPZ controls. The car parking area would be upgraded as part of the development, along with the access road and turning head, in order that it is capable of adoption and being brought under parking control as part of the existing CPZ. Vehicular access and servicing would all take place from Whiting Avenue.

6.6.6 There are 10 existing car parking spaces but given the lack of parking control these are not always available for use by residents of the Whiting Avenue Estate. The application proposes to re-provide 10 spaces. Two of the spaces would become blue badge spaces allocated to the wheelchair user flats in the development, while it is proposed that the other 8 be added to the existing Whiting Avenue Estate CPZ. Residents of the proposed development would not be eligible for a permit to park within any CPZ. This would be secured by an appropriate clause within a S106 Agreement.
6.6.7 Given the nature of the proposed development and based on their other developments, Pocket has advised that they consider the potential demand for car parking to be low as the flats are likely to attract young professionals and first-time buyers who travel to work by sustainable transport modes.

6.6.8 The proposed development is acceptable as car-free due to its excellent PTAL and good connections with local buses and Barking Station. It is noted that the Transport Development Management Officer has raised no objection to the proposed development.

6.6.9 The application proposes 80 cycle parking spaces in accordance with London Plan standards and these are to be located in three secure and covered stores.

6.7 Energy / Sustainability

6.7.1 Policy 5.2 of the London Plan sets a zero carbon target for new residential development. The ‘Housing’ SPG defines ‘zero carbon’ homes as homes forming part of major development applications where the residential element of the application achieves at least a 35 per cent reduction in regulated carbon dioxide (CO₂) emissions (beyond Part L of the Building Regulations 2013) on-site. The remaining regulated carbon dioxide emissions, to 100 per cent, are to be off-set through a cash in-lieu contribution to the Council, to be ring-fenced to secure delivery of carbon dioxide savings elsewhere.

6.7.2 The London Plan 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.

6.7.3 The submitted Energy Strategy applies the Mayor of London’s energy hierarchy design approach of ‘Be Lean’, ‘Be Clean’ and ‘Be Green’. The strategy indicates that the proposed development would utilise electricity for heating and hot water. The proposed flats are considered to require minimal space heating due to their construction and the heat load from domestic hot water is considered to be smaller in comparison to other dwellings. It is considered that a centralised heating system is not viable given the scheme is for less than 100 flats.

6.7.4 The proposed development would achieve a minimum 35% reduction in CO₂ emissions through a combination of energy efficiency measures and a 32kWp solar photovoltaic array, approximately 224 square metres, located across the three roofs and orientated directly south for maximum efficiency.

6.7.5 The Energy Strategy currently shows that there would be 55 tonnes of CO₂ remaining after the ‘Be Green’ measures have been implemented to achieve a zero carbon home. Utilising the carbon price of £60 per tonne the proposed development is currently liable for a carbon off-set payment of £99,000 in association with a minimum 35% reduction in CO₂ emissions on-site. If a greater energy saving beyond 35% can be achieved on-site, then the carbon off-set payment would be reduced accordingly. The carbon off-set payment is to be secured in the S106 Agreement and would be payable prior to occupation of the development. The developer has requested that this payment be utilised within the local community and ideally used to fund a solar photovoltaic installation at a local school. It should be noted that carbon off-set payments are to be pooled, rather
than secured for a particular project, and a decision on how the pooled monies are to be spent will be made by the Council in due course.

6.7.6 Through a combination of on-site energy measures and a carbon off-set payment, the proposed development is considered to be in keeping with the relevant policies.

6.8 Biodiversity and Ecology

6.8.1 The application proposes the removal of trees presently located between the application site and Aveley and Harlow Mansions. These trees are young, of low quality and typically self-sown and it is proposed that they be replaced with a higher quality planting solution. The replacement trees will ensure that the current screen between the rear of the mansion blocks and the proposed development is improved.

6.8.2 A comprehensive landscaping scheme is proposed for the site, including the private and communal amenity spaces and the new public pedestrian route. New trees are also proposed to the Gurdwara Way frontage of the site. It is considered that the biodiversity of the site will be enhanced by the proposed development. Conditions are proposed to secure a final soft landscaping scheme and to incorporate bird and bat bricks/boxes into the development.

6.9 S106 Planning Obligations

A Section 106 Agreement would secure the following planning obligations:

Sub-market Housing

- Secure 100% sub-market housing with a minimum 20% discount on sales for both initial purchasers and subsequent buyers in perpetuity.

- Cap on salary at £50,000 for the first 3 months then with a cascade.

- Not to undertake any first round sales marketing of the flats until a marketing strategy has been submitted to and approved in writing by the Council. First round sales marketing to be undertaken in accordance with the approved marketing strategy. If comment is not provided within 6 weeks of submission this will be deemed to be approved.

- The two wheelchair user flats shall be marketed to eligible wheelchair users for a period of six months in accordance with a marketing strategy to be submitted to and approved in writing by the Council, in consultation with the Council’s Access Officers. If no wheelchair user comes forward, then the wheelchair user flats shall be sold to other eligible purchasers.

- All qualifying potential purchasers of properties within the scheme must be resident or working in the Borough, with priority awarded to those who qualify under the priority key worker categories identified below. This is in addition to being a first-time buyer and under 40 years of age.

- The main priority key worker categories are:
National Health Service (NHS) – all clinical staff working for the NHS (excluding doctors and dentists);

Education – qualified nursery nurses; teachers in schools and sixth form colleges; lecturers in further education colleges; and child social workers employed by the Local Education Authority;

Local Authority – social workers and other staff employed in social services departments – including occupational therapists; educational psychologists; local authority clinical staff; and speech and language therapists. Officers employed by the Local Planning Authority employed in grades L1-L4;

Police – including serving police officers, community support officers and British Transport Police;

Fire Brigade – uniformed members of staff having successfully completed initial training or training to qualify as control officers.

- If, following a period of six months of first round marketing of the flats, there are found to be insufficient qualifying and eligible purchasers under the key worker, residency and local working categories, the flats shall be offered for sale to potential buyers who are first-time buyers and under 40 years of age, with priority awarded to those who qualify under the identified priority key worker categories.

- Secure in perpetuity that an owner shall not let or sub-let their flat, except in exceptional circumstances with approval from the Local Planning Authority.

- Secure a marketing strategy and sales provisions relating to the re-sale of flats.

- Ensure that all head leases contain a provision to secure the obligation that the leaseholder shall not apply for a parking permit for any Controlled Parking Zone (CPZ) controlled by the Council unless the occupant is the holder of a disabled persons badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970.

Contribution for Implementation of Parking Management Measures

- Pay to the Council prior to occupation of the development a contribution of £5,000 which shall be Index Linked for the implementation of parking management measures.

Energy and Carbon Offsetting

- The development shall achieve a minimum 35% reduction in carbon emissions over Part L of the Building Regulations 2013 through on-site provisions and the remaining carbon emissions to zero carbon should be offset through a monetary contribution to the Local Authority’s carbon offset fund calculated on the basis of £60 per tonne over 30 years. Any offsetting payment due shall be calculated upon completion of the building so that any shortfall against the Mayor’s target would be capable of being accurately assessed. Any monies which become due
shall only be payable to the Local Planning Authority at that time if it has a legitimate pooling fund set up.

**Local Labour**

- Secure a commitment to local labour/local supply so that residents and businesses in the Borough will benefit from the proposed development.

**24 Hour Access to New Pedestrian Route**

- Once completed the new pedestrian route linking Whiting Avenue and Gurdwara Way shall be open for public access 24 hours a day and shall not be closed or gated off save in the case of emergency with consultation with Police or as may be agreed in advance with the Council for necessary maintenance; to prevent them becoming public open space; to prevent them becoming public footpaths or highways; and to prevent anti-social behaviour; and in each case shall be closed for the minimum period of time that is reasonably practicable.

**S106 Legal Fees**

- Pay the Council’s professional fees associated with the preparation and completion of the S106 Agreement.

### 7.0 Conclusion

7.1 A good standard of design is proposed throughout the development resulting in 78 good quality, intermediate affordable, one-bedroom flats targeted at helping people who are resident or working in the Borough onto the property ladder, with priority given to key workers.

7.2 The proposal complies with the relevant policies set out in the National Planning Policy Framework, the London Plan and the Local Plan, with the exception of wheelchair housing and external amenity space provision as discussed and justified in Sections 6.3 and 6.4 above.

7.3 It is recommended that planning permission be granted subject to a S106 agreement to secure the matters set out in Section 6.9 of this report and the conditions listed in this report (with any amendments that might be necessary up to the issue of the decision).

**Background Papers**

- Planning Application File
  [http://paplan.lbpd.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OP4EW9BLHJW00](http://paplan.lbpd.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OP4EW9BLHJW00)

- Local Plan Policy

  *Core Strategy (July 2010):*

  Policy CM2 – Managing Housing Growth
  Policy CR2 – Preserving and Enhancing the Natural Environment
Policy CP2 – Protecting and Promoting our Historic Environment
Policy CP3 – High Quality Built Environment


Policy BR3 – Greening the Urban Environment
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 BR15 – Sustainable Waste Management
Policy BC2 – Accessible and Adaptable Housing
Policy BC7 – Crime Prevention
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

Barking Town Centre Area Action Plan (February 2011):

Policy BTC13 – Housing Supply
Policy BTC16 – Urban Design
Policy BTC19 – Heritage and Historic Environment

Other Guidance:


‘Biodiversity’ Supplementary Planning Document (2012)

London Riverside Opportunity Area Planning Framework (September 2015)

- The London Plan (March 2016):

Policy 3.5 – Quality and Design of Housing Developments
Policy 3.8 – Housing Choice
Policy 5.21 – Contaminated Land
Policy 6.9 – Cycling
Policy 6.10 – Walking
Policy 6.13 – Parking
Policy 7.1 – Lifetime Neighbourhoods
Policy 7.2 – An Inclusive Environment
Policy 7.3 – Designing Out Crime
Policy 7.4 – Local Character
Policy 7.6 - Architecture
Policy 7.8 – Heritage Assets and Archaeology
Policy 7.14 – Improving Air Quality
Policy 7.15 – Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes
Policy 7.19 – Biodiversity and Access to Nature
Policy 8.3 – Community Infrastructure Levy

‘Housing’ Supplementary Planning Guidance (March 2016)
‘Affordable Housing and Viability’ Supplementary Planning Guidance (Draft – November 2016)

• National Planning Policy Guidance

  National Planning Policy Framework (March 2012)
  Planning Practice Guidance
  Technical Housing Standards – Nationally Described Space Standard (March 2015)
This drawing is to be read and checked in conjunction with engineers and other specialist drawings.

The contractor is to check and verify all building and site dimensions, levels and sewer invert levels at connection points before work starts.

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North: 40m
Ownership Line
Planning Boundary

24.04.17
PLANNING ISSUE

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REV
DATE
DESCRIPTION

FIRST FLOOR PLAN

1617(0)101

24.04.17

PLANNING ISSUE

www.reedwatts.com

studio@reedwatts.com
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REV
DATE
DESCRIPTION

FIFTH FLOOR PLAN

SCALES
1/125 @ A1 1/250 @ A3
24.04.17

PLANNING ISSUE
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PROPOSED BLOCK PLAN

1:250 @ A1  1:500 @ A3

24.04.17

PLANNING ISSUE
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---

**GENERAL**

- **Scale:** 1:125 @ A1, 1:250 @ A3

**Comments**

- 20.06.17: Parking layout updated

---

**Legend**

- HIGH WALL
- MEDIUM WALL + RAILING
- LOW WALL
- LOW WALL + RAILING
- PAVERS
- ADOPTED ROAD WITH TARMAC
- RAILINGS
- HIGH WALL
- MEDIUM WALL + RAILINGS
- LOW WALL
- LOW WALL + RAILINGS
- PAVEMENT
- EXISTING FENCE
- TIMBER SCREENING
- RUB STATION
- BIN STORE
- TABLE TENNIS
- BENCHES

---

**Key Points**

- Dimensions and levels indicated as per the drawing text.

---

**Notes**

- All dimensions are in feet and fractions of feet.

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**Drawing Details**

- **Drawing No:** 1617(0)120
- **Date:** 24.04.17
- **Revision:** PLANNING ISSUE

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**Acknowledgment**

- The content of this drawing is subject to change without notice. It is the responsibility of the recipient to verify the accuracy of the information contained herein.

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**Contact Information**

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PASSING SPACE

TRANSFER ZONE

BEDROOM

LIVING ROOM

KITCHEN

SHOWER / WC

ACCESS CORRIDOR

WHEELCHAIR USER DWELLING

STANDARD DWELLING

www.reedwatts.com

studio@reedwatts.com

PROJECT

1617 WHITING AVENUE

DRAWING

DRAWING NO

SCALE

STATUS

DATE

REVISION

1617(0)152

24.04.17

PLANNING ISSUE

1100

1700

1800

1500

900

1100

550

550

550

28/04/17

121/05/17

127/05/17

11A/05/17

111/05/17

109/05/17

113/05/17

110/05/17

112/05/17

114/05/17

116/05/17

118/05/17

120/05/17

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16/05/17

14/05/17

12/05/17

10/05/17

08/05/17

06/05/17

04/05/17

02/05/17

00/05/17
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AGENDA ITEM 5

Hawkwell House, 2 Gosfield Road, Dagenham
Laburnum House, 89 Bradwell Avenue, Dagenham
Peverel House, Stour Road, Dagenham
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| **Application Number:** | 17/01167/FUL (Hawkwell House)  
17/01168/FUL (Laburnum House)  
17/01169/FUL (Peverel House) | **Ward:** Heath |
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Reason for Referral to DCB as set out in Section I of the Council Constitution</strong></td>
<td>The applications are recommended for approval and would involve the creation of 1 bedroom flats without off-street car parking or amenity space.</td>
</tr>
</tbody>
</table>
| **Address:** | Hawkwell House, 2 Gosfield Road, Dagenham  
Laburnum House, 89 Bradwell Avenue, Dagenham  
Peverel House, Stour Road, Dagenham |
| **Development:** | External alterations to building in connection with the change of use of laundry rooms to 1 x one bedroom flats. |
| **Applicant:** | LBBD – Mr T Taylor |
| **Contact Officer:** | Mark Sleigh |
| **Title:** | Development Management Officer |
| **Contact Details:** | Tel: 020 8227 3822  
E-mail: mark.sleigh@lbdd.gov.uk |

**Summary:**

These 3 applications are considered together as they relate to very similar proposals which raise the same issues.

**Hawkwell House**

The application property is a 17 storey building located to the north and west of Gosfield Road with the main access from the north.

**Laburnum House**

The application property is a 17 storey building located to the north and west of Bradwell Avenue with the main access from the north.

**Peverel House**

The application property is a 17 storey building located to the north and east of Stour Road with the main access from the north.

The application properties are Council buildings currently incorporating 93 housing units. The ground floors in each building contain a laundry room which is externally accessed. The applications seek permission for external alterations to each building in connection with changing the use of each of the laundry rooms to one bedroom flats.
The proposal would not materially impact on the character and appearance of the area and would not result in unacceptably levels of overlooking or loss of privacy and therefore complies with policies BP8 and BP11 of the Borough Wide Development Policies DPD.

The proposed new dwellings all accord with the Technical Housing Standards – nationally described space standards (March 2015).

The applications do not make provision for access to any private amenity space, however, it is common for flats in tall buildings such as these not to benefit from such amenity space and in these circumstances the lack of such provision is considered to be acceptable.

No additional off-street parking provision is proposed for the flats. The sites have a PTAL (Public Transport Accessibility Level) of 2 (Hawkwell House and Peverel House) and 3 (Laburnum House) on a scale of 1-6 where 6 is excellent. However, it is not considered that the absence of off-street parking provision will materially increase parking pressure within the immediate locality. There is currently unrestricted parking in surrounding streets and any additional parking demand could be accommodated without resulting in highway safety concerns.

**Recommendation:**

That planning permission be granted in respect of all 3 applications 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:


   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 development 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.
1. Introduction and Description of Development

1.1 The application sites are all 17 storey tall buildings. Hawkwell House is located to the north and west of Gosfield Road, Laburnum House is located to the north and west of Bradwell Avenue, and Peverel House is located to the north and east of Stour Road. Each building contains 93 housing units and the ground floor of each incorporates a laundry room. The application seeks permission for external alterations to each of the buildings in connection with changing the use of each of the laundry rooms into one bedroom, two person flats.

2. Background

2.1 None relevant.

3. Consultations

3.1 a) Neighbours/Publicity

Site notices were placed outside the entrance of each building and inside on the residents notice board. No responses were received regarding any of the three applications.

b) Access Officer

Satisfied provided all new elements comply with the relevant building regulations.

c) Environmental Health Team

The environmental protection issue raised by this application is the potential for noise disturbance associated with the use of what appears to be a store room adjoining the bedroom of the proposed new flat. However, I note that there is a dwelling directly above this area, I have no record of complaint of noise disturbance relating to the store room and so I am confident that the residents of the proposed flat will enjoy satisfactory aural amenity.

I do not wish to object to the application.

d) Transport Development Officer

We are satisfied that taking into consideration existing parking availability, the addition of an extra 1 bed flat at these housing blocks will have no significant adverse highway implications and we have no objections to the proposals.

4. Local Finance Considerations

4.1 The application is subject to both the Mayor of London and Council’s Community Infrastructure Levy (CIL) however all of the buildings have been in use and no extensions are proposed as part of the applications. It is therefore considered that the CIL payments would be £0.

5. Equalities Considerations
5.1 The Equality Act 2010 requires the Council to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it in the exercise of its functions. The proposed new dwellings have been designed as far as possible to provide accessible accommodation in accordance with Buildings Regulations M4(2) which would help enable future occupiers to remain living in the property regardless of age/or disability.

6. Analysis

6.1 Principle of Development

6.1.1 The ground floor laundry rooms in each building are not used by current residents. Therefore, their conversion into one bedroom flats is considered acceptable and would not result in the loss of a useful communal facility.

6.2 External Appearance

6.2.1 Policy 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 achieve a good standard of design.

6.2.2 The external elevations of the buildings will only need to be minimally altered in connection with the proposed change of use. The existing windows will be replaced and new external doors will be incorporated to allow access to the new flats.

6.2.3 The proposed external alterations are satisfactory in appearance and considered to be in accordance with policy BP11 of the Borough Wide Development Policies DPD.

6.3 Residential Amenity

6.3.1 Policy BP8 of the LDF Borough Wide DPD seeks to protect residential amenity stating, among other things, that new development should not lead to significant overlooking (loss of privacy and immediate outlook) or overshadowing (loss of daylight and sunlight).

6.3.2 The proposed flats are located within existing disused laundry rooms on the ground floor and therefore there would be no impact upon neighbouring flats in the building with regards to overlooking or overshadowing. All the units would be dual aspect and receive a satisfactory amount of daylight.

6.4 Internal Design

6.4.1 In accordance with the Technical Housing Standards – nationally described space standards which is incorporated into the London Plan Policy 3.5, 2 person, 1 bed, 1 storey dwellings require a minimum gross internal floor area of 50m$^2$, including 1.5m$^2$ of built-in storage and a minimum bedroom size of 11.5m$^2$.

6.4.2 Hawkwell House: The gross internal floor area is 66.26m$^2$ and the bedroom floor area is 15.18m$^2$. In-built storage is provided in the bedroom and in the hall resulting in 3.27m$^2$ storage space. As such, the gross internal floor area, bedroom floor area
and storage space comfortably exceeds the minimum requirement and is in accordance with the London Plan.

6.4.3 Laburnum House: The gross internal floor area is 67.07m$^2$ and the bedroom floor area is 15.6m$^2$. In-built storage is supplied in the bedroom and in the hall resulting in 3.54m$^2$ storage space. As such, the gross internal floor area, bedroom floor area and storage space comfortably exceeds the minimum requirement and is in accordance with the London Plan.

6.4.4 Peverel House: The gross internal floor area is 66.08m$^2$ and the bedroom floor area is 17.67m$^2$. In-built storage is supplied in the hall resulting in 1.44m$^2$ storage space. Given that the gross internal floor area and bedroom floor area comfortably exceeds the minimum requirement, the slight shortfall in storage space is considered acceptable.

6.5 External Amenity Space

6.5.1 Policy BP5 of the LDF Borough Wide DPD seeks to ensure that new dwellings provide appropriate levels of external private and/or communal amenity space.

6.5.2 The applications do not make any provision for direct access to amenity space, however it is not considered to be reasonably possible to provide any in this instance and it is common for flats in tall buildings not to benefit from such amenity space. In addition, the flats benefit from their location in close proximity to Central Park which is sited a short distance away to the east. In these circumstances, the lack of such external amenity provision is considered to be acceptable.

6.6 Parking

6.6.1 Policy BR9 of the LDF Borough Wide DPD states that the car parking standards set out in the London Plan will be used as maximum parking standards for new developments. In this regard, Table 6.2 of the London Plan requires that less than 1 car parking space should be provided for 1-2 bedroom units.

6.6.2 The proposed conversions do not provide any car parking spaces. The absence of car parking is not contrary to policy but needs to be assessed to ensure that it would not have any adverse highway safety implications.

6.6.3 The application site has a Public Transport Accessibility Level (PTAL) rating of 2 (Hawkwell House and Peverel House) and 3 (Laburnum House) on a scale of 1-6 where 6 is excellent. Despite the poor to moderate PTAL rating, the site is served by a number of bus routes, furthermore there is currently unrestricted parking provision in all nearby streets. The Transport Development Management Officer does not consider that there will be any adverse highway implications from the proposal and therefore raised no objection.

6.6.4 In view of the minor nature of the developments which are unlikely to generate much, if any, additional parking demand, it is considered that a refusal on the grounds of parking would be difficult to substantiate. The National Planning Policy Framework (NPPF) states that developments should only be refused on transport grounds where the residual cumulative impacts of development are severe.
7. Conclusion

7.1 It is considered that the principle of converting the ground floor disused laundry room in each of the three buildings (Hawkwell House, Laburnum House and Peverel House) into one bedroom flats is acceptable and is broadly in line with the relevant Local Plan policies. The proposed development would provide good quality accommodation and would have no adverse affect on the character and appearance of the respective locations. Whilst the development does not propose off-street parking, the additional parking demand for a one bedroom flat in each of the buildings is considered to be minimal and able to be safely accommodated within surrounding streets.

Background Papers

• Planning Application Files:
  - Hawkwell House: [http://paplan.lbbd.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OSZ2JZBJW600](http://paplan.lbbd.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OSZ2JZBJW600)
  - Laburnum House: [http://paplan.lbbd.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OSZ2LVB900](http://paplan.lbbd.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OSZ2LVB900)
  - Peverel House: [http://paplan.lbbd.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OSZ2NQBLJWC00](http://paplan.lbbd.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OSZ2NQBLJWC00)

• Local Plan Policy

Core Strategy

Policy CP3 – High Quality Built Environment

Borough Wide Development Policies DPD

Policy BR9 – Parking
Policy BP5 – External Amenity Space
Policy BP8 – Protecting Residential Amenity
Policy BP11 – Urban Design

• The London Plan 2016

Mayor’s Supplementary Planning Guidance for Housing (2016)

Policy 3.5 – Quality and Design of Housing Development
Policy 6.13 – Parking

Technical Housing Standards – nationally described space standards

• National Policy

National Planning Policy Framework

National Planning Practice Guidance
Residential Flat Conversions

Hawkwell House
Dagenham RM8 1DN

Existing and Proposed Plans, Elevations & Section A-A

This drawing is to be read in conjunction with the following drawings:
17013-HH-A-101 Site Location Plan
17013-HH-A-102 Site Block Plan
17013-HH-B-105 Proposed Plans, Section & Elevations

Schedule of Areas

<table>
<thead>
<tr>
<th>Proposed</th>
<th>Ground Floor - 2P Flat</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hall</td>
<td>5.52m²</td>
</tr>
<tr>
<td>Shower Room</td>
<td>3.14m²</td>
</tr>
<tr>
<td>Bedroom</td>
<td>15.54m²</td>
</tr>
<tr>
<td>Living</td>
<td>17.79m²</td>
</tr>
<tr>
<td>Kitchen</td>
<td>7.97m²</td>
</tr>
<tr>
<td>Store 1</td>
<td>1.36m²</td>
</tr>
<tr>
<td>Store 2  &amp; Meters</td>
<td>1.91m²</td>
</tr>
</tbody>
</table>

(Note: Overall Areas are noted as gross internal.)

Distances: 1000mm dia wheelchair turning circle

Existing & Proposed West Elevation

Existing & Proposed South Elevation

Existing & Proposed East Elevation

Existing & Proposed North Elevation

Section A-A

Existing Ground Floor Plan

Proposed Ground Floor Plan
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This drawing is to be read in conjunction with the following drawings:
17013-HH-A-101 Site Location Plan
17013-HH-A-102 Site Block Plan
17013-HH-B-105 Proposed Plans, Section A-A

Client
London Borough of Barking and Dagenham

Project
Residential Flat Conversions

Notes
Planning Application

Location of existing disused Ground Floor Laundry to be converted

Main Entrance

Elect Sub Station

Parking

Entrance to Car Park

Hawkwell House

1 to 87

1 to 68 Butler Court

4 to 82

GOSFIELD ROAD

SCALE 1:200

0 2 4 6 8 10 20 metres

J Wrubel Architects

0208 252 2088

e-mail: jw@jwrubelarchitects.com

web: www.jwrubelarchitects.com

Goresbrook Road
Dagenham
Essex RM9 6UX

London Borough of Barking and Dagenham

Residential Flat Conversions

Hawkwell House

Dagenham RM8 1DN

Site Block Plan

May 2017

17013-HH-A-102
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This drawing is to be read in conjunction with the following drawings:
17013-LHA-201 Site Location Plan
17013-LHA-202 Site Block Plan
17013-LHB-205 Proposed Plans, Section A-A

Client
London Borough of Barking and Dagenham
Project
Residential Flat Conversions

Location of existing disused Ground Floor Laundry to be converted

89

1 to 93 Laburnum House

1 to 32 The George Crouch Community Centre

Laburnum Health Centre

Elect Sub Station

Boundary of Application Site

17013-LHA-A-202

J Wrubel Architects
E-mail: jw@jwrubelarchitects.com
Tel: 0208 252 2088
Fax: 0208 252 2088
web: www.jwrubelarchitects.com

Planning Application

Residential Flat Conversion
Laburnum House
Dagenham RM10 7AE

Site Block Plan

81 to 87

SCALE 1:200

20 metres
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1 to 93
Peverel House

Location of existing disused Ground Floor Laundry to be converted

Entrance to Car Park

Main Entrance

STOUR ROAD

COUNCIL OFFICES

Residential Flat Conversions

London Borough of Barking and Dagenham

Client

Project

Planning Application

1 to 93 Peverel House

STOUR ROAD

17013-PH-A-302 Site Block Plan

17013-PH-B-305 Proposed Plans, Section A-A

J Wrubel Architects

17013-PH-A-301 Site Location Plan

STOUR ROAD

17013-PH-A-302 Site Location Plan

e-mail: jw@jwrubelarchitects.com

Tel: 0208 252 2088

Fax: 0208 252 2088

web: www.jwrubelarchitects.com

This drawing is to be read in conjunction with the following drawings:

17013-PH-A-301 Site Location Plan
17013-PH-A-302 Site Block Plan
17013-PH-B-305 Proposed Plans, Section A-A

Description

Date

Status

Location of existing disused Ground Floor Laundry to be converted

Scale 1:200

20 metres
AGENDA ITEM 6

1 Dunchurch House, 31 Ford Road, Dagenham
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Summary:

The application property is a four storey building located to the east of Ford Road with the main access from the west. The application property is a Council building currently incorporating 39 housing units. Part of the ground/first floor is used as a three bedroom maisonette accessed internally on the ground floor. The application seeks permission for internal alterations in connection with the subdivision of this maisonette into 2 one bedroom flats.

As there are no external alterations to be made, the proposal would not impact on the character and appearance of the area and therefore complies with policies BP8 and BP11 of the Borough Wide Development Policies DPD.

The proposed new dwelling accords with the Technical Housing Standards – nationally described space standards (March 2015).

The ground floor flat has a patio and the first floor flat a balcony both measuring 4.0m². This is slightly below the standard stated in the Mayor of London Housing SPG which requires 5m² but the balcony and patio are existing and are replicated in other flats within the block. There is also a communal garden area for residents of the block.

The proposal involves the loss of family accommodation (3 bedroom unit) but it is considered that due to the limited garden space and car parking availability, it is not best suited to family accommodation. Therefore, the conversion to two one bedroom flats is considered acceptable in this instance.

No additional off-street parking provision is proposed for this development. The site has a PTAL (Public Transport Accessibility Level) of 3 on a scale of 1-6 where 6 is excellent. However, it is not considered that the development would be likely to materially increase parking pressure within the immediate locality. There is unrestricted parking in surrounding
streets and any additional parking demand could be accommodated without resulting in highway safety concerns.

**Recommendation:**

That planning permission be granted 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 use hereby permitted shall be carried out in accordance with the following approved plans: A-001 Rev A1, A-002 Rev A2, B-004 Rev A3, B-005 Rev A4.

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

<table>
<thead>
<tr>
<th>1. Introduction and Description of Development</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1.1</strong> The application site is a four storey building located to the east of Ford Road. The building contains 39 housing units and part of the ground/first floor is used as a three bedroom maisonette which is accessed internally. The application seeks permission for internal alterations in connection with the subdivision of this maisonette into two one bedroom, one person flats.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2. Background</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>2.1</strong> No planning history.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3. Consultations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>3.1</strong> a) Neighbours/Publicity</td>
</tr>
<tr>
<td>Site notices were placed outside the entrance of each building and inside on the residents notice board. No responses were received.</td>
</tr>
</tbody>
</table>

| **b) Access Officer** |
| Satisfied provided all new elements comply with the relevant building regulations. |

| **c) Environmental Health Team** |
| The environmental protection issue raised by this application is noise. The ‘stacking’ of the uses within the proposed dwellings with the ground floor bedroom being below the first floor bedroom and the sanitary services being similarly arranged one above the other is appropriate. |
| I have no objection to the proposed development. |

| **d) Transport Development Officer** |
We are satisfied that taking into consideration existing parking availability, the addition of an extra 1 bed flat at these housing blocks will have no significant adverse highway implications and we have no objections to the proposals.

4. Local Finance Considerations

4.1 The application is subject to both the Mayor of London and Council’s Community Infrastructure Levy (CIL) however the building has been in use and no extensions are proposed as part of the application. It is therefore considered that the CIL payment would be £0.

5. Equalities Considerations

5.1 The Equality Act 2010 requires the Council to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it in the exercise of its functions. The proposed new dwellings have been designed as far as possible to provide accessible accommodation in accordance with Buildings Regulations M4(2) which would help enable future occupiers to remain living in the property regardless of age/or disability.

6. Analysis

6.1 Principle of Development

6.1.1 The existing three bedroom maisonette which is currently located on part of the ground and first floor of Dunchurch House is to be converted into two one bedroom flats. Although this involves the loss of family accommodation (3 bedroom unit) it is considered that, due to the limited garden space and car parking availability, the location is not best suited to family accommodation. Therefore, the conversion to two one bedroom flats is considered acceptable in this instance.

6.3 Residential Amenity

6.3.1 Policy BP8 of the LDF Borough Wide DPD seeks to protect residential amenity stating among other things that new development should not lead to significant overlooking (loss of privacy and immediate outlook) or overshadowing (loss of daylight and sunlight).

6.3.2 There are no external alterations proposed as part of this development and therefore, it is considered there will be no impact upon neighbouring properties with regards to overlooking or overshadowing.

6.4 Internal Design

6.4.1 In accordance with the Technical Housing Standards – nationally described space standards which is incorporated into the London Plan Policy 3.5, 1 person, 1 bed, 1 storey dwellings (with shower room) require a minimum gross internal floor area of $37m^2$, including $1.0m^2$ of built-in storage and a minimum bedroom size of $7.5m^2$. 
6.4.2 The gross internal floor area of the ground floor flat is 37.28m$^2$ and the bedroom floor area is 12.18m$^2$. In-built storage is supplied in the hall resulting in 0.78m$^2$ storage space. The slight shortfall in storage space is considered acceptable.

6.4.3 The gross internal floor area of the first floor flat is 47.86m$^2$ and the bedroom floor area is 11.38m$^2$. In-built storage is supplied in the hall resulting in 0.9m$^2$ storage space. The minimal shortfall in storage space is considered acceptable.

6.5 External Amenity Space

6.5.1 Policy BP5 of the LDF Borough Wide DPD seeks to ensure that new dwellings provide appropriate levels of external private and/or communal amenity space.

6.5.2 The application provides a 4.0m$^2$ patio area for the ground floor flat and a 4.0m$^2$ balcony for the first floor flat. This is slightly below the standard stated in the Mayor of London Housing SPG which requires 5m$^2$ per unit but the balcony and patio are existing and are replicated in other flats within the block. There is also a communal garden area for residents of the block. In addition, the flats benefit from their location in close proximity to Old Dagenham Park situated to the south-east. The provision for outdoor space is considered acceptable and, indeed, better suited to one bedroom flats as opposed to a 3 bedroom family sized unit.

6.6 Parking

6.6.1 Policy BR9 of the LDF Borough Wide DPD states that the car parking standards set out in the London Plan will be used as maximum parking standards for new developments. In this regard, Table 6.2 of the London Plan requires that less than 1 car parking space is provided for 1-2 bedroom units.

6.6.2 The proposed development provides no additional car parking spaces and the block only has 8 spaces in total. The lack of car parking is not contrary to policy but needs to be assessed to ensure that it would not have any adverse highway safety implications.

6.6.3 The application site has a Public Transport Accessibility Level (PTAL) rating of 3 on a scale of 1-6 where 6 is excellent. Despite the moderate PTAL rating, the site is served by a bus route which runs along Church Elm Lane to the north of the application site. The Transport Development Management Officer does not consider that there would be any adverse highway implications from the conversion and therefore raised no objection.

6.6.4 However, it is not considered that the development would be likely to materially increase parking pressure within the immediate locality. There is unrestricted parking in surrounding streets and any additional parking demand could be accommodated without resulting in highway safety concerns. The National Planning Policy Framework (NPPF) states that developments should only be refused on transport grounds where the residual cumulative impacts of development are severe.

7. Conclusion
7.1 It is considered that the principle of converting the existing maisonette into two 1 bedroom flats is acceptable and broadly in line with the relevant Local Plan policies. The proposed development will provide satisfactory accommodation and would have no adverse affect on the character and appearance of the area. The additional parking demand for two one bedroom flats is considered to be minimal and able to be safely accommodated within surrounding streets. In view of the limited access to outdoor space it is considered that the building is better suited to smaller housing units rather than larger family accommodation.

Background Papers

- Planning Application Files: [http://paplan.lbbd.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OSZ5DBBLJY300](http://paplan.lbbd.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OSZ5DBBLJY300)

- Local Plan Policy

  Core Strategy

  Policy CP3 – High Quality Built Environment

  Borough Wide Development Policies DPD

  Policy BR9 – Parking
  Policy BP5 – External Amenity Space
  Policy BP8 – Protecting Residential Amenity
  Policy BP11 – Urban Design

- The London Plan 2016

  Mayor’s Supplementary Planning Guidance for Housing (2016)

  Policy 3.5 – Quality and Design of Housing Development
  Policy 6.13 – Parking

  Technical Housing Standards – nationally described space standards

- National Policy

  National Planning Policy Framework

  National Planning Practice Guidance
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This page is intentionally left blank
This drawing shows the General Arrangement of both the Existing and Proposed First and Ground Floors based on a basic survey to identify what implications there would be in carrying out the proposals within the existing fabric.

Access to adjoining flats to determine actual flat layouts other than the Maisonette affected was deemed unnecessary due to occupation by residents.

Existing Door leaf and a half to Corridor to be relocated by 900mm to ensure door swing is clear of new door opening into new flat.

New door opening to be formed from within Corridor to provide access to new flat.

Level access to rear severity, new Flat door within Glazed Link.

Existing door opening to be enclosed by 800mm to ensure door swing is clear of new door opening into new flat.
This drawing is to be read in conjunction with the following drawings:

- 17013-DH-A-001 Site Location Plan
- 17013-DH-A-002 Site Block Plan
- 17013-DH-B-004 Existing & Proposed GA Plans
- 17013-DH-B-005 Proposed Plans, Section A-A

Client:
London Borough of Barking and Dagenham

Project:
Residential Flat Conversions

Location of existing Maisonette to be converted. Dotted line shows extent of Ground Floor only.

Flats:
- 1 to 6
- 11 to 15
- 20 to 25
- 30 to 35

Electrical Scooter Store and Charging

1st Floor Balcony

Emergency Evacuation Gate

Location of existing Maisonette to be converted. Dotted line shows extent of Ground Floor only.

Club

Emergency Evacuation Gate

Main Entrance

Elect Sub Station

Footpath

Paving

Gnd Flr Amenity Space

1st Floor Balcony

Electrical Scooter Store and Charging

Main Entrance

Secure Vehicular Gate

Elect Sub Station

Pedestrian Access Gate & Means of Escape

Private Parking

Emergency Evacuation Gate

Footpath

Secured Vehicular Gate

Pedestrian Access Gate & Means of Escape

Gdns

Electrical Scooter Store and Charging

Location of existing Maisonette to be converted. Dotted line shows extent of Ground Floor only.
# DEVELOPMENT CONTROL BOARD

## 9 October 2017

<table>
<thead>
<tr>
<th>Title: Town Planning Appeals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Report of the Development Management Manager, Regeneration Division</td>
</tr>
<tr>
<td>Open Report</td>
</tr>
<tr>
<td><strong>Wards Affected:</strong> Abbey, Alibon, Eastbrook, Eastbury, Longbridge, Parsloes, River, Village, Whalebone</td>
</tr>
<tr>
<td><strong>Report Author:</strong> Dave Mansfield, Development Management Manager</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Accountable Director:</strong> John East, Growth and Homes</td>
</tr>
<tr>
<td><strong>Summary:</strong></td>
</tr>
<tr>
<td>This report advises Members of recent appeals that have been lodged and the outcomes of decisions made.</td>
</tr>
<tr>
<td><strong>Recommendation:</strong></td>
</tr>
<tr>
<td>The Development Control Board is asked to note this report.</td>
</tr>
</tbody>
</table>

## 1. Appeals Lodged

The following appeals have been lodged:

a) **Change of use of a single family dwelling (Use Class C3) to a House in Multiple Occupation (Class C4)** – 7 Cecil Avenue, Barking (17/00631/FUL)

   Application refused under delegated powers 13 June 2017 – Abbey Ward

b) **Application for a certificate of lawfulness for an existing use: Use of outbuilding as independent dwelling** – 106 Manor Road, Dagenham

   Application refused under delegated powers 14 February 2017 – Village Ward

c) **Erection of two storey side and part single/part two storey rear extension** – 58 Melford Avenue, Barking

   Application refused under delegated powers 15 May 2017 – Longbridge Ward

d) **Demolition of side extension and erection of two storey 2 bedroom end of terrace house** - 40 Cornwallis Road, Dagenham
Application refused under delegated powers 25 May 2017 – Parsloes Ward

e) Erection of part single/part two storey side and rear extensions - 162 Gorseway, Rush Green

Application refused under delegated powers 28 April 2017 – Eastbrook Ward

f) Erection of two storey one bedroom detached house – 141 Woodward Road, Dagenham

Application refused under delegated powers 4 July 2017 – Eastbury Ward

2. Appeals Determined

2.1.1 The following appeals have been determined by the Planning Inspectorate:

a) 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- Alibon Ward)

Application refused under delegated powers 23 December 2016 for the following reason:

1. The roof addition would extend beyond the plane of an existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway, and therefore does not comply with the requirements of Class B of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Planning Inspectorate’s Decision: Appeal dismissed 18 August 2017 (see attached)

b) Change of use from production and storage of cullet to production and storage of secondary aggregates – Former Berryman Site, Perry Road, Dagenham (Ref: 16/01295/CTY – River Ward)

Application refused under delegated powers 17 November 2016 for the following reason:

1. The Joint Waste Development Plan Document for the East London Waste Authority Boroughs (February 2012) demonstrates that the Borough does not require any new Construction, Excavation and Demolition facilities. Accordingly, the proposed development is contrary to Policies 5.17 and 5.18 of the London Plan (March 2016), Policy CR3 of the Core Strategy (July 2010) and BR15 of the Borough Wide Development Policies DPD (March 2011) and the Joint Waste Development Plan Document for the East London Waste Authority Boroughs (February 2012).

2. The loss of a safeguarded site for apportioned waste is contrary to Policies 5.17 and 5.18 of the London Plan (March 2016), Policy CR3 of the Core Strategy (July 2010) and BR15 of the Borough Wide Development Policies DPD (March
Planning Inspectorate’s Decision: Appeal allowed 23 August 2017 (see attached)

c) Enforcement appeal – Material change of use to a place of worship/community centre – Land and premises at the rear of 246 Oxlow Lane, Dagenham (Alibon Ward)

Planning Inspectorate’s Decision: Appeal allowed 25 August 2017 (see attached)

d) Application for prior approval of proposed single storey rear extension (depth: 5.0 metres; height to eaves: 3.0 metres and maximum height: 3.0 metres) – 56 Stratton Drive, Barking (Ref: 17/00286/PRIOR6 – Longbridge Ward)

Application refused under delegated powers 27 March 2017 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.58 Stratton Drive contrary to Policies BP8 and BP11 of the Borough Wide Development Policies DPD and the Residential Extensions and Alterations SPD.

Planning Inspectorate’s Decision: Appeal allowed 29 August 2017 (see attached)

e) Enforcement appeal – Unauthorised erection of an independent residential unit at the rear of a commercial premises – 100 High Road, Chadwell Heath (Whalebone Ward)

Planning Inspectorate’s Decision: Appeal dismissed 4 September 2017 (see attached)

f) Erection of two storey 1 bedroom dwelling – 1 Rockwell Road, Dagenham (Ref: 16/02006/FUL – Alibon Ward)

Application refused under delegated powers 17 February 2017 for the following reason:

1. The siting and scale of the proposed development would result in a cramped form of development detrimental to the spacious character of the streetscene and the wider Becontree Estate contrary to Policies CP2 and CP3 of the Core Strategy (July 2010) and Policies BP2, BP8 and BP11 of the Borough Wide Development Policies DPD (March 2011).

Planning Inspectorate’s Decision: Appeal dismissed 5 September 2017 (see attached)
Appeal Decision

Site visit made on 25 July 2017

by Nigel Burrows  BA MRTPI

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

Decision date: 25 August 2017

Appeal Ref: APP/Z5060/C/16/3159358

Land and premises at the rear of 246 Oxlow Lane, Dagenham, RM10 7YX

- 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 Israel Ajayi against an enforcement notice issued by the Council of the London Borough of Barking & Dagenham.
- The enforcement notice, ref: 14/00056/NOPERM, was issued on 24 August 2016.
- The breach of planning control as alleged in the notice is the material change of use to a place of worship/community centre.
- The requirements of the notice are:
  1. Cease the use of the premises as a place of worship/community centre
  2. Remove all fixtures and fittings that facilitate the unauthorised use
  3. Remove all waste materials from the site.
- The period for compliance with the requirements is 3 months.
- The appeal is proceeding on the grounds set out in section 174(2)(a) of the Town and Country Planning Act 1990 as amended.

Summary of Decision: The appeal is dismissed and the enforcement notice is upheld with corrections

Procedural Matters

1. The appellant indicates there is an error in the enforcement notice, as part of it appears to identify the address of the site incorrectly. The appellant does not elaborate further. The address given in paragraph 2 of the notice (‘THE LAND TO WHICH THE NOTICE RELATES’) is ‘Land and premises at the rear of 246 Oxlow Lane’ - which is correct. I have therefore assumed the appellant is drawing attention to a notation on the plan attached to the enforcement notice which refers to ‘246 Oxlow Lane...’ which is incorrect.

2. However, the plan appears to correctly identify the land and premises subject of the enforcement notice in red, notwithstanding the defective notation. This defect does not go to the heart of the notice. It can be corrected by simply deleting the notation upon the plan. This correction would not cause injustice to the appellant, who appears to be in no doubt about the extent of the land and premises subject of the notice.

3. Having said that, the whole of the site edged red does not appear to be used as a place of worship/community centre as alleged in the enforcement notice. The Council’s stance is that a material change of use from Class B1 to D1 has occurred.1 This certainly appears to be the case within the single storey range and the first floor of the attached two storey range. However, there is no firm evidence to show that a change of use has taken place within the ground floor portion of the two storey range. This matter was also highlighted by my colleague who quashed a previous enforcement notice which purported to relate to the site. Amongst other things, he concluded: “It should be alleged that the

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1 As alleged in paragraph 6.2 of the Council’s statement of case
The appeal premises are in a mixed use for business and as a place of worship and community centre, even if there would be no requirement for the business use to cease.  

4. On the evidence before me, I see no reason to disagree with my colleague’s conclusion. I intend to correct the allegation in the notice along these lines. I am satisfied this correction would not cause injustice to the parties. There is no need to correct the requirements of the notice, which only appear to be concerned with the worship/community centre activities.

The appeal on ground (a) and deemed application

5. The ground (a) appeal and the deemed application are for the matters alleged in the notice, as corrected, namely ‘The material change of use from B1 business purposes to a mixed use for B1 business purposes and as a place of worship/community centre.’

6. I consider there are three main issues in this case. The first is whether the provision of the place of worship/community centre would be an appropriate form of development within this location, having regard to the relevant development plan policies and other material considerations. The second is the effect of the use on the prevailing highway conditions in the area. The third is the implications of the use for the living conditions of residents in the vicinity of the site, particularly in terms of noise and disturbance.

Issue 1: The appropriateness of the development

7. The appeal premises are located to the rear of a parade of properties used for a mix of commercial/residential purposes, which are situated on the south side of Oxlow Lane in Dagenham. There is no dispute that the premises are within a Neighbourhood Centre for the purposes of policy CM5 ‘Town Centre Hierarchy’ of the Council’s Core Strategy.

8. Policy CM5 seeks to encourage development and services that will help to maintain and enhance the vitality and viability of designated centres. The Council also cites Planning Advice Note 4 - ‘Religious Meeting Places’ (2012 update). Paragraph 1.2 of the document indicates it should be read in conjunction with the Council’s planning policies. However, it is not altogether clear whether it has the status of a Supplementary Planning Document (SPD), which limits the weight I can give to it. Be that as it may, section 4 of the document offers guidance on the preferred locations for religious meeting places.

9. The Council’s stance is the development has deprived the area of light industrial capacity. However, the retention of this industrial capacity does not appear to be a stated objective of policy CM5. In any event, the Council considers the use harms the vitality and viability of a designated centre due to a reduction in employment generating floorspace and by being inactive throughout much of the week. This appears to be a reference to the appellant’s limited use of the premises. According to the appellant, the current use normally involves prayer/bible study between 19:00 and 21:00 hours on Thursdays and congregational worship on Sunday afternoons until about 15:00 hours.

10. The Council argues there would be at least 2 full-time employees on this site in B1 use, whereas the unauthorised use has no full-time employees. However, I do not consider that such a conclusion could be safely drawn, notwithstanding the limited duration of the use on the site. However, I agree with the Council’s view that the current use of the premises as a place of worship/community centre does not appear to represent an efficient use of the premises. In this respect, it is difficult to see how it helps to maintain or enhance the vitality and viability of the Oxlow Lane Neighbourhood Centre. It also conflicts with Core Strategy policy CM1, insofar as it seeks to ensure that development uses land and infrastructure efficiently, maximising the use of previously developed land.

11. The appellant is evidently willing to explore a more intensive use of the premises, including coffee mornings, afternoon tea drop-in sessions, and other activities supporting

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2 Paragraph 5 of appeal decision ref: APP/Z5060/C/14/2225858, dated 5 August 2015
3 ‘Planning for the future of Barking and Dagenham’: Cores Strategy (adopted July 2010)
4 Based on the Homes and Communities Agency Employment Densities Guide (2010)
the local community. However, there is no firm evidence before me to demonstrate the extent to which these activities might help to maintain or enhance the vitality and viability of the Neighbourhood Centre. The suggestion of a more intensive use would also tend to undermine one of the appellant's principal arguments in favour of the unauthorised use - namely that it involves a very limited use of the appeal premises.  

12. The Council considers the use does not provide wider community centre functions or services. Section 4 of the Council’s Planning Advice Note indicates that applicants should demonstrate that their religious meeting place is meeting a predominantly local need: speculative applications where this cannot be established or verified will be discouraged. According to the appellant, there is ‘a very great need’ for the use and it benefits the community. However, no information has been provided in support of these assertions, or in relation to the size of the congregation and what proportion of its members might be local.

13. The appellant cites other considerations in favour of the use. The appellant suggests the current use of the property is more appropriate to this location and more ‘considerate’ to local residents than the former use of the premises as a vehicle repair workshop; it also involves the beneficial use of a building which was in a poor state of repair. However, on the first point there is no compelling evidence to support these assertions; furthermore, I intend to address the implications of the use for local residents within the third issue. On the second point, this use does not appear to represent an efficient use of the premises.

14. As matters stand, I conclude there is no compelling evidence to demonstrate the unauthorised use helps to maintain and enhance the vitality and viability of the Neighbourhood Centre. In this respect, it conflicts with Core Strategy policy CM5. Furthermore, it conflicts with policy CM1 for the reasons given above in paragraph 10.

**Issue 2: Highway Conditions**

15. According to the Council, the unauthorised use has resulted in inconsiderate car parking which causes obstruction of the public highway, to the detriment of road safety. This allegation is strongly contested by the appellant. He indicates there has been no parking on the public highway by users of the premises. The appellant confirms that he uses a car, but indicates only one member of the congregation generally visits the premises by car, plus one other visitor who occasionally uses a car.

16. At the site visit there appeared to be a vehicle obstructing the main access to the site from Oxlow Lane. However, there was no evidence to suggest this was associated with the place of worship/community centre. I also noted there were a number of vehicles parked on the forecourt of other premises within the parade, which gave rise to a rather confused and cluttered appearance to the frontage of properties in Oxlow Lane.

17. In any event, there is no substantive evidence before me to support the Council’s assertion that the use has resulted in inconsiderate car parking, or that it detracts from the prevailing highway conditions. Moreover, given the limited parking space available within the site and the duration of the activities which take place, it is highly likely that additional car-borne visitors would use the allocated on-street parking provision within the area or, alternatively, use the Wantz car park which is a short distance to the east.

18. Overall, I conclude the use is unlikely to have an adverse impact upon the prevailing highway conditions within the area. I further conclude that it does not materially conflict with policies BR9 and BR10 of the Council’s Borough Wide Development Policies, insofar as they seek to manage parking provision and address the highways impact of development.

**Issue 3: Living Conditions of Residents**

19. The Council alleges the unauthorised use has resulted in a significant adverse effect on residential amenity due to noise, parking and general disturbance. According to the

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5 Which has implications for the matters to be addressed in the second and third main issues
6 Borough Wide Development Policies Development Plan Document (March 2011)
Council, six noise complaints have been received in relation to the site between March 2014 and October 2014. However, details of these complaints have not been provided.

20. As noted earlier, the appellant claims the current use of the property is more ‘considerate’ to local residents than the former use of the premises as a vehicle repair workshop. However, it is by no means obvious that this is the case. For example, according to the Council, there is no record of noise complaints concerning the use of the premises from 2008 until the commencement of the current unauthorised use.

21. The appellant has emphasised the limited nature of the use undertaken at the premises. Furthermore, my attention has been drawn to various noise attenuation measures which have been carried out including the provision of sound proofing to the building, the permanent sealing of windows facing the properties in Oxlow Lane and the provision of air conditioning to provide alternative ventilation to this accommodation.

22. However, it is by no means obvious to me that such measures would go far enough to mitigate potential noise and disturbance. For example, the congregation of people outside such premises can often be a significant problem in terms of noise and general disturbance. I could not discount the possibility this might be the case here.

23. A troubling aspect of this case is that the parties have not provided any Noise Impact Assessment to underpin their respective arguments. It might conceivably be the case that the appellant’s sound attenuation measures have adequately mitigated any noise from the place of worship/community centre; however, the congregation of people outside might remain a concern. In any event, in the absence of any compelling evidence one way or the other, I am unable to reach a firm conclusion on the matter.  

Summary

24. I have found in the appellant’s favour on the second issue. I am unable to reach a firm conclusion upon the third issue. Nonetheless, overall, I find these considerations are clearly outweighed by my conclusion that there is no compelling evidence to demonstrate the unauthorised use helps to maintain and enhance the vitality and viability of the Neighbourhood Centre, as required by the relevant planning policies.

25. It is not obvious to me that the objections to the use could be overcome by planning conditions. I note the appellant’s willingness to accept a ‘personal’ condition. However, planning controls are normally concerned with the use of land rather than the identity of the user. Planning permission normally runs with the land and, as such, it is seldom desirable to provide otherwise. In any event, I am not persuaded that such a condition would overcome the objections to the development that I have identified - or justify the grant of permission for the continuation of the use. Given my overall findings on the main issues, I conclude that the ground (a) appeal and deemed application should not succeed.

26. I have taken into account all the other matters raised, including the appellant’s concerns about the manner in which the Council has dealt with the enforcement proceedings and the difficulties likely to be experienced in the search for suitable alternative accommodation, but I find they do not alter or outweigh the main considerations that have led to my decision.

Formal Decision

27. The enforcement notice is corrected by :-

(i) Deleting all the words from paragraph 3 (THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL) and replacing with the following words: ‘The material change of use from B1 business purposes to a mixed use for B1 business purposes and as a place of worship/community centre.’

7 In other respects, given my conclusions on the second issue, there is no firm evidence to show the amenity of the area would be significantly affected due to parking.

8 Albeit, should any unforeseen circumstances occur, then section 173A(1)(b) of the Act enables the Council to extend the period for compliance with the enforcement notice at its discretion.
(ii) Substituting the attached plan for the plan originally attached to the notice.

28. Subject to the above corrections, the appeal is dismissed, 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.

*Nigel Burrows*

INSPECTOR
Plan

This is the plan referred to in my decision dated: 25 August 2017

by Nigel Burrows  BA MRTPI
Land and premises at the rear of 246 Oxlow Lane, Dagenham, RM10 7YX
Reference: APP/Z5060/C/16/3159358
Scale: NTS
Appeal Decision

Site visit made on 15 August 2017

by Timothy C King  BA(Hons) MRPI
an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 05/09/17

Appeal Ref: APP/Z5060/W/17/3173955
1 Rockwell Road, Dagenham RM10 8JA

- 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 Asif Iqbal against the decision of the Council of the London Borough of Barking & Dagenham.
- The application Ref 16/02006/FUL, dated 20 December 2016, was refused by notice dated 17 February 2017.
- The development proposed is described as a two storey single dwelling adjacent to 1 Rockwell Road, Dagenham.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on the character and appearance of the area.

Reasons

3. The appeal site is a two-storey end-of-terrace dwelling, part of the inter-war Becontree Estate which, in terms of layout and design, is typically redolent of its time.

4. The terrace straddles the junction of Rockwell Road and Hunters Hall Road and its appearance is distinctive in that the two end dwellings (62 Hunters Hall Road and 1 Rockwell Road) are angled away from the mid-terrace dwelling to front their respective streets. This characteristic physical arrangement is also evident on the opposite side of Hunters Hall Road, at its junction with Dunbar Gardens.

5. At both the above terraces the end properties have significant side gaps between their flank walls and those of their respective neighbours which, in the case of the appeal site, is No 3 Rockwell Road, itself an end-of-terrace property.

6. The Council recently issued a Certificate of Lawfulness for the extension of No 1 involving, in part, a hip to gable end roof extension. The development has since been implemented. The proposed dwelling would adjoin this flank and the development would virtually infill the side gap. No 1 is also different in design to No 3 and the terrace of which it forms part, with a deeper front roof slope and a higher ridgeline. The development would continue this ridgeline
and, although reintroducing a hip-end, extending the terrace in this fashion would make for an awkward physical relationship with No 3.

7. The appellant mentions that the proposal would be in accordance with the Council’s SPD Householder Design Guidance, but such guidance is not applicable here as the proposal involves a new independent dwelling. Indeed, he refers to the development as an extension to the existing dwelling and comments that it would reflect the appearance of the main house while being suitably subordinate. It would be subordinate in terms of its limited frontage width due to the constraints of the side gap but, for a new dwelling in its own right, such a design approach is not necessarily appropriate. Moreover, in attempting to utilise the limited space available, the proposal would appear as an inappropriate and cramped form of development.

8. Although the National Planning Policy Framework advises that planning decisions should not attempt to impose architectural styles or particular tastes the document also says that decisions should aim to ensure that developments respond to local character and reflect the identity of local surroundings. In this particular instance the proposal would be inconsistent with the prevailing pattern of development.

9. The appellant also indicates that the proposal would amount to a sustainable form of development. However, I have not been provided with any substantive evidence as to how this might be achieved in this instance. Neither do I consider that the benefits arising from the creation of an additional dwelling would outweigh the adverse impacts which I have identified.

10. I conclude that the proposal would be harmful to the character and appearance of the area, and there would be material conflict with the aims and requirements of Policies CP2 and CP3 of the Council’s Core Strategy and Policies BP8 and BP11 of the Borough Wide Development Policies DPD. These policies are most relevant to the proposal and, amongst other things, seek a high standard of design appropriate to its setting, whilst having regard to local character.

11. For the above reasons, and having had regard to all matters raised, the appeal is dismissed.

Timothy C King

INSPECTOR
Appeal Decision
Site visit made on 8 August 2017
by A Napier  BA(Hons) MRTPi MIEMA CEnv
an Inspector appointed by the Secretary of State for Communities and Local Government
Decision date: 29 August 2017

Appeal Ref: APP/Z5060/D/17/3177330
56 Stratton Drive, Barking IG11 9HH
- 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 Mrs Monwara Khatun against the decision of the Council of the London Borough of Barking & Dagenham.
- The application Ref 17/00286/PRIOR6, dated 13 February 2017, was refused by notice dated 27 March 2017.
- The development proposed is a single storey rear extension.

Decision
1. The appeal is allowed and approval is granted under the provisions of Schedule 2, Part 1, Paragraph A.4 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO) for a single storey rear extension at 56 Stratton Drive, Barking IG11 9HH in accordance with the details submitted pursuant to Schedule 2, Part 1, Paragraph A.4 (2) of the GPDO.

Procedural Matters
2. The provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) require the local planning authority to assess the proposed development solely on the basis of its impact on the amenity of any adjoining premises, taking into account any representations received. My determination of the appeal will be made in the same manner.

3. The date of the application included in the heading above is that given on the application and appeal forms. However, from the Council’s letter of notification to neighbouring occupiers, the application was received by the Council on 16 February 2017 and I intend to determine the appeal accordingly.

Reasons
4. From the details provided, the Council considers that the proposal would meet the relevant criteria for permitted development and I see no reason to disagree with this assessment. The appeal dwelling is a mid-terrace property and currently includes an extension to the rear, which would be replaced by the appeal proposal. This would be larger than the existing structure and extend across the full width of the appeal site, to a depth of some 5 metres and a maximum height of 3 metres.
5. The adjoining dwelling, No 54, has a sizeable conservatory extension to the rear, although the appeal proposal would extend beyond this. To the other side, a ground floor window exists in the original rear elevation of No 58, in relatively close proximity to the shared boundary. Whilst I have been advised that permission has been granted at No 58, for an extension of a similar depth to that proposed, I have no details of this neighbouring development, or any indication that it will take place. As such, it has not affected my assessment of the appeal proposal.

6. The Barking and Dagenham Residential Extension and Alterations Supplementary Planning Document 2012 (SPD) provides guidance in assessing the impact of extensions on the amenity of adjacent properties, with reference to the Council’s Borough Wide Development Policies DPD Policies BP8 and BP11, which seek to protect local living conditions. The height of the proposal would accord with the SPD guidance. However, the proposed extension would be of a greater depth and in closer proximity to the neighbouring dwellings than recommended.

7. Given the size of the rear projection proposed, its siting and the relationship to the adjoining properties, the appeal proposal would inevitably alter the outlook from within those neighbouring dwellings. It would also result in some increase in the sense of enclosure within the gardens of these properties. However, the gardens of these dwellings are relatively generous in size and extend a reasonable distance from the rear elevation of the dwellings. Taking this into account and given the overall scale of the proposal, including its relatively limited increase in height and depth in comparison to the existing structure, I consider that it would not be unreasonably oppressive or overbearing on neighbouring occupiers. As a result, whilst not fully in accordance with the SPD guidance, I find that its effect on outlook and enclosure would be acceptable.

8. In addition, whilst the proposal would lead to some loss of light to neighbouring occupiers, both inside and outside their dwellings, the window at No 58 is situated to the south of the appeal dwelling. To the north, the existing conservatory extension would reduce the impact of the proposal in this regard. Given the height and depth of the proposal and the respective orientation of the dwellings, I consider that any overshadowing would be very limited and the impact of the appeal extension in respect of light would be modest, including on No 58.

9. The appeal dwelling is separated from the neighbouring dwellings to the rear by some considerable distance, due to the depth of the respective rear gardens. In addition, some screening between the neighbouring properties is provided by trees, vegetation and existing outbuildings. Taking these matters into account, given the size and height of the proposed extension, I am satisfied that it would not be unacceptably oppressive and would not have an adverse effect in respect of outlook, or privacy, within these neighbouring dwellings or their gardens. As such, overall, I am satisfied that the proposal would not be materially harmful to the living conditions of neighbouring occupiers.

**Conclusion**

10. For the reasons given above, I conclude that the appeal should be allowed and approval granted. In granting approval the Appellant should note that the GPDO requires at Paragraphs A4 (13), (14) and (15) that the development...
shall be completed on or before 30th May 2019 and that the developer shall notify the local planning authority in writing of the completion of the development as soon as reasonably practicable after completion. Such notification shall include the name of the developer; the address or location of the development, and the date of completion.

A Napier

INSPECTOR
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Appeal Decision

Site visit made on 22 August 2017

by D A Hainsworth LL.B(Hons) FRSA Solicitor
an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 04 September 2017

Appeal Ref: APP/Z5060/C/16/3162448
100 High Road, Chadwell Heath, Essex RM6 6NX

- The appeal is made by Amit Rayrella under section 174 of the Town and Country Planning Act 1990 against an enforcement notice (ref: 13/00106/NOPERM) issued by the Council of the London Borough of Barking and Dagenham on 4 October 2016.
- The breach of planning control alleged in the notice is “the unauthorised erection of an independent residential unit at the rear of a commercial premises”.
- The requirements of the notice are as follows:
  - Remove the unauthorised independent residential unit at the rear of the commercial premises.
  - Remove all alterations and fixtures related to the independent residential unit at the rear of the commercial premises
  - Remove all subsequent waste material from the independent residential unit at the rear of the commercial premises.”
- The period for compliance with these requirements is three months.
- The appeal is proceeding on the grounds set out in section 174(2)(d), (e) and (g).

Decision

1. It is directed that paragraph 5 of the enforcement notice be varied by deleting “Remove all alterations and fixtures related to the independent residential unit at the rear of the commercial premises”.

2. It is directed that paragraph 6 of the enforcement notice be varied by replacing “3 Month” [sic] by “6 months”.

3. Subject to these directions, the appeal is dismissed and the enforcement notice is upheld as varied.

Reasons for the decision

Ground (e)

4. The appellant’s ground (e) appeal is actually a challenge to the validity of the notice and the Council have dealt with it on that basis.

5. An enforcement notice must tell its recipients fairly what they are alleged to have done in breach of planning control and what steps they are required to take to remedy the breach or any injury to amenity caused by it. The steps required by the notice should match the matters alleged to be the breach of planning control unless under-enforcement is intended. I am authorised by
section 176(1) to correct or vary a valid notice if I am satisfied that this will not cause injustice to the parties.

6. The alleged breach of planning control is the “erection of an independent residential unit at the rear of a commercial premises”. This clearly alleges that an independent residential unit has been built, rather than having been converted from an existing structure.

7. The first requirement is to “Remove” the unit. This is a clear requirement to remove what has been built, i.e. to take it away.

8. The second requirement is to “Remove all alterations and fixtures related to the independent residential unit”. This requirement is unnecessary because they will be removed by complying with the first requirement; alternatively, if the reference is to additional items, they should have been identified. I am satisfied that this matter can be dealt with, without causing injustice, by deleting the requirement altogether.

9. The third requirement is to “Remove all subsequent waste material from the independent residential unit”. This is intended to be a requirement to remove the waste material arising from compliance with the first requirement.

10. With the deletion I have referred to, the notice tells the appellant fairly and with reasonable certainty what he is alleged to have done in breach of planning control and what steps he would have to take to remedy the breach. In these respects, I find that the notice complies with the requirements of sections 173(2) and 173(3) and is not a nullity. The challenge to its validity has therefore failed and the notice has been varied by deleting the second requirement.

Ground (d)

11. The question arising under ground (d) is whether, by the time the notice was issued on 4 October 2016, it was too late to take enforcement action in respect of the breach of planning control. In the case of building operations, the time limit is four years from the date on which the operations were substantially completed. Where there has been a change of use of a building to a single dwelling, the time limit is four years from the date of the change of use. The facts relating to these matters are in contention in this appeal.

12. In his statutory declaration, the appellant states, “In September 2012 I converted the rear part of the commercial premises at ground floor level into a separate, self-contained one bedroom flat, known as 100D”. His grounds of appeal state that the flat is accessed from a rear access path and a floorplan is reproduced. The appeal continues, the appellant “seeks to establish that the change of use of the rear part of the building to a separate self-contained dwelling took place at least four years before ... 4 October 2016”. In support of the appeal, the appellant has produced various documents, all dated in September 2012, relating to the installation of services at No 100D and a tenancy agreement dated 27 September 2012 for the letting of No 100D as a furnished dwelling.

13. The floorplan that has been reproduced shows accommodation consisting of a bedroom, lounge, kitchen and bathroom facilities with a door and a window on
to the rear access path. This is the residential unit, the erection of which is alleged to be a breach of planning control. It is a single-storey structure, which is located between a higher structure at the rear of the commercial premises and the rear access path. Since the appellant’s evidence all relates to the conversion into No 100D of “the rear part of the commercial premises at ground floor level”, it looks as if none of this evidence in fact relates to the unit referred to in the notice.

14. This deduction is borne out by the evidence produced by the Council. The unit did not exist when an aerial photograph was taken on 25 May 2012, but there was at that time a higher structure at the rear of the commercial premises. The unit could conceivably have been erected in the period between then and 4 October 2012, but when a planning officer called to view it on 19 March 2013, and again on 25 March 2013, he was told by the appellant on both occasions that the keys were with the builder. He gained access later on the 25 March 2013, when he was let in by the builder who was working there. He noted that there was a kitchen and a bathroom.

15. In these circumstances, it is very unlikely that the erection of the unit would have been substantially completed by 4 October 2012, to the extent that it would have provided the facilities required for day-to-day private domestic existence. It is the appellant’s responsibility to show that this happened. However, he has not put forward adequate supporting evidence and I have therefore concluded, on the balance of probabilities, that it was not too late for the Council to take action at the time they issued the enforcement notice.

16. The appeal on ground (d) has therefore failed.

Ground (g)

17. The appellant seeks an extension of the compliance period from three months to twelve months, to allow the tenants time to find alternative accommodation, for possession to be obtained and the work to be organised. The Council are opposed to an extension of time, but in my opinion three months is too short a period in these circumstances. I have also noted that in the Council’s view “the structure could be considered acceptable as a storage unit associated with the commercial use of the ground floor of 100 High Road”. Time should be allowed for that possibility to be looked into, as well, and for any permissions that are needed to be applied for.

18. After taking all these matters into consideration, I have concluded that six months would be a reasonable compliance period. The notice has therefore been varied and the appeal has succeeded on ground (g) to this extent.

D.A.Hainsworth

INSPECTOR
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Appeal Decision

Site visit made on 25 July 2017

by Nigel Burrows  BA MRTPI

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

Decision date: 18 August 2017

Appeal Ref: APP/Z5060/X/17/3166796

378 Heathway, Dagenham, RM10 8NS

- The appeal is made under section 195 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 against a refusal to grant a certificate of lawful use or development (LDC).
- The appeal is made by Mr Leonard Gaxha against the decision of the Council of the London Borough of Barking & Dagenham.
- The application Ref: 16/01684/CLU_P dated 25 October 2016, was refused by notice dated 23 December 2016.
- The application was made under section 192(1)(b) of the Town and Country Planning Act 1990 as amended.
- The development for which a certificate of lawful use or development is sought is described as ‘Loft conversion with rear dormer and front skylights’.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is whether the refusal of the application for an LDC for the works described within the fifth bullet point of the heading above was well-founded.

Reasons

3. The appeal property is a two-storey terraced house situated within Heathway in Dagenham. Notwithstanding the appellant’s description of the works recited above, in effect, the loft conversion includes the construction of a hip-to-gable roof enlargement, together with a rear dormer and the insertion of rooflights in the modified front roof slope.

4. There appears to be no dispute that the works proposed to the property involve the carrying out of development for the purposes of section 55 of the Town and Country Planning Act 1990. However, it is also necessary to consider whether permission would be granted for these works under the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, which grants permission for various classes of ‘permitted’ development (i.e. the GPDO).

5. The Council’s stance is the proposal should be considered under the provisions of Class B, Part 1, Schedule 2 of the GPDO - which deals with the enlargement of a dwellinghouse consisting of an addition or alteration to its roof. I see no reason to disagree.¹

6. The Council considers the proposal fails to meet one of the limitations set out in paragraph B.1 of Class B. The limitation in question is paragraph B.1.(c) - namely

¹ The Council has also considered the works in relation to Class C: ‘Any other alteration to the roof of a dwellinghouse’, presumably as rooflights are proposed – but these would appear to be inserted in the modified roof slope.

https://www.gov.uk/planning-inspectorate
that development is not permitted by Class B if “any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway”.

7. The Council derives support for its approach from the government’s publication ‘Permitted development rights for householders: Technical Guidance’. This confirms the principal elevation of a property could include more than one roof slope facing in the same direction. The guidance indicates that all such roof slopes will form the principal elevation for the purposes of determining what ‘extends beyond the plane of any existing roof slope’.

8. As the Council points out, this terraced property has two roof slopes forming the principal elevation fronting a highway. The front elevation of the dwelling incorporates a roof with a hipped end, however, there is also a recessed roof extending to the side boundary. The works proposed to the property would extend beyond the plane of this recessed roof slope and would line up with the plane of the forwardmost roof slope.

9. The submissions for the appellant are confined to the planning merits of the proposal. No technical arguments concerning the GPDO are advanced to refute the Council’s analysis. In any event, on the evidence before me, I see no reason to disagree with this analysis.

10. It is well established in planning law that the onus rests with the appellant to make out his or her case. I find that burden has not been satisfactorily discharged in this particular instance. In the circumstances, I conclude the Council’s refusal to grant a certificate of lawful development was well-founded. The appeal therefore fails.

11. I have taken into account all the other matters raised in the representations, but I find they do not alter or outweigh the main considerations that have led to my decision.

Nigel Burrows
INSPECTOR

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2 The latest version was published in April 2017
3 Pages 34-35 of the latest Technical Guidance
4 The planning merits of the proposal are not before me in this appeal
Appeal Decision

Hearing Held on 4 July 2017
Site visit made on 4 July 2017

by David Richards  B Soc Sci DipTP MRTPi
an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 23 August 2017

Appeal Ref: APP/Z5060/W/16/3166021
Former Berryman Site, Perry Road, Dagenham RM9 6QD

- 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 Recycled Material Supplies against the decision of the Council of the London Borough of Barking & Dagenham.
- The application Ref 16/01295/CTY, dated 12 August 2016, was refused by notice dated 17 November 2016.
- The development proposed is change of use from the production and storage of cullet to the production and storage of secondary aggregates and the erection of new offices and process building.

Decision

1. The appeal is allowed and planning permission is granted for change of use from the production and storage of cullet to the production and storage of secondary aggregates and the erection of new offices and process building at the former Berryman Site, Perry Road, Dagenham RM9 6QD in accordance with the terms of the application, Ref 16/01295/CTY, dated 12 August 2016, subject to the conditions set out in the attached schedule.

Main Issue

2. The main issues are the effect on the supply of land for processing apportioned waste in the Borough of Barking and Dagenham, and whether the appellant has provided sufficient evidence of need to outweigh any identified policy conflict.

Reasons

3. At the hearing, the Council agreed that it would have no objection to changing the description of development to include the erection of buildings as indicated in the plans accompanying the application. I have amended the description of development accordingly.

4. The Council also agreed that there were no unresolved environmental objections to the proposed development. The refusal reasons rely on a policy conflict regarding the safeguarding of sites for the processing of certain types of municipal waste.

5. The appeal site is within the London Borough of Barking and Dagenham, which is within the area covered by the East London Waste Authority (ELWA). It is located on the eastern side of Perry Road, within the Dagenham Dock
employment area, extending to some 1.8 hectares and surrounded by employment uses of a general industrial nature including a number of other waste and aggregates uses. The site was previously occupied by Berryman’s for the recycling of glass bottles. This activity has been consolidated on a site near Tilbury Docks and the site subdivided and sold to new owners, including the appellant company. Part of the former Berryman’s site is now occupied by Edwards Recycling, which has recently been granted planning permission for a waste recycling facility. Manns Waste Management occupy land to the immediate north of the site, and Hansons Aggregates occupy a large plot immediately to the east of the site. There are no nearby residents, sensitive commercial uses or other sensitive receptors.


**Effect on the supply of sites for apportioned waste**

7. The Council’s aim in refusing permission is to safeguard the site for the processing of apportioned waste within the Borough. Glass cullet (for which the site was formerly used) forms part of the apportioned waste arisings, targets for which are set out in the London Plan. However the change of use proposed is to the processing of construction and demolition waste, which is not part of apportioned waste.

8. Policy 5.16 of the London Plan seeks to manage as much of London’s waste within London as practicable, working towards the equivalent of 100% within London by 2026. Measures to achieve this will include improving London’s net self-sufficiency through reducing the proportion of waste exported from the capital over time. It sets a target of 95% for the recycling of CE&D waste by 2020.

9. Policy 5.17 is concerned with waste capacity. It supports the need to increase waste processing capacity in London. In preparing Local Plans, land to manage Borough Waste Apportionments should be brought forward through protecting and facilitating the maximum use of existing waste sites, identifying sites in strategic industrial locations and locally significant employment areas amongst other things. If an existing waste site is lost to a non-waste use, an additional compensatory site provision will be required.

10. Policy 5.18 is concerned with Construction, Excavation and Demolition (CE&D) waste. It states that new construction, excavation and demolition waste management facilities should be encouraged at existing waste sites and supported by using mineral extraction sites for CE&D recycling and ensuring that major development sites are required to recycle CE&D waste on site, wherever practicable. The reasoned justification encourages more beneficial and higher order uses of this inert waste. A combination of on-site mobile facilities on construction sites, effective use of existing waste processing sites and the provision of recycling facilities at aggregate extraction sites should be capable of meeting the anticipated future requirement within London to achieve a more beneficial re-use of this material.

11. The treatment of apportioned waste is addressed in more detail in the JWDPD. Policy W2 includes a provision for safeguarding the capacity of existing waste
management facilities listed in schedule 1 and encouraging the increased processing of waste at these facilities. The reasoned justification explains that the loss of existing waste management capacity or suitable sites for future facilities will make recycling targets harder to achieve. The appeal site is included within Schedule 1 (as Reuse Collections Limited) with a capacity of 260,000 tonnes per annum. Part of the site has recently been granted planning permission for a materials recycling facility (75,000 tonnes p.a.), leaving the appeal site with a notional capacity of 185,000 tonnes p.a. currently safeguarded for processing apportioned waste. However, it is clear that the site has not been available for this use since it was purchased by the Appellant in 2015, and it is not currently contributing to capacity for processing apportioned waste.

12. The JWDPD advises that a large portion of recycling and reuse of CE&D waste currently occurs on site rather than at designated licensed facilities, or is transferred out of London through inert transfer stations. In addition, there is adequate existing capacity to deal with such waste without identifying additional new permanent sites for CE&D waste. Further explanation is provided by the Inspector’s Report on the JWDPD which states at paragraph 14: ‘The issue here is whether there is a need for safeguarding of existing sites because it is not possible for all CE&D sites, so that there is a significant amount that requires treatment on waste management sites. I accept that there will be construction sites, both medium size and small, where it will not be feasible or viable, to set up dedicated recovery and recycling facilities. However, I was given evidence that the Boroughs have adequate capacity, including the Barking Riverside Recycling Park, to deal with these arisings. I see no need to identify areas of search for new facilities, but I do see the need for safeguarding of existing waste management sites.’

13. The Appellant argues that sufficient capacity will remain within the ELWA area to process apportioned waste even if the appeal is allowed. The requirement to be managed within the ELWA area is 427,000 tonnes p.a. Taking into account existing capacity on Schedule 1 sites (464,000 tonnes p.a.) and allocated (Schedule 2) sites which have subsequently been granted planning permission (390,000 tonnes per annum p.a.), the Appellant calculates that there would be a surplus of recovery capacity of 426,000 tonnes p.a. There was some discussion at the hearing concerning the availability of capacity at the Chinook site (180,000 tonnes p.a) at the London Sustainable Industries Park, but even if this were to be discounted there would still be a surplus of 246,500 tonnes p.a. In this context, it was argued that the loss of potential capacity at the appeal site (185,000 tonnes) would not prejudice the ability of the EWLA to process apportioned waste arisings within its own area.

14. I accept that there uncertainties attached to such assessments. The Council argued strongly that it has ambitious plans for housing growth, which would require additional capacity in the future. Nevertheless it does not seem to me that unquantified future growth estimates would be sufficient reason to safeguard the site indefinitely for apportioned waste when there is no immediate identified shortfall in processing capacity for apportioned waste. The most recent monitoring report for the LB Barking and Dagenham (2014/15) confirms that ‘the Joint Waste DPD is clear that the Council do not need any new recycling facilities to deal with Municipal or Commercial and Industrial Waste.’
15. I therefore conclude that the proposal would not have a materially adverse effect on the supply of sites capable of handling apportioned waste in the London Borough of Barking and Dagenham.

**Evidence of need**

16. The Appellant accepts that, in view of the conflict with the safeguarding policy, it is necessary to demonstrate exceptional circumstances for the development to proceed, in accordance with the conclusions of 2 recent appeal decisions.\(^1\) Notwithstanding that this is common ground between the parties, it appears to me that the appeal should be determined on the basis of the statutory requirement that proposals should be determined in accordance with the development plan unless material considerations indicate otherwise.

17. The Appellant states that RMS provides a specialist recycling service, focusing primarily on recycled concrete, using waste concrete from redevelopment sites to produce various specifications of crushed concrete, fines and shingle. The specialist nature of the operation and the need to ensure product specification means that the waste cannot be managed at general waste sites. While much CE&D waste is processed on redevelopment sites, some sites are too small or not otherwise suitable and there remains a demand for this waste to be taken off site for re-processing.

18. The company presently operates from a site within Newham, which, like Barking and Dagenham, is within the area of the East London Waste Authorities. The company was established in 2007 and now employs nearly 100 staff. The existing site has a time limited consent and the appeal site was acquired in 2015 to secure business continuity. It is stated that the Appellant has been searching for alternative premises over the last few years. A number of sites were investigated but ruled out due to being safeguarded for other uses, sold immediately on being marketed, or because they were too far from the existing customer base, and therefore less sustainable.

19. The Council does not dispute the business need for the company to relocate from its existing site. To my mind, the business contributes to the sustainable use of resources within London, and specifically within the area covered by the East London Waste Authorities. It was not disputed that the company has to relocate from Newham if it is to continue to provide a service to existing and potential customers. The Needs Appraisal submitted with the application examined the capacity of existing sites within the ELWA area to handle the type and volume of waste material dealt with by RMS. Only the Keltbray site in Newham appears comparable, and this has a capacity of 75,000 tonnes and was operating at capacity in 2014. RMS processed 200,000 tonnes of waste in 2014, and the EA permit is for 250,000 tonnes. On the basis of the evidence of the needs assessment, which was not substantially disputed by the Council, there are no other existing sites capable of managing the type and quantity of waste handled by RMS.

**Conclusion**

20. The proposed change of use would conflict with the safeguarding provisions of Policy W2 of the JWDPD, which seeks to retain the site for the processing of apportioned wastes within the ELWA. Nevertheless it is material that the site...
has been sold and is not currently available for such use, nor is there any persuasive current evidence of a shortfall in processing capacity for apportioned waste in Barking and Dagenham. The previous operator, Berryman’s still process the waste from the ELWA area, but at a site at Tilbury Docks. Although this is outwith the London area, there is a sustainability logic in that it is closer to the port facilities from which the glass cullet is exported. There is no indication that compensation for this ‘lost’ capacity is likely to be made or needed within the ELWA area.

21. I accept that the JWDPD indicates that there is no requirement to identify new sites for CE&D waste, as most is treated at redevelopment sites. Nevertheless it is clear that there is a remaining demand for material from smaller sites to be processed which is addressed by RMS’s existing successful business. There is convincing evidence that there are no other existing sites in the ELWA area capable of providing the service that RMS do, and that the company has made a proportionate search for other sites in London, but that such sites within reasonable reach of their existing area of operation are very hard to come by, and are often sold quickly for other uses. I attach substantial weight to the fact that RMS has a limited life at its current site in Newham, and has sought a suitable replacement site within a neighbouring London Borough. This will safeguard a significant number of existing jobs.

22. In other respects, the proposed change of use would accord with the London Plan target of 95% for the recycling of CE&D waste by 2020 (Policy 5.16). With regard to Policy 5.17, the site would not be lost to waste use, although it would treat a different category of waste to that handled by Berryman’s. It would be generally in accord with Policy 5.18 which encourages new CE&D waste management facilities at existing waste sites, although I do not regard this as a new site so much as one that has been displaced by development pressures elsewhere in London.

23. I conclude that the conflict with Policy W2 of the JWDPD is outweighed by the evidence of need put forward by RMS in support of the proposed change of use, and accordingly that the appeal should be allowed.

24. In addition to the time limit, a condition specifying compliance with the submitted plans is necessary to define the permission and in the interest of proper planning. A limitation on throughput is necessary to prevent adverse environmental impacts, as are conditions requiring a dust management plan and the treatment of any contamination found on the site. Conditions addressing materials and landscaping are necessary to secure a satisfactory appearance to the development. Conditions in respect of vehicle and cycle parking are necessary to ensure that satisfactory provision is made and retained on site.

David Richards
INSPECTOR
APPEARANCES

FOR THE APPELLANT:

Alison Crooks  Integrated Skills
James Cannon  Recycled Material Supplies

FOR THE LOCAL PLANNING AUTHORITY:

Daniel Pope  Acting Head of Planning
Dave Mansfield  Development Management Manager
Ian Drew  Case Officer
Appeal Ref: APP/Z5060/W/16/3166021

Schedule of Conditions

1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

2) The development hereby permitted shall be carried out in accordance with the following approved plans: RMS/BER/LOC/01; Site Plan RMS/BER/APP/01; Proposed Site Layout 8202/SK01; Proposed Drainage layout 8202/100; proposed elevations 8202/SK02 & 8202/SK03.

3) The development hereby permitted shall not exceed a total annual throughput of 250,000 tonnes per annum. The applicant will keep such records as may be required to permit the local planning authority to determine compliance or otherwise with this condition, and those records shall be made available to the local planning authority on request.

4) No development above ground level shall take place until details 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 details.

5) Prior to occupation of the development a detailed soft landscaping plan and five year maintenance strategy maximizing the use of mature trees and species of native origin shall be submitted to and approved in writing by the local planning authority. The development shall not be carried out otherwise than in accordance with the approved scheme in the first planting season following first occupation. Any plants or trees required as part of the implementation of the condition that die or are removed, or become damaged or diseased within a period of five years from the substantial completion of the development shall be replaced by others of a similar size and species.

6) The use hereby approved shall not be commenced until a dust assessment, management and monitoring plan has been submitted to and approved in writing by the local planning authority. The site shall thereafter be operated at all times in accordance with the approved plan.

7) No development shall take place until an investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme to assess the nature and extent of any contamination on site, whether or not it originates on the site. The scheme shall be undertaken by competent persons and a written report of the findings must be produced and shall be submitted for approval in writing by the local planning authority. The report of findings must include:
   
   i. A survey of the extent and nature of contamination
   
   ii. An assessment of the potential risks to human health, property, adjoining land, ground and surface waters, ecological systems, archaeological sites and ancient monuments
   
   iii. An appraisal of remedial options, and a proposal for preferred options
iv. This work must be conducted in accordance with DEFRA and the Environment Agency’s ‘Model Procedures for the Management of Land Contamination CLR 11’.

8) No development shall take place until a detailed remediation scheme required to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been prepared and submitted for approval in writing by the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under part 2A of the Environmental Protection Act 1990 in relation to the intended use of the site after reclamation.

9) 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 notice of commencement of the remediation scheme works.

10) Following completion of measures identified in the approved remediation scheme, a verification report (also known as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced and submitted to the local planning authority for approval in writing.

11) 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 to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 7 above, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 8 and subsequently implemented before the development is occupied.

Following completion of measures identified in the approved remediation scheme, a verification report (also known as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced and submitted to the local planning authority for approval in writing.

12) The car parking area indicated on Plan no B202/SK01 (including the provision of 3 blue badge spaces, 4 electric vehicle charging points spaces and 4 passive electric vehicle charging point spaces) shall be constructed and marked out prior to the use of the unit hereby permitted and thereafter retained permanently for the accommodation of vehicles of occupiers and visitors to the premises and not used for any other purpose.

13) The development hereby permitted shall not be occupied until full details of cycle parking, including its external appearance, location and the means of secure storage proposed, have been submitted to and approved in writing by the local planning authority. The cycle parking shall be provided prior to the occupation of the development in accordance with
the approved scheme, and subsequently retained and used for no other purpose.
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## LONDON BOROUGH OF BARKING AND DAGENHAM
### REGENERATION AND ECONOMIC DEVELOPMENT
#### DEVELOPMENT CONTROL BOARD

### Applications Decided/Refused under Delegated Powers

<table>
<thead>
<tr>
<th>Application Reference</th>
<th>Decision</th>
<th>Applicant</th>
<th>Brief Description of Development and Location</th>
<th>Ward</th>
</tr>
</thead>
<tbody>
<tr>
<td>16/01833/CLU_E</td>
<td>Certificate refused on 23 May 2017</td>
<td>Mr D Alake</td>
<td>Application for a certificate of lawfulness for an existing use: Use of part of ground floor as studio flat. 108 Temple Avenue Dagenham Essex RM8 1LS</td>
<td>Whalebone</td>
</tr>
<tr>
<td>17/00062/FUL</td>
<td>Application permitted on 23 May 2017</td>
<td>Mrs B Vicencio</td>
<td>Erection of single storey rear extension. 74 Gay Gardens Dagenham Essex RM10 7TD</td>
<td>Eastbrook</td>
</tr>
<tr>
<td>17/00303/FUL</td>
<td>Application permitted on 23 May 2017</td>
<td>Mr S Zaidir Rahman</td>
<td>Erection of single storey side and rear extension. 95 Devon Road Barking Essex IG11 7QX</td>
<td>Eastbury</td>
</tr>
<tr>
<td>17/00324/FUL</td>
<td>Application permitted on 23 May 2017</td>
<td>Mr E Dunlea</td>
<td>Erection of two storey side/rear extensions. 15 Ethel Cottages Padnall Road Romford Essex RM6 5JB</td>
<td>Chadwell Heath</td>
</tr>
<tr>
<td>17/00388/FUL</td>
<td>Application permitted on 23 May 2017</td>
<td>Mr M Butcher</td>
<td>Erection of single storey rear extension. 19 Saville Road Chadwell Heath Romford Essex RM6 6DS</td>
<td>Whalebone</td>
</tr>
<tr>
<td>17/00438/FUL</td>
<td>Application Refused on 23 May 2017</td>
<td>Mr A A Noor</td>
<td>Loft conversion involving construction of roof extension to provide stairwell and rear dormer window. 73 Galleons Drive Barking Essex IG11 0FA</td>
<td>Thames</td>
</tr>
</tbody>
</table>

### 23 May 2017
<table>
<thead>
<tr>
<th>Application Reference</th>
<th>Decision</th>
<th>Applicant</th>
<th>Brief Description of Development and Location</th>
<th>Ward</th>
</tr>
</thead>
<tbody>
<tr>
<td>17/00514/CLU_P</td>
<td>Certificate issued on 23 May 2017</td>
<td>Mr M Hannant</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving, construction of gable end roof, rear dormer window and installation of front rooflights. 15 Farrance Road Chadwell Heath Romford Essex RM6 6EB</td>
<td>Whalebone</td>
</tr>
<tr>
<td>17/00516/CLU_P</td>
<td>Certificate issued on 23 May 2017</td>
<td>Miss C Finch</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving, construction of rear dormer window and installation of front rooflights. 4 Eric Road Chadwell Heath Romford Essex RM6 6JJ</td>
<td>Whalebone</td>
</tr>
<tr>
<td>17/00612/PRIOR6</td>
<td>Prior approval not required on 23 May 2017</td>
<td>Mr L Gaxha</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: 3.0 metres). 179 Western Avenue Dagenham Essex RM10 8UJ</td>
<td>Village</td>
</tr>
<tr>
<td>17/00758/NMA</td>
<td>Application permitted on 23 May 2017</td>
<td>Ms K Thomas</td>
<td>Application for non-material amendment following grant of planning permission 17/00055/FUL (roof of extension to be raised by 450mm and flank dimension increased to 9.160 metres). James Cambell Primary School Langley Crescent Dagenham Essex RM9 6TD</td>
<td>Goresbrook</td>
</tr>
<tr>
<td>Application Reference</td>
<td>Decision</td>
<td>Applicant</td>
<td>Brief Description of Development and Location</td>
<td>Ward</td>
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<tr>
<td>-----------------------</td>
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</tr>
<tr>
<td>17/00193/ FUL</td>
<td>Application permitted on 24 May 2017</td>
<td>Ms M Hull</td>
<td>Erection of single storey rear extension. 41 Alfreds Gardens Barking Essex IG11 7XW</td>
<td>Gascoigne</td>
</tr>
<tr>
<td>17/00496/ CLU_P</td>
<td>Certificate issued on 24 May 2017</td>
<td>Mr M Rauch</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of gable end roof, rear dormer window and installation of front rooflights. 81 Marlborough Road Dagenham Essex RM8 2HL</td>
<td>Becontree</td>
</tr>
<tr>
<td>17/00625/ PRIOR6</td>
<td>Prior approval not required on 24 May 2017</td>
<td>Mr A Khan</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 4.0 metres; height to eaves: 2.9 metres and maximum height: 3.0 metres). 7 Crabtree Avenue Romford Essex RM6 5EX</td>
<td>Chadwell Heath</td>
</tr>
<tr>
<td>16/01621/ FUL</td>
<td>Application permitted on 25 May 2017</td>
<td>Ms S Kanda</td>
<td>Construction of rear dormer window in connection with conversion of upper floor flat into two 2 bedroom flats. 923 Green Lane Dagenham Essex RM8 1DJ</td>
<td>Whalebone</td>
</tr>
<tr>
<td>16/01993/ CLU_P</td>
<td>Certificate issued on 25 May 2017</td>
<td>Mr A Kiani</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of side dormer windows and rear rooflight. 35 Lilac Gardens Rush Green Romford Essex RM7 0RJ</td>
<td>Eastbrook</td>
</tr>
</tbody>
</table>
## Applications Decided/Refused under Delegated Powers

<table>
<thead>
<tr>
<th>Application Reference</th>
<th>Decision</th>
<th>Applicant</th>
<th>Brief Description of Development and Location</th>
<th>Ward</th>
</tr>
</thead>
<tbody>
<tr>
<td>17/00291/ FUL</td>
<td>Application Refused on 25 May 2017</td>
<td>Mr M Lovell</td>
<td>Demolition of side extension and erection of two storey 2 bedroom end of terrace house. 40 Cornwallis Road Dagenham Essex RM9 5NA</td>
<td>Parsloes</td>
</tr>
<tr>
<td>17/00646/ PRIOR6</td>
<td>Prior approval required and permission refused on 25 May 2017</td>
<td>Mr S Dhanesar</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 4.5 metres; height to eaves: 2.6 metres and maximum height: 3.0 metres). 14 Emerald Gardens Dagenham Essex RM8 1LH</td>
<td>Whalebone</td>
</tr>
<tr>
<td>17/00117/ FUL</td>
<td>Application permitted on 26 May 2017</td>
<td>Mr V Nguyen</td>
<td>Retention of new shop front. 239 Oxlow Lane Dagenham Essex RM10 7YA</td>
<td>Heath</td>
</tr>
<tr>
<td>17/00243/ CDN</td>
<td>Application permitted on 26 May 2017</td>
<td>LBBD - Schools &amp; Children's Services</td>
<td>Application for approval of details reserved by condition 14 (Details of CHP) in respect of planning permission 15/01149/FUL. Robert Clack Comprehensive School Annex Green Lane Dagenham Essex RM8 1AL</td>
<td>Whalebone</td>
</tr>
<tr>
<td>17/00411/ CLU_P</td>
<td>Certificate issued on 26 May 2017</td>
<td>Mr D Singh</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of rear dormer window and installation of front rooflights. 35 Fourth Avenue Rush Green Romford Essex RM7 0UB</td>
<td>Eastbrook</td>
</tr>
<tr>
<td>Application Reference</td>
<td>Decision</td>
<td>Applicant</td>
<td>Brief Description of Development and Location</td>
<td>Ward</td>
</tr>
<tr>
<td>-----------------------</td>
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<td>------------------</td>
<td>---------------------------------------------------------------------------------------------------------------</td>
<td>------------</td>
</tr>
<tr>
<td>17/00412/</td>
<td>Application</td>
<td>Mr D Singh</td>
<td>Demolition of garage and erection of two storey side extension.</td>
<td>Eastbrook</td>
</tr>
<tr>
<td>FUL</td>
<td>permitted on</td>
<td></td>
<td>35 Fourth Avenue Rush Green.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>26 May 2017</td>
<td></td>
<td>Romford Essex RM7 0UB</td>
<td></td>
</tr>
<tr>
<td>17/00430/</td>
<td>Application</td>
<td>Mr S Patel</td>
<td>Loft conversion involving construction of rear dormer window and front rooflights.</td>
<td>Eastbury</td>
</tr>
<tr>
<td>FUL</td>
<td>permitted on</td>
<td></td>
<td>292A Ripple Road Barking Essex IG11 7RW</td>
<td></td>
</tr>
<tr>
<td></td>
<td>26 May 2017</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>17/00498/</td>
<td>Certificate</td>
<td>Mr Soheil</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion</td>
<td>Longbridge</td>
</tr>
<tr>
<td>CLU_P</td>
<td>issued on</td>
<td></td>
<td>involving, construction of rear dormer window and installation of front rooflights.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>26 May 2017</td>
<td></td>
<td>12 Wilmington Gardens Barking Essex IG11 9TP</td>
<td></td>
</tr>
<tr>
<td>17/00520/</td>
<td>Application</td>
<td>Swan New Homes Ltd</td>
<td>Application for approval of details reserved by condition 34 (communal TV and satellite system) in respect of planning permission 16/01183/FUL, 16 - 48 Cambridge Road Barking Essex</td>
<td>Abbey</td>
</tr>
<tr>
<td>CDN</td>
<td>permitted on</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>26 May 2017</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>17/00532/</td>
<td>Certificate</td>
<td>Mr T Hunt</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion</td>
<td>Gascoigne</td>
</tr>
<tr>
<td>CLU_P</td>
<td>issued on</td>
<td></td>
<td>involving, construction of rear dormer windows and installation of front rooflights.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>26 May 2017</td>
<td></td>
<td>16 St Awdrys Road Barking Essex IG11 7QD</td>
<td></td>
</tr>
<tr>
<td>17/00535/</td>
<td>Application</td>
<td>Ms S Ofikwu</td>
<td>Conversion of dwellinghouse into day nursery involving formation of new hard surface to front garden and construction of an additional vehicle access.</td>
<td>Parsloes</td>
</tr>
<tr>
<td>FUL</td>
<td>Refused on</td>
<td></td>
<td>125 Verney Road Dagenham Essex RM9 5JJ</td>
<td></td>
</tr>
<tr>
<td></td>
<td>26 May 2017</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Application Reference</td>
<td>Decision</td>
<td>Applicant</td>
<td>Brief Description of Development and Location</td>
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<td>17/00613/PRIOR6</td>
<td>Prior approval not required on 26 May 2017</td>
<td>Ms K Patel</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: 2.9 metres). 134 Westrow Drive Barking Essex IG11 9BP</td>
<td>Longbridge</td>
</tr>
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<td>17/00655/PRIOR6</td>
<td>Prior approval required and permission refused on 26 May 2017</td>
<td>Mr S Dhami</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). 14 Mayswood Gardens Dagenham Essex RM10 8UU</td>
<td>Village</td>
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<tr>
<td>17/00802/NMA</td>
<td>Application permitted on 26 May 2017</td>
<td>Mr A Igandan</td>
<td>Application for non-material amendment following grant of planning permission 15/01554/FUL (reduction in width of single storey rear extension). 36 Crescent Road Dagenham Essex RM10 7HT</td>
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</tr>
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<td>29 May 2017</td>
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<tr>
<td>17/00544/FUL</td>
<td>Application permitted on 29 May 2017</td>
<td>Mrs A H Mahmood</td>
<td>Erection of single storey side extension. 93 Roycraft Avenue Barking Essex IG11 0NS</td>
<td>Thames</td>
</tr>
<tr>
<td>30 May 2017</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>17/00368/CDN</td>
<td>Application permitted on 30 May 2017</td>
<td>LBBD - Childrens Services Department</td>
<td>Application for approval of details reserved by condition 4 (landscaping scheme) in respect of planning permission 16/01042/FUL. Marks Gate Junior School Rose Lane Romford RM6 5NJ</td>
<td>Chadwell Heath</td>
</tr>
<tr>
<td>Application Reference</td>
<td>Decision</td>
<td>Applicant</td>
<td>Brief Description of Development and Location</td>
<td>Ward</td>
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<tr>
<td>-----------------------</td>
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<tr>
<td>17/00510/ FUL</td>
<td>Application permitted on 30 May 2017</td>
<td>Mr W Mirza</td>
<td>Erection of single storey rear extension. 121 Victoria Road Barking Essex IG11 8PZ</td>
<td>Abbey</td>
</tr>
<tr>
<td>17/00528/ CDN</td>
<td>Application permitted on 30 May 2017</td>
<td>Coventry University London</td>
<td>Application for approval of details reserved by conditions 12a) (details of replacement steps, railings and stair lift) and 12c) (cycle and bin store) in respect of planning permission 16/01390/FUL. Coventry University London Civic Centre Wood Lane Dagenham Essex RM10 7BN</td>
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<tr>
<td>17/00530/ CLU_E</td>
<td>Certificate issued on 30 May 2017</td>
<td>Mr Smith</td>
<td>Application for a certificate of lawfulness for an existing use: Subdivision of single dwelling into two self-contained flat 80 St Awdrys Road Barking Essex</td>
<td>Gascoigne</td>
</tr>
<tr>
<td>17/00546/ FUL</td>
<td>Application Permitted on 30 May 2017</td>
<td>Mr M Haron</td>
<td>Erection of single storey rear extension. 26 Priory Road Barking Essex IG11 9XL</td>
<td>Abbey</td>
</tr>
<tr>
<td>17/00550/ CLU_P</td>
<td>Certificate issued on 30 May 2017</td>
<td>Ms W Joseph</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving, construction of rear dormer window and erection of single storey rear extension. 43 Waverley Gardens Barking Essex IG11 0BH</td>
<td>Thames</td>
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<tr>
<td>17/00551/ CLU_P</td>
<td>Certificate issued on 30 May 2017</td>
<td>Ms W Joseph</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving, construction of rear dormer window and erection of single storey rear extension. 47 Waverley Gardens Barking Essex IG11 0BH</td>
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</tr>
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<td>Decision</td>
<td>Applicant</td>
<td>Brief Description of Development and Location</td>
<td>Ward</td>
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<tr>
<td>17/00548/CLU_P</td>
<td>Certificate issued on 31 May 2017</td>
<td>Mrs S Islam</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of rear dormer window and front rooflights. 40 Fieldway Dagenham Essex RM8 2BE</td>
<td>Becontree</td>
</tr>
<tr>
<td>17/00665/PRIOR6</td>
<td>Prior approval not required on 31 May 2017</td>
<td>Mr R Shah</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 4.0 metres; height to eaves: 2.9 metres and maximum height: 3.0 metres). 136 Canonsleigh Road Dagenham Essex RM9 4DH</td>
<td>Eastbury</td>
</tr>
<tr>
<td>17/00666/PRIOR6</td>
<td>Prior approval not required on 31 May 2017</td>
<td>Lirong Xu</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 5.53 and 6.0 metres; height to eaves: 2.95 metres and maximum height: 3.0 metres). 39 Harrow Road Barking Essex IG11 7QZ</td>
<td>Eastbury</td>
</tr>
<tr>
<td>1 June 2017</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>17/00142/TPO</td>
<td>Application Permitted on 1 June 2017</td>
<td>Manor Longbridge School</td>
<td>Application for tree works subject to a tree preservation order: Crown lift 2 trees on each side of the Longbridge Road access to Scholars Way. Manor Longbridge School 40 Scholars Way Dagenham Essex RM8 2FL</td>
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</tr>
<tr>
<td>Application Reference</td>
<td>Decision</td>
<td>Applicant</td>
<td>Brief Description of Development and Location</td>
<td>Ward</td>
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</tr>
<tr>
<td>17/00309/ FUL</td>
<td>Application Permitted on 1 June 2017</td>
<td>Mrs C Adeyelu</td>
<td>Loft conversion involving construction of rear dormer window and front rooflights. 118 Auriel Avenue Dagenham Essex RM10 8BU</td>
<td>Village</td>
</tr>
<tr>
<td>17/00538/ FUL</td>
<td>Application Permitted on 1 June 2017</td>
<td>Mr B Bal</td>
<td>Erection of front porch. 4 Fuller Road Dagenham Essex RM8 2TT</td>
<td>Becontree</td>
</tr>
<tr>
<td>17/00561/ FUL</td>
<td>Application Permitted on 1 June 2017</td>
<td>Mr O A Waqar</td>
<td>Erection of first floor rear extension. 61 Winifred Road Dagenham Essex RM8 1PP</td>
<td>Whalebone</td>
</tr>
<tr>
<td>17/00562/ FUL</td>
<td>Application Permitted on 1 June 2017</td>
<td>Mr O A Waqar</td>
<td>Erection of outbuilding in rear garden. 61 Winifred Road Dagenham Essex RM8 1PP</td>
<td>Whalebone</td>
</tr>
<tr>
<td>17/00563/ CLU_P</td>
<td>Certificate issued on 1 June 2017</td>
<td>Mr O A Waqar</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of gable end roof and rear dormer window and installation of front rooflights. 61 Winifred Road Dagenham Essex RM8 1PP</td>
<td>Whalebone</td>
</tr>
<tr>
<td>17/00566/ CDN</td>
<td>Application Permitted on 1 June 2017</td>
<td>Mr J Fenton-Jones</td>
<td>Application for approval of details reserved by conditions 2 (external facing materials) &amp; 7 (details of living walls) in respect of planning permission 16/00809/REM. London East Business And Technical Park Yewtree Avenue Dagenham Essex</td>
<td>Eastbrook</td>
</tr>
</tbody>
</table>
## London Borough of Barking and Dagenham

### Applications Decided/Refused under Delegated Powers

<table>
<thead>
<tr>
<th>Application Reference</th>
<th>Decision</th>
<th>Applicant</th>
<th>Brief Description of Development and Location</th>
<th>Ward</th>
</tr>
</thead>
<tbody>
<tr>
<td>17/00571/ FUL</td>
<td>Application refused on 1 June 2017</td>
<td>Mr S Lastun</td>
<td>Erection of two storey side extension and single storey front extension. 125 Connor Road Dagenham Essex RM9 5UT</td>
<td>Heath</td>
</tr>
<tr>
<td>17/00675/ PRIOR6</td>
<td>Prior approval not required on 1 June 2017</td>
<td>Mr F Ahmed</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: 3.0 metres). 42 Edgefield Avenue Barking Essex IG11 9JN</td>
<td>Longbridge</td>
</tr>
<tr>
<td>16/01681/ FUL</td>
<td>Application Permitted on 2 June 2017</td>
<td>LBBD - Mrs J Hardy</td>
<td>Erection of single storey side extension. 151 Reede Road Dagenham Essex RM10 8DX</td>
<td>Alibon</td>
</tr>
<tr>
<td>17/00431/ FUL</td>
<td>Application refused on 2 June 2017</td>
<td>Mr M Khan</td>
<td>Loft conversion involving construction of gable end roof and rear dormer window and erection of front porch extension and single storey rear toilet extension. 34 Oakley Avenue Barking Essex IG11 9JD</td>
<td>Longbridge</td>
</tr>
<tr>
<td>17/00443/ CLU_P</td>
<td>Certificate issued on 2 June 2017</td>
<td>Mrs A Mayet</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of rear dormer windows and installation of front rooflights. 27 Salisbury Avenue Barking Essex IG11 9XQ</td>
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</tr>
</tbody>
</table>

### 2 June 2017

<table>
<thead>
<tr>
<th>Application Reference</th>
<th>Decision</th>
<th>Applicant</th>
<th>Brief Description of Development and Location</th>
<th>Ward</th>
</tr>
</thead>
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<tr>
<td>16/01681/ FUL</td>
<td>Application Permitted on 2 June 2017</td>
<td>LBBD - Mrs J Hardy</td>
<td>Erection of single storey side extension. 151 Reede Road Dagenham Essex RM10 8DX</td>
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</tr>
</tbody>
</table>
### LONDON BOROUGH OF BARKING AND DAGENHAM
### REGENERATION AND ECONOMIC DEVELOPMENT
### DEVELOPMENT CONTROL BOARD
### Applications Decided/Refused under Delegated Powers

<table>
<thead>
<tr>
<th>Application Reference</th>
<th>Decision</th>
<th>Applicant</th>
<th>Brief Description of Development and Location</th>
<th>Ward</th>
</tr>
</thead>
<tbody>
<tr>
<td>17/00477/ FUL</td>
<td>Application Permitted on 2 June 2017</td>
<td>Mr R Ali</td>
<td>Erection of extension to and raising height of outbuilding in rear garden. 40 Philip Avenue Rush Green Romford Essex RM7 0XH</td>
<td>Eastbrook</td>
</tr>
<tr>
<td>17/00553/ FUL</td>
<td>Application Permitted on 2 June 2017</td>
<td>Mr Singh</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of rear dormer window and installation of front rooflights. 2 Kings Avenue Chadwell Heath Romford Essex RM6 6BB</td>
<td>Whalebone</td>
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<tr>
<td>17/00585/ CLU_P</td>
<td>Certificate issue on 2 June 2017</td>
<td>Mr D Hoxha</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of rear dormer window and installation of front rooflights. 206 Bonham Road Dagenham Essex RM8 3BJ</td>
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<tr>
<td>17/00598/ FUL</td>
<td>Application Refused on 2 June 2017</td>
<td>Mr E P Ugowe</td>
<td>Loft conversion involving construction of gable end roof and rear dormer window and erection of part single/part first floor rear extension (retrospective). 28 Castle Road Dagenham Essex RM9 4XS</td>
<td>Eastbury</td>
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</table>

5 June 2017

<p>| 16/01532/ CDN          | Application Permitted on 5 June 2017 | Lovell Partnerships Ltd | Application for approval of details reserved by condition 9 (lighting and crime prevention measures) in respect of planning permission 14/00293/ FUL. Lymington Fields Turnage Road Dagenham Essex | Whalebone |</p>
<table>
<thead>
<tr>
<th>Application Reference</th>
<th>Decision</th>
<th>Applicant</th>
<th>Brief Description of Development and Location</th>
<th>Ward</th>
</tr>
</thead>
<tbody>
<tr>
<td>17/00330/CTY</td>
<td>Application Permitted on 5 June 2017</td>
<td>Biffa Waste Services Limited</td>
<td>Erection of building for the storage of dry mixed recyclable materials. BIFFA Waste Transfer Station Maybells Farm Ripple Road Barking Essex IG11 0TP</td>
<td>Thames</td>
</tr>
<tr>
<td>17/00446/FUL</td>
<td>Application Permitted on 5 June 2017</td>
<td>Meadow Dagenham Retail Ltd</td>
<td>Change of use of former night club to flexible A3 (restaurants/cafes) or D2 (assembly and leisure) use together with associated shopfront works. Dagenham Leisure Park Cook Road Dagenham Essex</td>
<td>Goresbrook</td>
</tr>
<tr>
<td>17/00586/FUL</td>
<td>Application Permitted on 5 June 2017</td>
<td>Mr &amp; Mrs Akerman</td>
<td>Demolition of rear extension and erection of single storey rear extension. 62 Dunkeld Road Dagenham Essex RM8 2PT</td>
<td>Becontree</td>
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<tr>
<td>17/00590/ADV</td>
<td>Application Permitted on 5 June 2017</td>
<td>Greggs Plc</td>
<td>Installation of internally illuminated fascia and projecting signs and 2 non-illuminated internal panels. Greggs 792 Green Lane Dagenham Essex RM8 1YT</td>
<td>Becontree</td>
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<tr>
<td>17/00594/CLU_P</td>
<td>Certificate issue on 5 June 2017</td>
<td>Mr A Khan</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of rear dormer window and installation of front rooflights. 7 Crabtree Avenue Romford Essex RM6 5EX</td>
<td>Chadwell Heath</td>
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<tr>
<td>17/00596/CLU_P</td>
<td>Certificate issue on 5 June 2017</td>
<td>Mr M Ashfaq</td>
<td>Application for a certificate of lawfulness for a proposed development: Erection of single storey side extension. 44 Sylvan Avenue Chadwell Heath Romford Essex RM6 6BE</td>
<td>Whalebone</td>
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<td>Decision</td>
<td>Applicant</td>
<td>Brief Description of Development and Location</td>
<td>Ward</td>
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<td>17/00627/CLU_P</td>
<td>Certificate issue on 5 June 2017</td>
<td>Mrs R Ikhlas</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of rear dormer window and installation of front rooflights. 127 Beccles Drive Barking Essex IG11 9HZ</td>
<td>Longbridge</td>
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<tr>
<td>17/00679/PRIOR6</td>
<td>Prior approval not required on 5 June 2017</td>
<td>Mr G Stutas</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 6.0 metres; height to eaves: 2.50 metres and maximum height: 2.85 metres). 9 Stevens Road Dagenham Essex RM8 2QP</td>
<td>Becontree</td>
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<tr>
<td>17/00681/PRIOR6</td>
<td>Prior approval not required on 5 June 2017</td>
<td>Mr M M Khan</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). 201 Morley Road Barking Essex IG11 7DH</td>
<td>Gascoigne</td>
</tr>
<tr>
<td>17/00773/PRIOR6</td>
<td>Prior approval not required on 5 June 2017</td>
<td>Mrs A Khatun</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: 3.0 metres). 63 East Road Chadwell Heath Romford Essex RM6 6YS</td>
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</tr>
<tr>
<td>17/00742/CLU_P</td>
<td>Certificate issue on 5 June 2017</td>
<td>Mr S Dixon</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of rear dormer window and installation of front rooflights. 52 Netherfield Gardens Barking Essex IG11 9TN</td>
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</tr>
</tbody>
</table>
# LONDON BOROUGH OF BARKING AND DAGENHAM
## REGENERATION AND ECONOMIC DEVELOPMENT
### DEVELOPMENT CONTROL BOARD
### Applications Decided/Refused under Delegated Powers

<table>
<thead>
<tr>
<th>Application Reference</th>
<th>Decision</th>
<th>Applicant</th>
<th>Brief Description of Development and Location</th>
<th>Ward</th>
</tr>
</thead>
<tbody>
<tr>
<td>17/00907/FAST</td>
<td>Certificate issue on 5 June 2017</td>
<td>Mr S Dixon</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of rear dormer window and installation of front rooflights. 52 Netherfield Gardens Barking Essex IG11 9TN</td>
<td>Abbey</td>
</tr>
<tr>
<td>16/01119/FUL</td>
<td>Application Permitted on 6 June 2017</td>
<td>Cherry Tree Public House</td>
<td>Use of first floor and roof accommodation as house in multiple occupation (retrospective) and erection of 1.8 metre high perspex screen at first floor level. Cherry Tree Wood Lane Dagenham Essex RM8 3LJ</td>
<td>Parsloes</td>
</tr>
<tr>
<td>17/00180/CDN</td>
<td>Application Permitted on 6 June 2017</td>
<td>Mr H Kataria</td>
<td>Application for approval of details reserved by condition 26 (green roof) 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>
</tr>
<tr>
<td>17/00556/CDN</td>
<td>Application Permitted on 6 June 2017</td>
<td>Resco Investments</td>
<td>Application for approval of details reserved by conditions 7 (construction environmental management plan and site waste management plan) and 9 (employment and skills plan) in respect of planning permission 16/01482/FUL. 4 - 6 Ripple Road Barking Essex IG11 7PE</td>
<td>Abbey</td>
</tr>
<tr>
<td>Application Reference</td>
<td>Decision</td>
<td>Applicant</td>
<td>Brief Description of Development and Location</td>
<td>Ward</td>
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<td>17/00592/CLU_P</td>
<td>Certificate Issue on 6 June 2017</td>
<td>Ms N Rizwan</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of rear dormer window, installation of front rooflights and erection of front porch. 101 Clementhorpe Road Dagenham Essex RM9 4BJ</td>
<td>Mayesbrook</td>
</tr>
<tr>
<td>17/00595/CLU_P</td>
<td>Certificate Issue on 6 June 2017</td>
<td>Ms J Barnes</td>
<td>Application for a certificate of lawfulness for a proposed development: Erection of front porch. 99 Clementhorpe Road Dagenham Essex RM9 4BJ</td>
<td>Mayesbrook</td>
</tr>
<tr>
<td>17/00600/FUL</td>
<td>Application Permitted on 6 June 2017</td>
<td>Mr M Pandian</td>
<td>Erection of single storey side/rear extension. 131 Maybury Road Barking Essex IG11 0PG</td>
<td>Thames</td>
</tr>
<tr>
<td>17/00604/FUL</td>
<td>Application Refused on 6 June 2017</td>
<td>Mr M Hogue</td>
<td>Erection of part single/part two storey side extension. 140 Arden Crescent Dagenham Essex RM9 4SA</td>
<td>Goresbrook</td>
</tr>
<tr>
<td>17/00644/PRIOR6</td>
<td>Prior Approval Not Required on 6 June 2017</td>
<td>Mr S Ahmed</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 6.0 metres; height to eaves: 2.85 metres and maximum height: 3.0 metres). 141 Cavendish Gardens Barking Essex IG11 9DY</td>
<td>Longbridge</td>
</tr>
<tr>
<td>17/00702/PRIOR6</td>
<td>Prior Approval Required and Permission Refused on 6 June 2017</td>
<td>Mrs M Kaur</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: 3.0 metres). 88 Salisbury Avenue Barking Essex IG11 9XS</td>
<td>Abbey</td>
</tr>
</tbody>
</table>
### Applications Decided/Refused under Delegated Powers

<table>
<thead>
<tr>
<th>Application Reference</th>
<th>Decision</th>
<th>Applicant</th>
<th>Brief Description of Development and Location</th>
<th>Ward</th>
</tr>
</thead>
<tbody>
<tr>
<td>17/00716/CDN</td>
<td>Application Permitted on 6 June 2017</td>
<td>Meadow Dagenham Retail Ltd &amp; Travelodge Hotels Ltd</td>
<td>Application for approval of details reserved by condition 32 (archaeological WSI) in respect of planning permission 16/01889/FUL. Western Car Park East London Leisure Park Cook Road Dagenham Essex</td>
<td>Goresbrook</td>
</tr>
<tr>
<td>17/00364/CDN</td>
<td>Application Permitted on 7 June 2017</td>
<td>Mr H Kataria</td>
<td>Application for approval of details reserved by conditions 3 (site investigation and risk assessment) and 4 (remediation scheme) 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>
</tr>
<tr>
<td>17/00466/CLU_P</td>
<td>Application Permitted on 7 June 2017</td>
<td>Mr M A Hafiz</td>
<td>Erection of part single/part two storey rear extension. 2 Shirley Gardens Barking Essex IG11 9UZ</td>
<td>Longbridge</td>
</tr>
<tr>
<td>17/00608/CLU_P</td>
<td>Certificate issued on 7 June 2017</td>
<td>Mr E Kola</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of gable end roof, rear dormer window and installation of front rooflights. 41 Beccles Drive Barking Essex IG11 9HX</td>
<td>Longbridge</td>
</tr>
<tr>
<td>Application Reference</td>
<td>Decision</td>
<td>Applicant</td>
<td>Brief Description of Development and Location</td>
<td>Ward</td>
</tr>
<tr>
<td>-----------------------</td>
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<td>-----------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>17/00697/ PRIOR6</td>
<td>Prior approval not required on 7 June 2017</td>
<td>Mr A Wiffin &amp; Mrs P Burns</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: 3.0 metres). 62 Winterbourne Road Dagenham Essex RM8 2JT</td>
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</tr>
<tr>
<td>17/00294/ FUL</td>
<td>Application Refused on 8 June 2017</td>
<td>Mr G Ojolowo</td>
<td>Erection of single storey rear extension in connection with conversion of house into 1 two bedroom and 1 one bedroom flats. 14 Ridgewell Close Dagenham Essex RM10 9AJ</td>
<td>River</td>
</tr>
<tr>
<td>17/00382/ CLU_P</td>
<td>Certificate issued on 8 June 2017</td>
<td>Mr J Shabir</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 and demolition of chimney stack. 178 Porters Avenue Dagenham Essex RM8 2AE</td>
<td>Mayesbrook</td>
</tr>
<tr>
<td>17/00542/ FUL</td>
<td>Application Refused on 8 June 2017</td>
<td>Mr S Hoxha</td>
<td>Erection of two storey side extension, single storey rear extension and loft conversion involving construction of rear dormer window. 44 Stonard Road Dagenham Essex RM8 2HS</td>
<td>Becontree</td>
</tr>
<tr>
<td>17/00547/ CLU_P</td>
<td>Certificate issued on 8 June 2017</td>
<td>Mr M Haron</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving, construction of rear dormer window and front rooflights. 26 Priory Road Barking Essex IG11 9XL</td>
<td>Abbey</td>
</tr>
<tr>
<td>Application Reference</td>
<td>Decision</td>
<td>Applicant</td>
<td>Brief Description of Development and Location</td>
<td>Ward</td>
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<td>17/00611/ADV</td>
<td>Permitted on 8 June 2017</td>
<td>Reverend E Kirby</td>
<td>Installation of non-illuminated sign above church entrance on Short Blue Place; non-illuminated projecting sign on London Road elevation of building; and non-illuminated information sign on western side elevation of building. Barking Methodist Church 31 - 33 London Road Barking Essex</td>
<td>Abbey</td>
</tr>
<tr>
<td>17/00615/FUL</td>
<td>Permitted on 8 June 2017</td>
<td>Mr S Islam</td>
<td>Erection of first floor rear extension. 2 Buttfield Close Dagenham Essex RM10 8TJ</td>
<td>Village</td>
</tr>
<tr>
<td>17/00689/CLU_P</td>
<td>Certificate issued on 8 June 2017</td>
<td>Mr S Sambaiah</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of rear dormer window and installation of front rooflights. 12 Plantagenet Gardens Chadwell Heath Romford Essex RM6 6JX</td>
<td>Whalebone</td>
</tr>
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<td>17/00701/PRIOR6</td>
<td>Prior approval not required on 8 June 2017</td>
<td>Mr A Gulamsabir</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: 3.0 metres). 1030 Green Lane Dagenham Essex RM8 1BT</td>
<td>Valence</td>
</tr>
<tr>
<td>17/00717/PRIOR6</td>
<td>Prior approval required and permission refused on 8 June 2017</td>
<td>Mr J Seneca</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 6.0 metres in total comprising 3.0 metres existing and 3.0 metre proposed; height to eaves: 3.0 metres and maximum height: 3.0 metres). 150 Third Avenue Dagenham Essex RM10 9BB</td>
<td>River</td>
</tr>
<tr>
<td>Application Reference</td>
<td>Decision</td>
<td>Applicant</td>
<td>Brief Description of Development and Location</td>
<td>Ward</td>
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</tr>
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<td>16/01507/CDN</td>
<td>Application Permitted on 9 June 2017</td>
<td>Weston Homes Plc</td>
<td>Application for approval of details reserved by conditions 19 (refuse strategy), 20 (cycle storage), 21 (noise insulation), 22 (acoustic protection), 24 (energy strategy), 25 (bird/bat boxes) and 33 (communal TV/satellite system) in respect of planning permission 15/01526/FUL. Abbey Park Industrial Estate 52 Abbey Road Barking Essex</td>
<td>Gascoigne</td>
</tr>
<tr>
<td>17/00358/FUL</td>
<td>Application Permitted on 9 June 2017</td>
<td>Mrs D Asiimwe</td>
<td>Erection of two storey side extension. 35 Milner Road Dagenham Essex RM8 2PX</td>
<td>Becontree</td>
</tr>
<tr>
<td>17/00381/FUL</td>
<td>Application Permitted on 9 June 2017</td>
<td>Mr P Knight</td>
<td>Erection of single storey rear extension and loft conversion involving construction of rear dormer window. 7 Dagmar Road Dagenham Essex RM10 8XP</td>
<td>Village</td>
</tr>
<tr>
<td>17/00500/FUL</td>
<td>Application Refused on 9 June 2017</td>
<td>Mr S Kalyan</td>
<td>Erection of two storey side extension. 28 Darcy Gardens Dagenham Essex RM9 6BS</td>
<td>Goresbrook</td>
</tr>
<tr>
<td>17/00673/CLU_P</td>
<td>Certificate issued on 9 June 2017</td>
<td>Mr J George</td>
<td>Application for a certificate of lawfulness for a proposed development: Erection of front porch and single storey rear extension. 159 Ford Road Dagenham Essex RM9 6LT</td>
<td>River</td>
</tr>
<tr>
<td>Application Reference</td>
<td>Decision</td>
<td>Applicant</td>
<td>Brief Description of Development and Location</td>
<td>Ward</td>
</tr>
<tr>
<td>------------------------</td>
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</tr>
<tr>
<td>17/00948/ FAST</td>
<td>Certificate issued on 9 June 2017</td>
<td>Mr J George</td>
<td>Application for a certificate of lawfulness for a proposed development: Erection of front porch and single storey rear extension. 159 Ford Road Dagenham Essex RM9 6LT</td>
<td>River</td>
</tr>
<tr>
<td>15/01205/ CDN</td>
<td>Application Permitted on 12 June 2017</td>
<td>United Learning</td>
<td>Application for approval of details reserved by conditions 3 (external materials), 10 (air quality), 14 (construction method statement), 15-17 (land quality), 22 (archaeology), 23 (surface water), 25 (refuse), 26 (reptile survey), 28 (lighting), 30 (energy) and 31 (crime prevention) in respect of planning permission 14/01425/FUL. Goresbrook Leisure Centre Cook Road Dagenham Essex RM9 6XW</td>
<td>Thames</td>
</tr>
<tr>
<td>17/00214/ FUL</td>
<td>Application Permitted on 12 June 2017</td>
<td>Mr P Malik</td>
<td>Erection of part single/part two storey rear extension, two storey side extension and conversion of garage into habitable room. 371 Whalebone Lane North Romford Essex RM6 6RH</td>
<td>Chadwell Heath</td>
</tr>
<tr>
<td>17/00469/ FUL</td>
<td>Application Permitted on 12 June 2017</td>
<td>Mr S Ahmed</td>
<td>Erection of outbuilding in rear garden. 48 Mayesbrook Road Dagenham Essex RM8 2EB</td>
<td>Becontree</td>
</tr>
<tr>
<td>Application Reference</td>
<td>Decision</td>
<td>Applicant</td>
<td>Brief Description of Development and Location</td>
<td>Ward</td>
</tr>
<tr>
<td>-----------------------</td>
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</tr>
<tr>
<td>17/00543/ FUL</td>
<td>Application Permitted on 12 June 2017</td>
<td>Mr B Chohan</td>
<td>Erection of two storey side extension. 66 Cornworthy Road Dagenham Essex RM8 2DF</td>
<td>Mayesbrook</td>
</tr>
<tr>
<td>17/00626/ CLU_P</td>
<td>Certificate issued on 12 June 2017</td>
<td>Mr A Khan</td>
<td>Application for a certificate of lawfulness for a proposed development: Erection of outbuilding in rear garden. 542 Valence Avenue Dagenham Essex RM8 3QH</td>
<td>Parsloes</td>
</tr>
<tr>
<td>17/00715/ PRIOR6</td>
<td>Prior approval not required on 12 June 2017</td>
<td>Mr P Cevani</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 3.6 metres; height to eaves: 3.0 metres and maximum height: 4.0 metres). 3 Hedingham Road Dagenham Essex RM8 2NA</td>
<td>Mayesbrook</td>
</tr>
<tr>
<td>17/00725/ PRIOR6</td>
<td>Prior approval not required on 12 June 2017</td>
<td>Mr K Metushi</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 5.0 metres; height to eaves: 2.7 metres and maximum height: 2.7 metres). 5 Babington Road Dagenham Essex RM8 2XL</td>
<td>Mayesbrook</td>
</tr>
<tr>
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</tr>
<tr>
<td>17/00744/ PRIOR6</td>
<td>Prior approval required on 13 June 2017</td>
<td>Mr L Rahman</td>
<td>Application for prior approval of proposed single storey rear extension (depth: part 3.65 metres/part 6.0 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>
</tbody>
</table>
## LONDON BOROUGH OF BARKING AND DAGENHAM REGENERATION AND ECONOMIC DEVELOPMENT DEVELOPMENT CONTROL BOARD Applications Decided/Refused under Delegated Powers

<table>
<thead>
<tr>
<th>Application Reference</th>
<th>Decision</th>
<th>Applicant</th>
<th>Brief Description of Development and Location</th>
<th>Ward</th>
</tr>
</thead>
<tbody>
<tr>
<td>17/00526/CLU_P</td>
<td>Certificate issued on 13 June 2017</td>
<td>Mr G Omorogieva</td>
<td>Application for a certificate of lawfulness for a proposed development: Use of part of ground floor of travel agency as radio controlled mini-cab office. 159 Broad Street Dagenham Essex</td>
<td>River</td>
</tr>
<tr>
<td>17/00614/CLU_P</td>
<td>Certificate issued on 13 June 2017</td>
<td>GLS Properties Investment Limited</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of gable end roof and rear dormer window and installation of front rooflights. 58 Central Park Avenue Dagenham Essex RM10 7BU</td>
<td>Eastbrook</td>
</tr>
<tr>
<td>17/00631/FUL</td>
<td>Application refused on 13 June 2017</td>
<td>Mrs V 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>
</tr>
<tr>
<td>17/00632/CLU_P</td>
<td>Certificate issued on 13 June 2017</td>
<td>Mr T Klisowski</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of side and rear dormer windows and installation of front rooflights. 8 North Road Romford Essex RM6 6XU</td>
<td>Chadwell Heath</td>
</tr>
<tr>
<td>17/00636/FUL</td>
<td>Application Permitted on 13 June 2017</td>
<td>Mr K Moran</td>
<td>Erection of part single/part two storey side extension and detached garage. 1 Canberra Close Dagenham Essex RM10 9YJ</td>
<td>Village</td>
</tr>
</tbody>
</table>
## LONDON BOROUGH OF BARKING AND DAGENHAM
### REGENERATION AND ECONOMIC DEVELOPMENT
#### DEVELOPMENT CONTROL BOARD
### Applications Decided/Refused under Delegated Powers

<table>
<thead>
<tr>
<th>Application Reference</th>
<th>Decision</th>
<th>Applicant</th>
<th>Brief Description of Development and Location</th>
<th>Ward</th>
</tr>
</thead>
<tbody>
<tr>
<td>17/00676/CDN</td>
<td>Application Permitted on 13 June 2017</td>
<td>Be:here</td>
<td>Application for partial approval of details reserved by condition 16 (construction environmental management plan - approval requested only in respect of enabling works, demolition and archaeology) in respect of planning permission 15/01635/FUL. Abbey Retail Park Abbey Road Barking Essex</td>
<td>Gascoigne</td>
</tr>
<tr>
<td>17/00850/PRIOR6</td>
<td>Prior approval not required on 13 June 2017</td>
<td>Mr K Metushi</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 4.0 metres; height to eaves: 2.7 metres and maximum height: 2.7 metres). 5 Babington Road Dagenham Essex RM8 2XL</td>
<td>Mayesbrook</td>
</tr>
<tr>
<td>17/00519/CDN</td>
<td>Application Permitted on 14 June 2017</td>
<td>Swan New Homes Ltd</td>
<td>Application for approval of details reserved by condition 33 (wheelchair housing) in respect of planning permission 16/01183/FUL. 16 - 48 Cambridge Road Barking Essex</td>
<td>Abbey</td>
</tr>
<tr>
<td>17/00616/FUL</td>
<td>Application Permitted on 14 June 2017</td>
<td>Berkeley Square Developments Dagenham</td>
<td>Application for variation of condition following grant of planning permission 16/01544/FUL: Variation of condition 2 (drawing numbers) - reduction in building size, introduction of an external seating area resulting in minor amendments to the car parking arrangements and changes to the building design. London East Business And Technical Park Yewtree Avenue Dagenham Essex</td>
<td>Eastbrook</td>
</tr>
</tbody>
</table>
Applications Decided/Refused under Delegated Powers

<table>
<thead>
<tr>
<th>Application Reference</th>
<th>Decision</th>
<th>Applicant</th>
<th>Brief Description of Development and Location</th>
<th>Ward</th>
</tr>
</thead>
<tbody>
<tr>
<td>17/00617/ FUL</td>
<td>Application Permitted on 14 June 2017</td>
<td>LBBD - John Perry Primary School</td>
<td>Erection of single storey classroom extension. John Perry Primary School Charles Road Dagenham Essex RM10 8UR</td>
<td>Village</td>
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<tr>
<td>17/00635/ FUL</td>
<td>Application Refused on 14 June 2017</td>
<td>Mr S Islam</td>
<td>Loft conversion involving construction of side dormer window. 76 Blackborne Road Dagenham Essex RM10 8SP</td>
<td>Village</td>
</tr>
<tr>
<td>17/00709/ CDN</td>
<td>Application Permitted on 14 June 2017</td>
<td>Dagenham Dock Ltd &amp; T E Scudders</td>
<td>Application for approval of details reserved by condition 4 (black redstart survey) in respect of prior approval 16/01737/PRIOR4. Ford Works Site Ford Motor Company Estate Kent Avenue Dagenham Essex RM9 6SA</td>
<td>River</td>
</tr>
<tr>
<td>17/00441/ CDN</td>
<td>Application Permitted on 15 June 2017</td>
<td>Abbey Developments Ltd</td>
<td>Application for approval of details reserved by condition 5 (archaeology) in respect of planning permission 16/01025/FUL. Land South Of Cemetery Whalebone Lane North Romford Essex</td>
<td>Chadwell Heath</td>
</tr>
<tr>
<td>17/00479/ FUL</td>
<td>Application Permitted on 15 June 2017</td>
<td>Mr &amp; Mrs Titus</td>
<td>Erection of extension to existing outbuilding in rear garden. 14 Waterbeach Road Dagenham Essex RM9 4AD</td>
<td>Mayesbrook</td>
</tr>
<tr>
<td>17/00728/ PRIOR6</td>
<td>Prior approval not required on 15 June 2017</td>
<td>Mr D Shakeel</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 6.0 metres in total comprising 4.737 metres existing and 1.263 metres proposed; height to eaves: 2.8 metres and maximum height: 2.8 metres). 55 Bushgrove Road Dagenham Essex RM8 3SL</td>
<td>Parsloes</td>
</tr>
</tbody>
</table>

15 June 2017
## Applications Decided/Refused under Delegated Powers

<table>
<thead>
<tr>
<th>Application Reference</th>
<th>Decision</th>
<th>Applicant</th>
<th>Brief Description of Development and Location</th>
<th>Ward</th>
</tr>
</thead>
<tbody>
<tr>
<td>17/00729/PRIOR6</td>
<td>Prior approval not required on 15 June 2017</td>
<td>Mrs V Collins</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). 36 Flamstead Road Dagenham Essex RM9 4JJ</td>
<td>Goresbrook</td>
</tr>
<tr>
<td>17/00730/PRIOR6</td>
<td>Prior approval not required on 15 June 2017</td>
<td>Mr A Volobujevas</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 4.0 metres; height to eaves: 2.634 metres and maximum height: 3.581 metres). 155 Dagenham Avenue Dagenham Essex RM9 6LJ</td>
<td>Goresbrook</td>
</tr>
<tr>
<td>17/00737/PRIOR6</td>
<td>Prior approval not required on 15 June 2017</td>
<td>Mr Y Saeed</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 4.0 metres; height to eaves: 2.681 metres and maximum height: 2.681 metres). 280 Parsloes Avenue Dagenham Essex RM9 5QJ</td>
<td>Parsloes</td>
</tr>
</tbody>
</table>

### 16 June 2017

<table>
<thead>
<tr>
<th>Application Reference</th>
<th>Decision</th>
<th>Applicant</th>
<th>Brief Description of Development and Location</th>
<th>Ward</th>
</tr>
</thead>
<tbody>
<tr>
<td>17/00101/FUL</td>
<td>Application Permitted on 16 June 2017</td>
<td>Mr R Hnidin</td>
<td>Erection of two storey side extension and part single/part two storey rear extension. 10 Alibon Gardens Dagenham Essex RM10 8BZ</td>
<td>Alibon</td>
</tr>
<tr>
<td>17/00174/CDN</td>
<td>Application Permitted on 16 June 2017</td>
<td>Be:here</td>
<td>Application for partial approval of details reserved by condition 11 (site investigation - approval requested only in respect of enabling works - demolition and archaeology) and approval of details reserved by conditions 46 (public outreach - archaeology) and 47(A) (archaeology WSI) in respect of planning permission 15/01635/FUL (Phases 1 and 2). Abbey Retail Park Abbey Road Barking Essex</td>
<td>Gascoigne</td>
</tr>
<tr>
<td>Application Reference</td>
<td>Decision</td>
<td>Applicant</td>
<td>Brief Description of Development and Location</td>
<td>Ward</td>
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<td>-----------------------</td>
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<td>17/00424/ FUL</td>
<td>Application Permitted on 16 June 2017</td>
<td>Mr A Lukauskas</td>
<td>Erection of extension to garage. 21 Fordyke Road Dagenham Essex RM8 1PH</td>
<td>Whalebone</td>
</tr>
<tr>
<td>17/00518/ CDN</td>
<td>Application Permitted on 16 June 2017</td>
<td>Swan New Homes Ltd</td>
<td>Application for approval of details reserved by condition 32 (accessible housing) in respect of planning permission 16/01183/FUL. 16 - 48 Cambridge Road Barking Essex</td>
<td>Abbey</td>
</tr>
<tr>
<td>17/00573/ FUL</td>
<td>Application Permitted on 16 June 2017</td>
<td>Mr A Baffour</td>
<td>Erection of first floor rear extension. 5 Shaw Gardens Barking Essex IG11 0UE</td>
<td>Thames</td>
</tr>
<tr>
<td>17/00650/ FUL</td>
<td>Application Permitted on 16 June 2017</td>
<td>Mr M S Baig</td>
<td>Erection of single storey side/rear extension and front porch. 103 Whalebone Lane South Dagenham Essex RM8 1AJ</td>
<td>Whalebone</td>
</tr>
<tr>
<td>17/00654/ CLU_P</td>
<td>Certificate issued on 16 June 2017</td>
<td>Mrs D Patel</td>
<td>Application for a certificate of lawfulness for a proposed development: Erection of outbuilding in side garden 12 Sterry Road Barking Essex IG11 9SJ</td>
<td>Eastbury</td>
</tr>
<tr>
<td>17/00659/ FUL</td>
<td>Application Permitted on 16 June 2017</td>
<td>Ms I Iusco</td>
<td>Erection of outbuilding in rear garden to be used as 'granny annexe'. 56 Thatchs Grove Romford Essex RM6 5LH</td>
<td>Chadwell Heath</td>
</tr>
</tbody>
</table>
### Applications Decided/Refused under Delegated Powers

<table>
<thead>
<tr>
<th>Application Reference</th>
<th>Decision</th>
<th>Applicant</th>
<th>Brief Description of Development and Location</th>
<th>Ward</th>
</tr>
</thead>
<tbody>
<tr>
<td>17/00746/ PRIOR6</td>
<td>Prior approval not required on 16 June 2017</td>
<td>Mr N Prendi</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 6.0 metres; height to eaves: 2.736 metres and maximum height: 2.736 metres). 2 Trefgarne Road Dagenham Essex RM10 7QS</td>
<td>Heath</td>
</tr>
<tr>
<td>17/00747/ PRIOR6</td>
<td>Prior approval not required on 16 June 2017</td>
<td>2 Trefgarne Road Dagenham Essex RM10 7QS</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 4.0 metres; height to eaves: 2.7 metres and maximum height: 4.0 metres). 19 Bainbridge Road Dagenham Essex RM9 5UU</td>
<td>Heath</td>
</tr>
<tr>
<td>17/00555/ CLU_P</td>
<td>Certificate issued on 19 June 2017</td>
<td>Mr T Ud Din Siddiqui</td>
<td>Application for a certificate of lawfulness for a proposed development: Erection of single storey side extension. 82 Felton Road Barking Essex IG11 7XR</td>
<td>Gascoigne</td>
</tr>
<tr>
<td>17/00633/ CLU_P</td>
<td>Certificate issued on 19 June 2017</td>
<td>Mr S Dhanesar</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of rear dormer window and installation of front rooflights. 14 Emerald Gardens Dagenham Essex RM8 1LH</td>
<td>Whalebone</td>
</tr>
<tr>
<td>17/00660/ CLU_P</td>
<td>Certificate issued on 19 June 2017</td>
<td>Mr N Islam</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of rear dormer window and installation of front rooflights. 302 Ripple Road Barking Essex IG11 7RP</td>
<td>Eastbury</td>
</tr>
</tbody>
</table>
## Applications Decided/Refused under Delegated Powers

<table>
<thead>
<tr>
<th>Application Reference</th>
<th>Decision</th>
<th>Applicant</th>
<th>Brief Description of Development and Location</th>
<th>Ward</th>
</tr>
</thead>
<tbody>
<tr>
<td>17/00661/ FUL</td>
<td>Application Permitted on 19 June 2017</td>
<td>Mr N Islam</td>
<td>Erection of single storey rear extension. 302 Ripple Road Barking Essex IG11 7RP</td>
<td>Eastbury</td>
</tr>
<tr>
<td>17/00663/ FUL</td>
<td>Application Permitted on 19 June 2017</td>
<td>Mr D Cater</td>
<td>Installation of access ramp with handrails to front of house. 102 Ford Road Dagenham Essex RM10 9JP</td>
<td>River</td>
</tr>
<tr>
<td>17/00751/ PRIOR6</td>
<td>Certificate issued on 19 June 2017</td>
<td>Mrs Bi Yun Xu</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 4.0 metres; height to eaves: 2.85 metres and maximum height: 3.175 metres). 7 Spinney Gardens Dagenham Essex RM9 5DR</td>
<td>Parsloes</td>
</tr>
<tr>
<td>17/00752/ PRIOR6</td>
<td>Prior approval required and permission refused on 19 June 2017</td>
<td>Mr B Zaman</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). 3 Thicket Grove Dagenham Essex RM9 4NR</td>
<td>Mayesbrook</td>
</tr>
<tr>
<td>17/00823/ TPO</td>
<td>Application Permitted on 19 June 2017</td>
<td>NHS</td>
<td>Application for tree works subject to a tree preservation order: Crown lift up to 5 metres and removal of deadwood of 4 silver birch trees. Barking Hospital Upney Lane Barking Essex IG11 9LX</td>
<td>Longbridge</td>
</tr>
</tbody>
</table>
## Applications Decided/Refused under Delegated Powers

<table>
<thead>
<tr>
<th>Application Reference</th>
<th>Decision</th>
<th>Applicant</th>
<th>Brief Description of Development and Location</th>
<th>Ward</th>
</tr>
</thead>
<tbody>
<tr>
<td>20 June 2017</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16/01916/CDN</td>
<td>Application Permitted on 20 June 2017</td>
<td>Semilarhus Development Ltd</td>
<td>Application for approval of details reserved by conditions 4-6 (Land Contamination) in respect of planning permission 15/00362/FUL.</td>
<td>Chadwell Heath</td>
</tr>
<tr>
<td>17/00470/FUL</td>
<td>Application Refused on 20 June 2017</td>
<td>Mr S Kumar</td>
<td>Conversion of house into 2 flats. 16 Gordon Road Chadwell Heath Romford Essex RM6 6DD</td>
<td>Whalebone</td>
</tr>
<tr>
<td>17/00557/FUL</td>
<td>Application Permitted on 20 June 2017</td>
<td>Mr V Bonda</td>
<td>Loft conversion involving construction of rear dormer window. 75 Marlborough Road Dagenham Essex RM8 2HL</td>
<td>Becontree</td>
</tr>
<tr>
<td>17/00587/CDN</td>
<td>Application Permitted on 20 June 2017</td>
<td>Swan New Homes Ltd</td>
<td>Application for approval of details reserved by conditions 16 (refuse strategy), 17 (cycle parking) and 21 (car parking) in respect of planning permission 16/01183/FUL 16 - 48 Cambridge Road Barking Essex</td>
<td>Abbey</td>
</tr>
<tr>
<td>17/00597/FUL</td>
<td>Application Refused on 20 June 2017</td>
<td>Ms C Sherlock</td>
<td>Erection of two porches and installation and blocking up of windows in connection with conversion of dwelling into 2 one bedroom flats. 47 Thetford Road Dagenham Essex RM9 6AP</td>
<td>Goresbrook</td>
</tr>
<tr>
<td>17/00668/FUL</td>
<td>Application Permitted on 20 June 2017</td>
<td>Mr M Akhtar</td>
<td>Erection of part single/part two storey side/rear extension and first floor rear extension. 75 Verney Road Dagenham Essex RM9 5LP</td>
<td>Parsloes</td>
</tr>
</tbody>
</table>
## LONDON BOROUGH OF BARKING AND DAGENHAM
### REGENERATION AND ECONOMIC DEVELOPMENT
#### DEVELOPMENT CONTROL BOARD
### Applications Decided/Refused under Delegated Powers

<table>
<thead>
<tr>
<th>Application Reference</th>
<th>Decision</th>
<th>Applicant</th>
<th>Brief Description of Development and Location</th>
<th>Ward</th>
</tr>
</thead>
<tbody>
<tr>
<td>17/00765/ PRIOR6</td>
<td>Prior approval not required on 20 June 2017</td>
<td>Mr S Shaukat</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 4.5 metres; height to eaves: 2.272 metres and maximum height: 2.422 metres). 15 Gerald Road Dagenham Essex RM8 1PT</td>
<td>Whalebone</td>
</tr>
<tr>
<td>17/00766/ PRIOR6</td>
<td>Prior approval not required on 20 June 2017</td>
<td>Mr A Solovastru</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: 3.3 metres). 233 Western Avenue Dagenham Essex RM10 8UL</td>
<td>Village</td>
</tr>
<tr>
<td>17/00610/ FUL</td>
<td>Application Permitted on 21 June 2017</td>
<td>Mr M Karki</td>
<td>Erection of single storey side and rear extension. 251 Ivyhouse Road Dagenham Essex RM9 5RT</td>
<td>Alibon</td>
</tr>
<tr>
<td>17/00653/ FUL</td>
<td>Application Permitted on 21 June 2017</td>
<td>Mr B Saitch</td>
<td>Demolition of existing garage and shed and erection of a new garage in rear garden. 5 Rose Glen Rush Green Romford Essex RM7 0SL</td>
<td>Eastbrook</td>
</tr>
<tr>
<td>17/00684/ FUL</td>
<td>Application Permitted on 21 June 2017</td>
<td>Barking Riverside Ltd</td>
<td>Formation of park including installation of play equipment and associated landscaping. Barking Riverside Area Renwick Road Barking Essex</td>
<td>Thames</td>
</tr>
<tr>
<td>17/00722/ CLU_P</td>
<td>Certificate issued on 21 June 2017</td>
<td>Mrs V Collins</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of rear dormer window and installation of front rooflights. 36 Flamstead Road Dagenham Essex RM9 4JJ</td>
<td>Goresbrook</td>
</tr>
</tbody>
</table>

**21 June 2017**
## London Borough of Barking and Dagenham
### Regeneration and Economic Development
#### Development Control Board

Applications Decided/Refused under Delegated Powers

<table>
<thead>
<tr>
<th>Application Reference</th>
<th>Decision</th>
<th>Applicant</th>
<th>Brief Description of Development and Location</th>
<th>Ward</th>
</tr>
</thead>
<tbody>
<tr>
<td>17/00775/ PRIOR6</td>
<td>Prior approval not required on 21 June 2017</td>
<td>Mr H Jhawar</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). 25 Torrington Road Dagenham Essex RM8 1ND</td>
<td>Whalebone</td>
</tr>
<tr>
<td>17/00776/ PRIOR6</td>
<td>Prior approval not required on 21 June 2017</td>
<td>Mr A Rahman</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: 3.3 metres). 19 Dereham Road Barking Essex IG11 9EZ</td>
<td>Longbridge</td>
</tr>
<tr>
<td>17/00779/ PRIOR6</td>
<td>Prior approval required and permission refused on 21 June 2017</td>
<td>Mykola Vasylchenko</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 6.0 metres in total comprising 3.0 metres existing and 3.0 metres proposed; height to eaves: 2.8 metres and maximum height: 2.9 metres). 52 Gurney Close Barking Essex IG11 8JX</td>
<td>Abbey</td>
</tr>
<tr>
<td>17/00781/ PRIOR6</td>
<td>Prior approval required and permission refused on 21 June 2017</td>
<td>Mr E Oksuz</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 4.0 metres; height to eaves: 2.7 metres and maximum height: 3.0 metres). 217 Morley Road Barking Essex IG11 7DH</td>
<td>Gascoigne</td>
</tr>
<tr>
<td>17/00782/ PRIOR6</td>
<td>Prior approval required and permission refused on 21 June 2017</td>
<td>Mr &amp; Mrs A Blewitt</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 5.95 metres; height to eaves: 2.95 metres and maximum height: 3.95 metres). 33 Fambridge Road Dagenham Essex RM8 1NS</td>
<td>Whalebone</td>
</tr>
<tr>
<td>Application Reference</td>
<td>Decision</td>
<td>Applicant</td>
<td>Brief Description of Development and Location</td>
<td>Ward</td>
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<tr>
<td>17/00787/CDN</td>
<td>Application Permitted on 21 June 2017</td>
<td>Meadow Dagenham Retail Ltd &amp; Travelodge Hotels Ltd</td>
<td>Application for approval of details reserved by condition 8 (remediation scheme) in respect of planning permission 16/01889/FUL. Western Car Park East London Leisure Park Cook Road Dagenham Essex</td>
<td>Goresbrook</td>
</tr>
<tr>
<td>17/00265/CLU_P</td>
<td>Certificate issued on 22 June 2017</td>
<td>Ms R Sablinskaite</td>
<td>Application for a certificate of lawfulness for a proposed development: Erection of single storey side extension. 44 Canberra Crescent Dagenham Essex RM10 9YH</td>
<td>Village</td>
</tr>
<tr>
<td>17/00648/FUL</td>
<td>Application Refused on 22 June 2017</td>
<td>Mr J O'Kane</td>
<td>Erection of single storey side and rear extension and first floor rear extension. 487 Becontree Avenue Dagenham Essex RM8 3JA</td>
<td>Valence</td>
</tr>
<tr>
<td>17/00791/PRIOR6</td>
<td>Prior approval not required on 22 June 2017</td>
<td>Mr S Patel</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). 57 Woodbridge Road Barking Essex IG11 9ES</td>
<td>Longbridge</td>
</tr>
<tr>
<td>17/00792/PRIOR6</td>
<td>Prior approval not required on 22 June 2017</td>
<td>Mr T Uddin</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). 37 Sandringham Road Barking Essex IG11 9AE</td>
<td>Longbridge</td>
</tr>
<tr>
<td>Application Reference</td>
<td>Decision</td>
<td>Applicant</td>
<td>Brief Description of Development and Location</td>
<td>Ward</td>
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<tr>
<td>17/00471/CLU_E</td>
<td>Certificate refused on 23 June 2017</td>
<td>Capital City Investment Limited</td>
<td>Application for a certificate of lawfulness for an existing development: Erection of single storey rear extension. 62A Canonsleigh Road Dagenham Essex</td>
<td>Eastbury</td>
</tr>
<tr>
<td>17/00651/FUL</td>
<td>Application Permitted on 23 June 2017</td>
<td>Mr T Odefunso</td>
<td>Erection of single storey side and rear extension. 70 Osborne Square Dagenham Essex RM9 5BA</td>
<td>Alibon</td>
</tr>
<tr>
<td>17/00693/FUL</td>
<td>Application Permitted on 23 June 2017</td>
<td>Mr N Afzal</td>
<td>Erection of part single/part two storey rear extension. 33 Standfield Road Dagenham Essex RM10 8JP</td>
<td>Alibon</td>
</tr>
<tr>
<td>17/00703/CLU_P</td>
<td>Certificate issued on 23 June 2017</td>
<td>Swan New Homes Ltd</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of rear dormer window and installation of front rooflights. 15 Thatches Grove Romford Essex RM6 5LA</td>
<td>Chadwell Heath</td>
</tr>
<tr>
<td>17/00760/CDN</td>
<td>Application Permitted on 23 June 2017</td>
<td>Swan New Homes Ltd</td>
<td>Application for approval of details reserved by condition 25 (London City Airport - cranage or scaffolding) in respect of planning permission 16/01183/FUL. 16 - 48 Cambridge Road Barking Essex</td>
<td>Abbey</td>
</tr>
<tr>
<td>Application Reference</td>
<td>Decision</td>
<td>Applicant</td>
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<tr>
<td>17/00796/ PRIOR6</td>
<td>Prior approval required and permission refused on 23 June 2017</td>
<td>Mr Corneli</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). 2 Hatch Grove Romford Essex RM6 5JR</td>
<td>Chadwell Heath</td>
</tr>
<tr>
<td>17/00797/ PRIOR6</td>
<td>Prior approval required and permission refused on 23 June 2017</td>
<td>Mr M Singh</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). 136 Oval Road North Dagenham Essex RM10 9EP</td>
<td>River</td>
</tr>
<tr>
<td>17/00798/ PRIOR6</td>
<td>Prior approval not required on 23 June 2017</td>
<td>Mr D Szelpal</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 6.0 metres; height to eaves: 2.85 metres and maximum height: 2.95 metres). 99 Alibon Road Dagenham Essex RM10 8DE</td>
<td>Alibon</td>
</tr>
<tr>
<td>17/00800/ PRIOR6</td>
<td>Prior approval not required on 23 June 2017</td>
<td>Mr D Chan</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). 114 Hunters Hall Road Dagenham Essex RM10 8HX</td>
<td>Alibon</td>
</tr>
</tbody>
</table>