Notice of Meeting

DEVELOPMENT CONTROL BOARD

Monday, 6 November 2017 - 6:00 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 Mullaney, Cllr Adegboyega Oluwole, Cllr Chris Rice, Cllr Bill Turner, Cllr Dominic Twomey, Cllr Jeff Wade and Cllr John White (one vacancy)

Date of publication: 26 October 2017

Chris Naylor
Chief Executive

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E-mail: david.symonds@lbld.gov.uk

Please note that this meeting will be webcast, which is a transmission of audio and video over the internet. Members of the public who attend the meeting and who do not wish to appear in the webcast will be able to sit in the public gallery on the second floor of the Town Hall, which is not in camera range.

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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 9 October 2017 (Pages 7 - 13)

New Planning Applications

4. Farmhouse Venue, 649 Dagenham Road, Dagenham-17/00439/FUL (Pages 15 - 51) Ward Eastbrook

5. Land between Whiting Avenue and Gurdwara Way, Barking- 17/00698/FUL (Pages 53 - 123) Abbey

6. BMS House, 1 Wantz Road, Dagenham- 16/00981/FUL (Pages 125 - 163) Eastbrook

7. 146-188 Church Elm Lane, Dagenham- 17/01405/FUL (Pages 165 - 179) Village

Advertisement Applications

8. Town Planning Appeals (Pages 181 - 203) Abbey; Becontree; Mayesbrook; River; Whalebone Ward

9. Delegated Decisions (Pages 205 - 238)

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

11. 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.

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

One borough; one community; London’s growth opportunity

Our Priorities

Encouraging civic pride

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

Enabling social responsibility

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

Growing the borough

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

Well run organisation

- A digital Council, with appropriate services delivered online
- Promote equalities in the workforce and community
- Implement a smarter working programme, making best use of accommodation and IT
- Allow Members and staff to work flexibly to support the community
- Continue to manage finances efficiently, looking for ways to make savings and generate income
- Be innovative in service delivery
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<table>
<thead>
<tr>
<th>Use Class</th>
<th>Use/Description of Development</th>
<th>Permitted Change</th>
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<tbody>
<tr>
<td><strong>A1</strong> Shops</td>
<td>Shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices (but not sorting offices), pet shops, sandwich bars, showrooms, domestic hire shops, dry cleaners, funeral directors and internet cafes.</td>
<td>State funded school for single academic year – see footnote 2.</td>
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<td>Some temporary uses – see footnote 4.</td>
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<td>A1 plus two flats above</td>
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<td>C3 residential use - see footnote 5.</td>
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<td>Bank, building society, credit union or friendly society (A2) but not for other purposes falling within A2 – see footnote 6.</td>
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<td>A2</td>
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<td>A3 (up to 150 m²) see footnote 9.</td>
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<td>D2 (up to 200 m²) see footnote 10.</td>
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<tr>
<td><strong>A2</strong> Financial and professional services</td>
<td>Financial services such as banks and building societies, professional services (other than health and medical services) including estate and employment agencies.</td>
<td>A1 (where this is a ground floor display window) plus two flats above</td>
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<td></td>
<td>A2 plus two flats above</td>
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<td>State funded school for single academic year – see footnote 2.</td>
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<td></td>
<td>D2 (up to 200 m²) see footnote 10.</td>
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<tr>
<td><strong>A3</strong> Restaurants and cafés</td>
<td>For the sale of food and drink for consumption on the premises - restaurants, snack bars and cafes.</td>
<td>A1 or A2</td>
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<td>State funded school for single academic year – see footnote 2.</td>
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<td>Some temporary uses – see footnote 4.</td>
</tr>
<tr>
<td><strong>A4</strong> Drinking establishments</td>
<td>Public houses, wine bars or other drinking establishments (but not night clubs).</td>
<td>A1, A2 or A3 unless listed as an Asset of Community Value State funded school for single academic year – see footnote 2.</td>
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<td></td>
<td>Some temporary uses – see footnote 4.</td>
</tr>
<tr>
<td><strong>A5</strong> Hot food takeaways</td>
<td>For the sale of hot food for consumption off the premises.</td>
<td>A1, A2 or A3 State funded school for single academic year – see footnote 2. Some temporary uses – see footnote 4.</td>
</tr>
<tr>
<td><strong>B1</strong> Business</td>
<td>a) Offices, other than a use within Class A2 (Financial Services)\r\nb) Research and development of products or processes\r\nc) Light industry appropriate in a residential area</td>
<td>B8 (where no more than 500 sqm) State funded school for single academic year – see footnote 2.</td>
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<td>B1a - C3 subject to prior approval see footnote 1.</td>
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<td>State funded school for single academic year – see footnote 2.</td>
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<td>State funded school or registered nursery subject to prior approval see footnote 3.</td>
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<td>Some temporary uses – see footnote 4.</td>
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<tr>
<td><strong>B2</strong> General industrial</td>
<td>General industry: use for the carrying out of an industrial process other than one falling in class B1. (excluding incineration purposes, chemical treatment or landfill or hazardous waste).</td>
<td>B1 or B8 (B8 limited to 500 sqm) State funded school for single academic year – see footnote 2.</td>
</tr>
<tr>
<td><strong>B8</strong> Storage and distribution</td>
<td>Storage or distribution centre. This class includes open air storage.</td>
<td>B1 (where no more than 500 sqm) State funded school for single academic year – see footnote 2.</td>
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<td>C3 (where no more than 500 sqm) State funded school for single academic year – see footnote 7.</td>
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<tr>
<td><strong>C1</strong> Hotels</td>
<td>Hotel, boarding house or guesthouse, where no significant element of care is provided. (Excludes hostels).</td>
<td>State funded school for single academic year – see footnote 2.</td>
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<td>State funded school or registered nursery subject to prior approval see footnote 3.</td>
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<tr>
<td><strong>C2</strong> Residential institutions</td>
<td>Hospital, nursing home or residential school, college or training centre where they provide residential accommodation or care to people in need of care (other than those within C3 dwelling houses).</td>
<td>State funded school for single academic year – see footnote 2.</td>
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<tr>
<td></td>
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<td>State funded school or registered nursery subject to prior approval see footnote 3.</td>
</tr>
<tr>
<td><strong>C2A</strong> Secure residential institution</td>
<td>Secure residential accommodation, including use as a prison, young offenders institution, detention centre, secure training centre, custody centre, short term holding centre, secure hospital, secure local authority accommodation or use as a military barracks.</td>
<td>State funded school for single academic year – see footnote 2.</td>
</tr>
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<td>State funded school or registered nursery subject to prior approval see footnote 3.</td>
</tr>
<tr>
<td><strong>C3</strong> Dwelling houses</td>
<td>Use as a dwelling house by a single person or by people living together as a family or by not more than 6 residents living together as a single household</td>
<td>Article 4 direction removes permitted development right to convert to C4 House in Multiple Occupation. State funded school for single academic year – see footnote 2.</td>
</tr>
<tr>
<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>
</tr>
<tr>
<td>D1 Non-Residential Institutions</td>
<td>Clinics &amp; health centres, crèches, day nurseries &amp; day centres, museums, public libraries, art galleries &amp; exhibition halls, law court, non-residential education &amp; training centres. Places of worship, religious instruction &amp; church halls.</td>
<td>Some temporary uses – see footnote 4, State funded school for single academic year – see footnote 2.</td>
</tr>
<tr>
<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 recreational, 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, 9 October 2017
(7:00 - 7:17 pm)

Present: Cllr Faraaz Shaukat (Chair), Cllr Saima Ashraf, Cllr Irma Freeborn, Cllr Cameron Geddes, Cllr Syed Ghani, Cllr Amardeep Singh Jamu, Cllr Giasuddin Miah, Cllr Adegboyega Oluwole, Cllr Chris Rice and Cllr Bill Turner

Apologies: Cllr Syed Ahammad, Cllr Sanchia Alasia, Cllr Faruk Choudhury, Cllr Edna Fergus, Cllr Margaret Mullane, Cllr Dominic Twomey, Cllr Jeff Wade and Cllr John White

25. Declaration of Members' Interests

There were no declarations of interest.

26. Minutes - 4 September 2017

The minutes of the meeting held on 4 September 2017 were confirmed as correct.

27. Land between Whiting Avenue and Gurdwara Way, Barking- 17/00698/FUL

The Board noted that the decision on the application was being deferred until the 6 November Board due to the late receipt of a petition.

28. 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

The Development Management Manager (DMM) introduced the report on the applications relating to Hawkwell, Laburnum and Peverel Houses, which were considered together as they related to very similar proposals that raised the same issues.

Hawkwell House, 2 Gosfield Road, Dagenham

A 17-storey building located to the north and west of Gosfield Road with the main access from the north.

Laburnum House, 89 Bradwell Avenue, Dagenham

A 17-storey building located to the north and west of Bradwell Avenue with the main access from the north.

Peverel House, Stour Road, Dagenham

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 residential housing units. The ground floor in each building has a laundry room, which is externally accessed. These laundry rooms had not been used for some time and were now redundant. The applications sought permission for external alterations to each building to enable the conversion of each of the laundry rooms to a one-bedroom flat.

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 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 was common for flats in high-rise buildings, such as these blocks, not to benefit from such amenity space and in these circumstances the lack of such provision was considered to be acceptable.

No additional off-street parking provision was proposed for the flats. The sites had 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 was excellent. However, it was not considered that the absence of off-street parking provision would materially increase parking pressure within the immediate locality. There was currently unrestricted parking in surrounding streets and any additional parking demand could be accommodated without resulting in highway safety concerns.

In response to a question from Councillors, it was noted that the premises were designed to M Building Regulation Accessibility standards, however, they were not specifically designed for elderly or wheelchair users. Whilst the floor space per flat was around a third more than the London Plan requirements, the Applicant’s Agent advised the internal space level was not conducive for premises specified for fully accessible / wheelchair user needs.

In response to a question on disturbance to those living within the proposed new flats, the Agent advised that the new flats would have sufficient separation from walkways and also decent levels of acoustic insulation, which should reduce the risk of disturbance from other residents passing the windows.

The Board granted planning permission in respect of all three 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:

Hawkwell House (17/01167/FUL):

Laburnum House (17/01168/FUL):

Peverel House (17/01169/FUL):

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.

29. 1 Dunchurch House, 31 Ford Road, Dagenham- 17/01170/FUL

The DMM introduced a report on the application relating to 1 Dunchurch House, 31 Ford Road, Dagenham, which was a four storey building, located to the east of Ford Road with the main access from the west.

The application property was a Council building currently incorporating 39 housing units. Part of the ground / first floor was a three-bedroom maisonette accessed internally on the ground floor. The application sought permission for internal alterations in connection with the subdivision of this maisonette to create two, one-bedroom flats.

As there were no external alterations to be made, the proposal would not impact on the character and appearance of the area and therefore complied 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 was 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 was also a communal garden area for residents of the block.

The proposal involves the loss of family accommodation (three-bedroom unit) but it was considered that due to the limited garden space and car parking availability, it was not best suited to family accommodation. The conversion to two one-bedroom flats was considered acceptable in this instance.
No additional off-street parking provision was proposed for this development. The site has a PTAL (Public Transport Accessibility Level) of 3 on a scale of 1-6 where 6 was excellent. However, it was not considered that the development would be likely to materially increase parking pressure within the immediate locality. There was unrestricted parking in surrounding streets and any additional parking demand could be accommodated without resulting in highway safety concerns.

Following discussion on play space, it was noted that there was no private garden space to the existing maisonette but there was a small area of communal green space. The close proximity of Old Dagenham Park to Dunchurch House was also noted.

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: 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.

30. Town Planning Appeals

The Board noted details of the following appeals:

(i) 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

(ii) Appeals Determined

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/CLUP- 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 dwelling house 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

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 2011) and Policy W2 of the Joint Waste Development Plan Document for the East London Waste Authority Boroughs (February 2012).

Planning Inspectorate’s Decision: Appeal allowed 23 August 2017

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

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 Polices DPD and the Residential Extensions and Alterations SPD.

Planning Inspectorate’s Decision: Appeal allowed 29 August 2017

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

31. Delegated Decisions

The Board noted details of delegated decisions for the period 23 May to 23 June 2017.
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AGENDA ITEM 4

The Farmhouse Venue, Dagenham Road, Dagenham
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The proposed development is an application which, by reason of its scale, impact upon the environment or the level of public or likely Councillor interest should, in the opinion of the Head of Planning, be determined by the Development Control Board.

The applicant has addressed this matter by submitting an amended site location plan showing the area which coincides with his land ownership, and an amended plan within that area for the proposed overspill car parking and associated landscaping.

The amended plans do not affect the siting of the proposed marquee to the rear of the former Farmhouse Tavern, but do result in a reduction in the size of the proposed overspill car parking area and the associated landscaping. The impact of the change will be considered in the report below.

The Council has received Counsel's Opinion to the effect that because these changes affect relevant planning considerations of ecology and the impact of the development on the Green Belt it is necessary for Members to reconsider the application in its entirety in order to ensure a planning decision that is legally sound.

This report is for the most part the same as that presented to DCB on 31 July 2017 with

<table>
<thead>
<tr>
<th>Barking and Dagenham Council Development Control Board</th>
<th>Date: 6 November 2017</th>
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<tbody>
<tr>
<td><strong>Application No:</strong> 17/00439/FUL</td>
<td><strong>Ward:</strong> Eastbrook</td>
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<tr>
<td><strong>Reason for Referral to DCB as set out in Part 2, Chapter 9 of the Council Constitution:</strong></td>
<td>The proposed development is an application which, by reason of its scale, impact upon the environment or the level of public or likely Councillor interest should, in the opinion of the Head of Planning, be determined by the Development Control Board.</td>
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<td><strong>Address:</strong> Farmhouse Venue, 649 Dagenham Road, Dagenham</td>
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<tr>
<td><strong>Development:</strong> Erection of permanent marquee in the grounds for use as function venue for up to 400 guests and provision of additional car parking spaces on land between the existing Farmhouse Venue and the Millennium Centre car park.</td>
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<td><strong>Applicant:</strong> Mr G A Chowdhury</td>
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<tr>
<td><strong>Contact Officer:</strong> Simon Bullock</td>
<td><strong>Title:</strong> Principal Development Management Officer</td>
</tr>
<tr>
<td><strong>Summary:</strong> The application was previously presented to Members at the Development Control Board meeting of 31 July where a majority of Members voted to grant planning permission subject to determination of conditions and reasons for approval being confirmed at the next meeting of the Board. Subsequently it became apparent that the applicant had inadvertently included land within the application site boundary that was not in his ownership or control, and without serving the requisite Notice on the owner. This means that even if permission had been granted on the basis of those plans it would not have been possible for the applicant to implement the scheme. The applicant has addressed this matter by submitting an amended site location plan showing the area which coincides with his land ownership, and an amended plan within that area for the proposed overspill car parking and associated landscaping. The amended plans do not affect the siting of the proposed marquee to the rear of the former Farmhouse Tavern, but do result in a reduction in the size of the proposed overspill car parking area and the associated landscaping. The impact of the change will be considered in the report below. The Council has received Counsel's Opinion to the effect that because these changes affect relevant planning considerations of ecology and the impact of the development on the Green Belt it is necessary for Members to reconsider the application in its entirety in order to ensure a planning decision that is legally sound. This report is for the most part the same as that presented to DCB on 31 July 2017 with</td>
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some amendments where relevant to explain and analyse the impact of the amended plans.

The proposed permanent marquee and overspill car park would result in inappropriate development within the Green Belt and would be harmful as a result of a loss of openness and a loss of visual amenity to the Green Belt. It is considered that there are no very special circumstances of sufficient importance that would outweigh the harm by reason of inappropriateness and other harm to the Green Belt and therefore planning permission should be refused in accordance with the guidance of the National Planning Policy Framework (NPPF) and the Local Plan.

The proposed structure would be a substantial construction within the setting of the locally listed former Farmhouse Tavern, and it is considered that this would harm the character and appearance of the existing building.

The expansion in venue capacity that would result from the development is predicted to cause additional traffic congestion on Dagenham Road and to result in queuing on the highway to gain access to the site at arrival times for functions. It is considered that this would be detrimental to highway safety and the flow of traffic on Dagenham Road.

The impact on ecology, of the proposed overspill car parking spaces to be provided on land that was formerly maintained as part of the adjacent Country Park has not been fully assessed, and the clearing of this land would result in a loss of habitat. Whilst there is potential for replacement habitat planting within the site to mitigate the ecological impact of the proposed development, this cannot be adequately assessed in the absence of a full habitat survey.

Recommendation:

That the Development Control Board refuse planning permission for the following reasons:

1. The proposed development would be inappropriate in the Green Belt and there are no very special circumstances to justify an exception to policy; further harm to the Green Belt would be caused by the loss of openness and visual amenity resulting from the erection of the permanent marquee and the use of the overspill parking area, and a loss of tranquillity for users of the adjacent Country Park resulting from the increase in noise and activity associated with the use of the marquee that would be sited in close proximity to the boundary, contrary to policy CM3 of the Core Strategy and policy BP11 of the Borough Wide Development Policies Development Plan Document and the National Planning Policy Framework.

2. The marquee would be harmful to the character and open setting of the Farmhouse Tavern, a locally listed building, contrary to policies BP2 and BP11 of the Borough Wide Development Policies Development Plan Document.

3. The site is located in an area of poor public transport accessibility and the proposed marquee would significantly intensify the existing use attracting a large number of concentrated traffic movements which given the siting of the access/egress of the venue and the adjacent bend in the road would be harmful to highway safety and contribute to additional queuing and traffic congestion on Dagenham Road contrary to policy BR10 of the Borough Wide Development Policies Development Plan Document.
4. The application does not include an adequate assessment of the impact of the proposed overspill parking area on ecology, and consequently the development has the potential to cause harm to the ecological value of the site contrary to policy BR3 of the Borough Wide Development Policies Development Plan Document.

1. **Introduction and Description of Development**

1.1 The Farmhouse Venue, formerly the Farmhouse Tavern, is located at the junction of Dagenham Road and The Chase. It backs onto Eastbrookend Country Park and is situated within the Green Belt.

1.2 The building is a locally listed former public house and is now in use as a function venue following the grant of planning permission for this change of use by the Development Control Board in 2015.

1.3 Officers recommended refusal of the above application on the grounds of the loss of the public house, harm to highway safety due to concentrated traffic movements at the site entrance, and the impact of overspill parking.

1.4 Members considered that the development would be acceptable and therefore granted planning permission, but sought to limit the impact of the development by imposing conditions that prevent the erection of temporary marquees or structures within the grounds unless otherwise agreed in writing by the Local Planning Authority, and which limit the seating capacity at the venue to 180. A later planning application to delete these conditions was withdrawn (details below).

1.5 The current application is for a permanent marquee with a capacity of up to 400 guests, and therefore if granted, would effectively delete the existing condition restricting the capacity of the venue.

1.6 The marquee would be 4.5m in height with an area of 660m². The structure would have a capital T shape with dimensions of 35m x 15m (the top of the T) and 15m x 9m (the tail of the T). It would be located in the rear garden area of the building, formerly the beer garden of the public house. It would be positioned close to the rear of the Farmhouse building (1.6m at the closest point).

1.7 The materials of the structure would be a mixture of clear glass panels, and coloured uPVC panels, with a roof that would be green in colour with a camouflage design intended to reduce its visual impact.

1.8 The marquee would be clearly visible in views from the adjacent Country Park including the footpath across the park that is close to the rear boundary of the site.

1.9 The venue has an existing parking area providing parking spaces for 61 cars. The proposed area of additional parking would provide for a further 42 parking spaces, the vehicular access to which would require the deletion of 2 existing spaces, resulting in a total number of 101 car parking spaces serving the development.
The previous version of the drawings did not show the deletion of the existing 2 parking spaces and therefore would have resulted in the provision of 103 car parking spaces. However, for the reasons explained above the previous scheme could not have been implemented.

1.10 The additional parking area would be located on an area of grassland that the applicant has acquired situated between the curtilage of the Farmhouse Venue and the Millennium Centre car park. The proposal is to retain this as a grassed area but to install a metal mesh which the grass grows through. This is designed for vehicular use and protects the grass; it has already been used successfully on the front lawn of the Farmhouse Venue.

1.11 The land within the existing curtilage of the building is covered by a Tree Preservation Order that protects various individual trees on the site. The proposed overspill parking area is also subject to a Tree Preservation Order that protects all trees within this area.

1.12 The proposed parking area would require the removal of 7 trees on this land varying in height between 1.5m and 8m including elder, oak, sycamore, and hawthorn. All the proposed removals have been assessed, with the exception of one Category B (moderate quality) tree, as Category C trees (poor quality).

1.13 The tree screen along the east and west boundaries of this land would be retained.

2. Background

2.1 The following planning applications have been submitted since 2011 and are relevant to the current proposal.

2.2 11/00966/FUL - Erection of pavilion within public house garden and erection of ramp to front entrance and side staircase extension to the Farmhouse Tavern in connection with use of the premises for wedding and other events, and associated car parking and boundary fencing and gates; REFUSED AND DISMISSED ON APPEAL.

2.3 The above application followed the unauthorised erection of the pavilion though the use did not commence. An enforcement notice was issued and a subsequent appeal was dismissed. The notice requiring removal of the pavilion and associated fencing was then complied with. The structure in question was similar in design, scale and construction to the proposal the subject of the current application, though the pavilion the subject of the 2011 application was larger (6.5m in height compared with 4.5m in height in respect of the current marquee proposal, and with an area of 840m2 compared with the currently proposed 660m2). Additionally, fewer parking spaces were provided in comparison with the current application.

2.4 13/00333/FUL - Change of use to function venue with ancillary restaurant use; REFUSED.

2.5 14/01256/FUL - Change of use to function venue with ancillary restaurant use and associated erection of single storey side extension and ramp to provide wheelchair access and accessible toilet; PERMITTED.
2.6 The latter case is the planning permission referred to above under which the business is currently operating.

2.7 16/00755/FUL - Application for removal of conditions following grant of planning permission: Removal of conditions 9 and 11 of 14/01256/FUL to allow temporary buildings and structures e.g. marquees to be erected on site and to remove limit on number of attendees; WITHDRAWN.

3. Consultations

Adjoining occupiers

3.1 Consultation letters were sent to approximately 90 local residents. The site has no immediate neighbours but letters were sent to those who had submitted comments in respect of the previous planning applications of similar character.

3.2 In response to the initial consultation 62 letters and emails and 3 petitions were received all objecting to the proposal. Not all of these objection letters were from addresses included within the initial consultation. The total number of signatories to the 3 petitions combined is 330.

3.3 The main grounds for objection are the impact on the Green Belt, concern that it would result in additional highway congestion, and that the use of the marquee would disturb the wildlife and tranquillity of the Country Park.

3.4 Following the submission of the amended drawings a re-consultation exercise was carried out by sending letters to all those on the initial consultation list and all of those who had previously commented (neighbours were informed that previously made comments would continue to be taken into account)

3.5 In response a further 10 letters of objection were received and a petition in objection with 1,850 signatures.

3.6 A covering note with the petition states it has been signed by local residents and users of the Country Park such as The Bardag Anglers and The Havering Walk for Health Teams, and regular visitors to the Country Park and Eastbrookend Cemetery. The majority of the addresses provided are local and within the Borough.

3.7 The note states that the proposed development would not be of benefit to the local community and would harm the Country Park which has taken 25 years of investment to create.

3.8 For the most part the comments within the letters re-iterated those previously made, in addition the following reasons were stated:

- The use may create noise nuisance to nearby residents
- 3 residents state that they were disturbed by noise from a recent event held on 8 October 2017.
- Noise from the use would disturb park users and anglers utilising the adjacent fishing lakes
A recent event resulted in a significant level of parking on the pavements of Dagenham Road, forcing pedestrians to use the cycle lane (Planning Officer note: photographic evidence has been provided).

A previous planning appeal for a similar scheme was dismissed

Additional cars visiting the site would cause pollution and be harmful to wildlife

The applicant’s stated ‘need’ for a large venue to serve local communities is unproven, and there are other large venues available within the local area

The previous planning permission included an ancillary restaurant but this has never been provided, such use would have helped to spread the traffic generated by the site across the week, in comparison with the large events being proposed

There have been a number of serious accidents in recent years on Dagenham Road including a fatality in January 2017.

Access Officer

3.9 No accessible car parking bays within the proposed overspill car park are indicated on the drawing. A 5% proportion of total parking provision should be accessible and this is not currently the case.

Planning officer note: It is considered that this matter could be adequately conditioned, and the 5% would be better provided within an amended parking layout for the existing car park that is closer to the Farmhouse Tavern building and the proposed marquee.

Arboricultural Officer

3.10 Requests a full arboricultural survey of the existing trees at the site along with an arboricultural implications assessment that should include consideration of additional soil compaction and issues relating to increased traffic and parking on existing open land.

3.11 The potential impact of the proposal on existing trees should be addressed and mitigated with protection plans and no-dig surfaces, particularly given that the site is covered by a Tree Preservation Order.

3.12 Any proposals for new planting should be presented in a formal landscape plan with species, size and maintenance proposals.

3.13 Following these initial comments an arboricultural and implications assessment was prepared and submitted.

3.14 In response to this the officer states that the proposed development would cause no significant loss from a tree point of view, on the basis that the proposed tree removals for the new parking area of a few elderberries, oak saplings, sycamore and hawthorn would not cause harm visually or in terms of loss of species.

3.15 Further details would be required of the proposed replacement planting to provide mitigation, in order to ensure that this adequately compensates for the losses.
3.16 If the proposal were to be approved additional details of measures to ensure the protection of the roots and health of retained trees within the proposed overspill parking area would be required.

3.17 In conclusion, the proposal can be carried out without seriously impacting trees if implemented carefully in the correct manner. There are no objections to the proposed tree removals subject to native replacements within the new proposed tree planting area.

Council for the Protection of Rural England

3.18 Planning Officer note: This organisation was not directly consulted on the application but has submitted an objection as follows:

“CPRE London objects to this proposed development on that basis that both the marquee and parking are inappropriate development on Green Belt. In addition we object because it would introduce additional parking and traffic into an area of country park and nature reserve, negatively impacting on both.”

Designing Out Crime Officer

3.19 No objections, and in the event that planning permission is granted recommends the imposition of conditions to secure CCTV cameras to public areas of the site, adequate lighting, and Secure by Design accreditation.

Environmental Health

3.20 The environmental protection issues raised are noise and possible light pollution.

3.21 Taking account of evidence related to existing background traffic noise levels on Dagenham Road and the distance from the venue to the nearest residential properties I am confident that noise emissions from the marquee will not cause significant detriment to aural amenity and accordingly I do not wish to object to the application on noise grounds.

3.22 Nevertheless, to safeguard the situation it is recommended that a noise limit condition be imposed that mirrors that which already applies to use of the Farmhouse Venue. It is also recommended that a restriction on the times of use of the marquee be imposed equivalent to the hours applied for within the application (10:00 to 00:30 weekdays; and 10:00 to 01:00 Saturdays, Sundays, and Bank Holidays).

3.23 In relation to external lighting, to safeguard the situation with regard to the protection of residential amenity, it is recommended that a condition be imposed that requires that the design and implementation of the lighting scheme conforms to The Association of Chief Police Officers (ACPO) guide, “Lighting Against Crime – A Guide for Crime Reduction Professionals”, and specifically that the lighting should be designed to satisfy the guide’s criteria for rural, small village or relatively dark urban locations.

London Fire and Emergency Planning Authority
3.24 No objections.

Parks and Countryside Ranger Services

3.25 In response to the initial consultation the Ranger responded stating: There are a number of reasons why I am severely concerned about this application:

- This is a direct loss of part of the country park that has been managed for wildlife benefits for 20 years.
- Volunteers planted and maintain a coppiced Hazel Hedgerow on the land proposed for car parking which provides habitats for small mammals, insects and nesting birds. The impacts of having a car park and associated pollution will only be to the detriment of biodiversity here.
- We have had numerous impacts to the park over the last year when the Farmhouse Venue have erected their marquees for weddings, namely the noise disturbance to the park of an evening. Music often starts in the early evening when the park is still being enjoyed by many members of the public who come here to relax and unwind.
- The use of the Millennium Centre Car Park by guests of the venue will continue to be an issue even if they create additional car park spaces, as the capacity will still not be sufficient for the size of weddings they host there.
- It appears that there have been no opportunities taken by the Farmhouse management for increased community engagement in the park or increasing the awareness of the park and its assets to their guests.
- The marquee will be an eyesore and the temporary marquee when in use is visible from many areas in the park. This decreases the enjoyment of local residents when visiting the park and interferes with the feeling of being in the countryside.
- The park is used by many groups such as dementia groups, mental health groups and groups with learning difficulties who take many positive mental and physical health benefits from being submerged in nature. The presence of the Marquee and car park will reduce the opportunity in the park for being away from noise and disturbance.

3.26 Following consultation on the amended drawings the Ranger has provided additional comments stating that the planning application does not sit well with the adopted Parks and Green Spaces strategy.

3.27 She states that the site is part of a Metropolitan Site of Importance for Nature Conservation, part of which would be lost to become a car park and the tranquillity of the park will be disturbed on a weekly basis by the noise of a wedding party.

3.28 She adds that the Council’s Parks and Green Spaces Strategy sets out suggestions for suitable events, which the addition of a wedding venue would not support.

3.29 The document states at paragraph 6.4.5 “Eastbrookend Country Park: This is a naturally beautiful park, and any events programme here should work closely with the inherent natural features of the park including its lakes, meadows, woodlands and wetlands. It is a good space for boutique, artistic and creative events covering a range of areas such as music, wellbeing, food, the arts etc”.

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The strategy aims to make parks more attractive and distinctive to encourage more people to use outdoor space and adopt a healthy lifestyle; a wedding venue will typically only bring guests on one occasion, to the venue. A large marquee with loud music will not encourage more people to use the outdoor space and adopt a healthy lifestyle, here at Eastbrookend.

3.30 Concern is also expressed that the car parking facilities will not match the number required by visitors, which will result in continued use of The Chase and the Millennium Centre car park by the coaches and cars of visitors to the site.

Transport Development Management

3.31 Object on the grounds that it is considered that traffic congestion and parking on the local road network will be significantly increased by the proposed removal of any restriction on numbers that could attend events. This will lead to a negative impact on highway safety, the surrounding environment and other local activities and therefore, the proposal is unacceptable.

3.32 The proposed overspill car park would increase the parking capacity of the site, and this would result in additional traffic congestion at the site entrance and would increase the chance of traffic queuing.

3.33 Experience suggests that the majority of functions have a start time where those attending will tend to arrive close together (at a similar time). This is likely to result in a negative impact on the road network and is likely to cause queuing on the highway at the entrance to the site prior to the start time of events. It is accepted however, that departures from events, are more likely to be staggered with a lesser impact on the highway.

3.34 It should also be noted that there are other local amenities close by such as the Country Park, Millennium Centre, fishing lakes, and cemetery and at weekends activities and events occur at these locations and consequently traffic in the vicinity does increase on the local network.

4. Local Finance Considerations

4.1 The proposed development would be liable for the Mayoral Community Infrastructure Levy (CIL) at a rate of £20 per square metre (index linked from 2012) resulting in a contribution of £16,929.15.

4.2 The development would also be liable for the Borough CIL at a rate of £10 per square metre index linked from 2015 resulting in a contribution of £7,402.35.

5. Equalities

5.1 The Equality Act 2010 requires the Council to advance equality of opportunity in the exercise of its functions. It is not considered that the planning policy objective of protecting the Green Belt from encroachment raises any equalities issues.

5.2 It could be argued, as does the applicant below, that the provision of a large function venue would advance equality of opportunity for cultural groups that tend to hold large weddings and celebrations where there is a stated shortage of such
facilities available. Culture is not a ‘protected characteristic’ within the Equality Act, though ‘Race’ which can include nationality; ethnic or national origin is.

6. **Analysis**

**Green Belt**

6.1 The proposed marquee would result in a permanent loss of openness to the Green Belt. The National Planning Policy Framework (NPPF) states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; and that the essential characteristic of Green Belts are their openness and permanence.

6.2 The NPPF defines such development within the Green Belt as inappropriate, and states that such proposals should be refused permission unless there are very special circumstances where the harm caused by inappropriateness together with any other harm is clearly outweighed by other circumstances.

6.3 The applicant has argued that the following very special circumstances exist and that would justify the granting of planning permission for inappropriate development:

   A) The existing business, restricted to the capacity of the existing building is not economically viable; and the proposed development would contribute to the local economy and employment opportunities, and provide a facility that can serve the local community.

   B) An economically viable business at the site will enable the continued maintenance and protection of the Farmhouse Tavern building which is a locally listed heritage asset.

   C) Part of the site is previously developed land.

   D) The proposal that would enable larger events to be held that would help to serve cultural needs. Specifically, some ethnic communities tend to hold large functions where the expectation is to invite a wide circle of family and friends. There is a shortage of such venues available in the local area. The proposed development would help to address this need.

6.4 In relation to viability the applicant has submitted a report prepared by Chartered Accountants that compares the options of utilising the existing Farmhouse Tavern building only for events; utilising the Tavern building and holding larger events in temporary marquees that are erected and dismantled for each event; and utilising the site for functions with the benefit of a permanent marquee that is the subject of this application.

6.5 The conclusion is that only the latter is profit making. The existing building is stated to be too small to cater for the demand for larger functions and events at this scale are stated to be loss making. The option of utilising a temporary marquee (which also does not currently have planning permission) is also stated to be loss making due to the additional labour costs of erecting and dismantling the structure which it is calculated on average takes 69% of the sales revenue for each event.
6.6 Whilst there would be some benefit to the local economy in a profitable business operating at the site, this is not a very special circumstance that would justify harm to the Green Belt.

6.7 The building appears to currently be in a good state of repair, due to the actions of the applicant. With regard to the continued maintenance and protection of the Farmhouse Tavern building (which is on the Council’s Local List of Buildings of Special Architectural or Historic Interest), the marquee is intended to operate in conjunction with the Tavern building, with the former public house being used as a reception area for events, with the banqueting element being held within the marquee. It is considered that the proposed development does have the potential to contribute to the continued maintenance of the locally listed heritage asset. However, by itself this it is not considered to be a very special circumstance that would justify inappropriate development within the Green Belt.

6.8 In relation to the comment regarding previously developed land the applicant states that the curtilage of the site previously hosted a beer garden and children’s play equipment such as swings and slides. Whilst this maybe the case such minor ancillary structures cannot be compared with the proposed building, albeit that it is a lightweight building, that is the subject of the proposed application in terms of the impact on the openness of the Green Belt.

6.9 Lastly, the applicant argues that there is a shortage of larger function venues in the area and that this disadvantages some communities that require such facilities. Whilst this maybe the case, evidence has not been provided in support of this argument, or to demonstrate that such a new facility could not be provide in a non Green Belt location. This is not therefore considered to be a very special circumstance, and even if some weight were to be given to such stated community needs, this must be balanced against the benefit to the wider community of maintaining the openness and character of the Green Belt and Country Park.

6.10 It is therefore concluded that there are no very special circumstances that would justify the proposed inappropriate development within the Green Belt and therefore planning permission should be refused.

6.11 In addition to the harm caused by inappropriateness it is considered that the proposed development would be harmful due to the loss of openness and that it would be harmful to the tranquillity and visual amenity of the Green Belt, particularly in views from the footpath within the Country Park to the rear of the site where it would appear as an urbanising feature within this semi-natural environment.

6.12 The NPPF (para. 81) states that opportunities should be made within the Green Belt to retain and enhance landscapes, visual amenity and biodiversity, amongst other matters. It is considered that the proposed development would conflict with these objectives.

6.13 In respect of the enforcement notice appeal (ref. APP/Z5060/C/12/2175183) which related to the previously installed permanent marquee at the site the Inspector stated: “this is a sizeable and intrusive structure that is alien and discordant in this context, significantly eroding the contribution to the openness of the surroundings that was previously made by the grounds of the Tavern, and detracting appreciably
from the undeveloped character of the country park. For these reasons it therefore harms the visual amenities and the openness of the area.”

6.14 With regard to the Inspector’s comment it should be noted that the previous marquee had a white roof and sides (excluding the glazing) whereas the currently proposed marquee roof would be green camouflage. The previous marquee was 2m higher than the current proposal and the tree screen around the site boundary is now more mature.

6.15 It is considered that the intensification in the existing use that would result from the provision of the marquee would be harmful to the quiet enjoyment of the Country Park environment, as a result of the additional traffic and car parking, general activity, music and lighting.

6.16 In respect of noise the Inspector stated: “I consider the use of the structure is likely to cause a level of noise that would detract from the quiet and peaceful nature of the adjacent country park, undermining the opportunity it provides for outdoor recreation.”

6.17 The proposed overspill grassed parking area that would be required to serve the expanded facility would also be inappropriate development in the Green Belt. This land is partially screened by an existing line of trees to its east side, and the applicant proposes additional tree planting to the south-east boundary to provide further screening of the parking area from the Country Park. Whilst such screening will help to reduce the visual impact of the proposed parking area the parked cars would remain visible particularly when the trees are not in leaf. Also the parked cars would be clearly visible from The Chase. This would have a negative impact on the visual amenity and tranquillity of the Green Belt.

6.18 The amended plan for the overspill parking area would result in a reduction in the depth of the proposed landscaping area between the parking spaces and the Country Park from an average 30m to an average 8m. It is considered that the space available would still enable the provision of a planting screen but it is not considered that this would be sufficient to mitigate the visual impact of the parking when in use as stated above.

6.19 The area proposed for the overspill parking has also been rationalised such that it would now be set back from the east (Millennium Centre) boundary of the site and the north (The Chase) boundary of the site by approximately 10m, representing an improvement on the previously submitted plans which did not provide any set back to these boundaries. This would enable additional landscaping to these borders of the site.

6.20 In his summary in relation to the Green Belt impact of the appeal scheme, the Inspector stated: “Accordingly I conclude the works harm the openness and visual amenities of the Green Belt, conflict with the purposes of including land in the Green Belt, and diminish the opportunities for outdoor recreation in the country park.”

6.21 Whilst as stated above the marquee in respect of the appeal scheme was slightly larger than that now proposed and the colour has changed, planning Inspector’s
decisions are material planning considerations and should be given substantial weight.

Heritage

6.22 The proposed permanent marquee will be a substantial structure that would be clearly visible within the setting of the locally listed Farmhouse Tavern building. The footprint of the marquee would be significantly larger than that of the original building.

6.23 The marquee would substantially block views of the building particularly from the adjacent Country Park land to the rear of the site (south and west). The marquee is not considered unattractive, but it has no specific architectural merit, and does not have any relationship to the Farmhouse Tavern in terms of design. It is concluded that the proposed structure would be harmful to the character and appearance of the Farmhouse Tavern, however this must be balanced with the potential for the proposed development to contribute to the continued maintenance of the locally listed heritage asset.

6.24 In relation to this matter the Inspector considered that the marquee would occupy a sizeable proportion of the Tavern’s spacious grounds, and visually it would constrain and conceal the Tavern and as a result harm the significance of this heritage asset.

Transport

6.25 The submitted Transport Statement concludes that the proposed additional traffic generation resulting from the development would not adversely affect existing junction capacity within the wider road network.

6.26 The Transport Statement estimates that the parking demand for a typical 400 capacity event would be 84 vehicles. This it states, is based upon parking surveys that have been carried out for 11 events that have previously been held at the site where a travel survey of guest was carried out.

6.27 The applicant states that in addition to the proposed additional car park, it is possible to double park within the existing car park increasing its capacity to 93 spaces. It would appear that this figure may be over optimistic given the constraints of the site layout however, it does appear that 80 or so cars could be accommodated in this manner.

6.28 The Transport Officer states that parking may increase on the highway as a result of the proposed development. Whilst there is potential for this to occur the proposed parking capacity of 103 is substantial, and in somewhat in excess of the typical parking demand estimated by the transport consultant that is stated to be based upon previous experience of events at the site. In the circumstances the proposed level of parking provision to serve the development is considered likely to be adequate.

6.29 However, it is noted that there have been recent complaints about parking on the highway in association with an event at the venue. It is acknowledged that the parking impact of this particular event may not necessarily be typical. The proposal
incorporates the overspill car parking area of 42 spaces (not currently available) that would help to meet the parking demand related to events.

6.30 The Transport Officer also objects on the grounds that the proposed development would result in additional traffic congestion on Dagenham Road and in particular would result in queuing at the access into the site at peak periods when guests are arriving for events.

6.31 The applicant’s Transport Statement supports the view that there is potential for the use of the venue to contribute to additional peak traffic congestion. However, this is only at specific times and days of the week, and it is unlikely that events would be booked for every such occasion.

6.32 Nevertheless, it has been assessed that the proposed development would cause additional traffic generation and queuing on Dagenham Road and this would be harmful to the free flow of traffic and have a negative impact on the road network.

6.33 The two vehicular access points into the site are on a tight bend within the road, and further intensification of the use of such access would be likely to diminish the degree of safety in the operation of the existing junction.

6.34 The eastern-most access into the site is located directly at the junction of The Chase with Dagenham Road to the extent that if a vehicle is waiting to exit The Chase onto Dagenham Road, it would not be possible for another vehicle to enter the site from Dagenham Road as this vehicle would be in its path.

Ecology

6.35 The planning application site is designated as a Site of Metropolitan Importance for Nature Conservation, a designation which also covers The Chase and Eastbrookend Country Park.

6.36 An Ecological Appraisal was submitted by the applicant in support of the proposal. The main conclusions of the report are that the area of land proposed for the car park has the potential to provide bird nesting habitat and reptile habitat, both legally Protected Species.

6.37 The areas of potential habitat are the trees proposed for removal and the area of scrub and grassland that would be utilised for the proposed car parking area a significant proportion of which would need to be cleared to facilitate the development.

6.38 In relation to bird nesting the solution is to impose a condition that prevents tree and vegetation clearance within the bird nesting season, with a proviso that where clearance is required within the season it may be carried out if a qualified ecologist undertakes a survey and confirms that there are no nesting birds present.

6.39 With regard to reptiles the report states that further surveys should be carried out to check for the presence of reptiles. This is the correct approach because if reptiles are present planning policy states that where possible the habitat should be protected. In such circumstances, it would then be appropriate to consider whether
the layout of the development could be amended to facilitate the retention of the existing habitat.

6.40 Whilst translocation of reptiles to a replacement habitat can be carried out Government guidance contained within “Reptiles: surveys and mitigation for development projects” states that this approach should only be considered as a last resort.

6.41 In the event that there are no reptiles or other protected species present then it would appear that the potential habitat provided by the scrub and grassland could be replaced as mitigation within a proposed landscaped area around the perimeter of the overspill car park. However, because further surveys are required there is insufficient information to conclude that the proposed development would not cause ecological harm and therefore the application should be refused on this basis.

6.42 In addition, the planning policy officer has advised that the location of the site and recent evidence, would suggest that there is potential for Great Crested Newts on the site, and a habitat survey should also be carried with respect to that species.

Conclusions

6.43 The proposed marquee and additional car parking would be inappropriate development within the Green Belt and there are no very special circumstances to overcome the harm. The development would adversely affect the openness and visual amenity of the Green Belt and reduce its tranquillity.

6.44 The scale and siting of the marquee is such that it would harm the character and open setting of the locally listed Farmhouse Tavern building but this must be balanced with the potential of the proposed development to facilitate a commercially viable business at the site that would enable the long-term retention and maintenance of this former public house.

6.45 The development of the overspill car park has the potential to harm the ecological value of the site, and therefore planning permission should not be granted in the absence of further surveys that fully assess the habitat potential of the site.

6.46 The intensification in the use of the site would result in additional traffic queues on Dagenham Road associated with events at the venue, and would have a negative impact on highway safety due to the existing poor layout of the vehicular access to the site.

Background Papers

- Planning Application File: [http://paplan.lbbd.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OMUP4KBLGMD00](http://paplan.lbbd.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OMUP4KBLGMD00)
- Local Plan Policy
Core strategy

Policy CM1  General Principles for Development
Policy CM3  Green Belt and Public Open Spaces
Policy CR2  Preserving and Enhancing the Natural Environment
Policy CP2  Protecting and Promoting our Historic Environment
Policy CP3  High Quality Built Environment

Borough Wide Development Policies

Policy BR3  Greening the Urban Environment
Policy BR9  Parking
Policy BR10  Sustainable Transport
Policy BR11  Walking and Cycling
Policy BC7  Crime Prevention
Policy BP2  Conservation /Areas and Listed Buildings
Policy BP11  Urban Design

•  London Plan

Policy 6.9  Cycling
Policy 6.13  Parking
Policy 7.2  An inclusive environment
Policy 7.3  Designing out crime
Policy 7.8  Heritage assets and archaeology
Policy 7.16  Green Belt

•  National Policy

National Planning Policy Framework
National Planning Practice Guidance
3D images of the proposed marquee from various angles
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Total Site Area = 6696 sqm (Approx)
Gross Floor Area (Main Building) = 217 sqm
Gross Area Marquee = 663 sqm

Proposed Site Plan

Car Park
Proposed access to Overspill Car Park

Additional Parking
Cycle stands

Dagenham Road

4 No. accessible parking bays

New semi-permanent marquee constructed with ALS panels & 6mm tempered glass windows

Kitchen Block
Main Hall
Reception

Bride Room

Green UPVC panels to highlighted elevations

Scale: 1:300

NOTES:
Do not scale this drawing.
All dimensions and levels are to be checked by contractor on site prior to commencement or manufacture.

No responsibility will be taken for errors which are uncorrected for any alterations made which are beyond the control of the owner. All dimensions are in metres. Characters to check site thoroughly, verify dimensions before any work and report any discrepancies.

Client: The Farmhouse Tavern
Dagenham Road
Essex RM7 0QX

Original Issue Date:
Feb 2017

Drafted By: TH

Number: 100/004

C

Client: proposed Site Plan

Drawing Title: Proposed Site Plan

Project Title: The Farmhouse Tavern

Sheet A3: 1:300

Drawn By: TH

Number: 100/004

C

Page 42
New semi-permanent marquee constructed with ABS panels & 6mm tempered glass windows. Green uPVC panels to front Elevation.
Proposed overspill car park to have grass reinforcement surface i.e. 'Grasscrete' by Grass Concrete Limited or similar

Ranch style fencing with bushes behind

NOTES:
- All dimensions and levels to be checked by contractor on site prior to commencement of works.
- We will not be responsible for the contents after having submitted Planning Permission and/or Building Application.
- Approvals such that there can be no guarantee that Planning Permission and/or Building Application will be obtained, and
- works that are standardised according to our own guidelines.
- We reserve the right to alter the dates and times for works which are not in accordance with the plans. All dimensions are in metres.
- Contractor to check site thoroughly, verify dimensions before any work and report any discrepancies.
Viewpoint L, Date & Time: 19th February 11.36 am, Weather Conditions: cloudy,dry, Height:1.6m, Distance: 66.5m

This view illustrates the east of the Farmhouse Tavern it shows the Tavern surrounded by trees and on the perimeter around the front car park. This view has a significant impact. The marquee is located to the back of the tavern with only the right side being covered by trees. Additional screening in the foreground can provide a more coherent landscape and lessen the impact.
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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.

A petition letter with 170 signatures has been received objecting to the proposed development and this is detailed in Section 3.0 ‘Consultations’ of this report.

There have also been 4 individual 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. In 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
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 Borough Wide Development Policies Development Plan Document.

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
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.
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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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.

A petition letter with 170 signatures has been received objecting to the proposed development. There have also been 4 individual objections to the proposed development (two from the same address). All of the objections are summarised below.

Petition letter (170 signatures)

Officer Note: Details of the petition letter are set out below. Note that there were a number of District Wide Local Plan policies referenced throughout the petition letter, however, these are not planning policies relevant to Barking and Dagenham and therefore direct references to these have been removed from the details below to avoid confusion.

Our properties are neighbouring very close by the site of the proposed development and it would immediately affect us. We are of the view that the proposed development will have a serious negative impact on our standard of living and the vision of our borough.

Specific objections are as follows:

1. No notification from the Council of any plans to develop the green space and disappointed that the Council has not consulted residents of such a development.

Response: The applicant carried out extensive pre-application consultation relating to the proposed development, both through engaging in the Council’s pre-application advice service and by consulting directly with residents.

A public consultation event was held on 7th February 2017. In advance of the meeting the applicant posted addressed invitations to the event, which also outlined the proposals, to a list of 322 addresses within the vicinity of the site. The list of addresses included all those on Whiting Avenue and London Road, plus addresses on the western side of Gurdwara Way and properties to the north on Cowbridge Lane. These addresses were selected due to their proximity to the application site. The applicant has continued to engage with neighbouring residents in local
meetings held by Whiting Avenue residents (Whiting Avenue Quarterly Action Group). A Statement of Community Involvement has also been submitted in support of the application which sets out the extensive consultation undertaken by the applicant.

As set out in this report, officers carried out wide consultation relating to the planning application in the form of 6 site notices and a press notice in the Barking and Dagenham Post. 132 neighbouring occupiers were also directly consulted by letter, including the Chair of the Whiting Avenue Tenants and Residents Association.

The Council also carried out statutory consultation 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. No responses were received to that consultation process.

2. The proposed development does not respect local context and street pattern or, in particular, the scale and proportions of surrounding buildings, and would be entirely out of the character of the area.

**Response:** The blocks extend the existing pattern of buildings that run through the centre of a semi-circle formed by Whiting Avenue, namely Bower House and Webber House. These blocks of flats are similar in scale to those proposed. Furthermore, the character of the area is mixed and includes both smaller single-family dwellings (terraced and semi-detached properties) as well as larger blocks.

3. Due to the size, siting and design, the proposal would have an unacceptable effect being a focal point on the character and appearance of the area, especially so close to the busy London Road roundabout.

**Response:** The proposals create a new boundary to the edge of the residential area that is currently dominated by the A124.

4. In respect of the above reasons (points 2 and 3), the proposal fails to accord with Policies BP8 and BP11 of the Barking and Dagenham Borough Wide Development Policies DPD, which, amongst other matters, require all development to have regard to, and protect, the local character of the area.

**Response:** Policies BP8 and BP11 support development which protects and enhances the character and amenity of the area. The proposals do this through the creation of the new route and by turning an unattractive and unsafe car park into a useful pedestrian route, while maintaining the parking spaces.

The proposals also provide integrated public spaces, high quality architecture and landscaping, accessible and inclusive features, durable flexible buildings, safe environments, sustainable design, appropriate waste facilities, renewable energy, attractive and uncluttered public routes and street planting creating a sense of place.

5. It is also contrary to the aims of Policy CP2 of the Council’s Core Strategy and guidance in the Council’s Supplementary Planning Document (SPD) which seeks
the retention of gaps between properties where these form part of an area’s character.

**Response:** Policy CP2 relates to the historic environment. The site falls outside of the Abbey and Barking Town Centre Conservation Area. The submitted Planning Statement provides a heritage assessment provided by a heritage consultant which concludes that the proposed development would preserve, and in some cases enhance, the setting of the various heritage assets surrounding the site.

6. The proposed development is a 6-storey building, yet its proportions are larger than the neighbouring building and a great deal larger than the neighbouring semi-detached properties. The proposed dwellings are unlike any other neighbouring property, so the scale and design of the development will be entirely out of keeping.

**Response:** Two thirds of the proposed development is 4-storeys tall with only one third being 6-storeys. The building forms are similar in type to those to the east of the site (a number of which are also 4-storeys). Also, like Harlow, Aveley, Danbury and Maylands Mansions, the proposals are designed as buildings in a landscape – i.e. they are free-standing blocks within landscaped grounds. As such the proposals are very much like their immediate context.

While it is accepted that some neighbouring occupiers will lose their existing long views across open space, the relationship between existing and proposed buildings is considered to be acceptable in this urban environment.

**Officers consider that the proposed development is in keeping with Policies BP8 and BP11 of the Borough Wide Development Policies DPD which seek to protect, amongst other things, the character of the area and the amenities of neighbouring occupiers, as well as ensuring that new development is of an acceptable quality and appearance.**

7. We believe that the proposal would lead to gross over-development of the site. The proposed development would not result in a benefit in environmental and landscape terms, to the contrary it would lead to the loss of valuable green space.

**Response:** 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.

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. A comprehensive landscaping scheme is proposed for the site, including private and communal amenity spaces and a new public pedestrian route linking Whiting Avenue and Gurdwara Way. 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.

8. The proposal would demonstrably harm the amenities enjoyed by local residents, in particular valuable green space, privacy and the right to enjoy a quiet and safe residential environment.
**Response:** Part of the original open space between Gurdwara Way and Whiting Avenue, of which the application site is a part, is to be retained and so neighbouring properties will still have access to nearby open space.

**Matters of outlook and privacy are considered at Section 6.5 of this report.**

The proposed development is not anticipated to result in significant noise to neighbouring properties or to adversely affect the safety of neighbouring occupiers.

9. We believe that the proposed development of 78 units does not provide sufficient parking spaces. In addition to this, there is already intense on-street parking pressure on Whiting Avenue and we believe the proposed additional parking provision will damage both highway safety and residential amenity.

**Response:** Matters of parking are considered at Section 6.6 of this report. The proposed development is car-free, with the exception of two blue badge spaces. Given the excellent public transport accessibility level of the site, car-free is in keeping with policy. The proposed occupiers of the new flats would not be able to obtain a parking permit for any controlled parking zone (CPZ). 8 car parking spaces are to be re-provided as part of the development and these would be added to the existing Whiting Avenue Estate CPZ.

10. The proposed dwellings would significantly alter the fabric of the area and amount to serious ‘cramming’.

**Response:** See earlier response.

11. We have serious concerns about the impact the proposed works could have on the stability of our properties. The land is steeply graded and subsidence and flooding is already a concern with the existing properties at Whiting Avenue having had underpinning. This would further impact on devaluing property prices in the area.

**Response:** The landscape proposals are of a high quality and there is no evidence to suggest that the land is unstable, nor is it steeply graded. The sub-structure will be designed in accordance with building regulations and will have no impact on surrounding properties.

The impact on property values is not a planning matter.

12. The land is situated very close to the Thames Water Pumping Station and is subject to subterranean flows.

**Response:** The Thames Water Pumping Station on Gurdwara Way is no longer in operation.

13. We are very concerned that the London Borough of Barking and Dagenham’s Sustainable Urban Drainage (SUDs) Officer has stated that “Our position remains that whilst the raising of levels in the access road will reduce the contaminated land which needs to be removed from site, this will lead to a displacement in flood
volumes which will lead to an unacceptable increase in flood risk within Whiting Avenue”.

Response: The SUDs Officer’s concerns were raised on 10 July. Following further discussions with the SUDs Officer, the SUDs Officer agreed that this can be addressed via condition (Condition 6).

14. We believe that the land is contaminated and that developing on this site is hazardous to the health and well-being of local residents. The Council did not warn residents of the risks relating to this development. Furthermore, Policy BR12 (hazardous developments) of the Borough Wide Development Policies DPD states “The Council will resist development proposals where the actual or potential effects of hazardous or other activities are likely to be detrimental to public health or amenity.

Response: Planning approval was granted on 7th April 2017 for works to remediate the site (ref. 16/01604/FUL). It is noted that 66 neighbouring occupiers were consulted in respect of that application and site notices were also posted. There was no response to the consultation process. The Council is undertaking remediation of the site and any further contaminated soil on the land will be capped to prevent harm to residents and neighbours, or removed if necessary at the applicant’s expense.

Since the current proposal would introduce a more vulnerable land use (residential) to the site, a condition pursuant to the earlier planning permission (which was prepared with future residential use in mind) for the site’s remediation requires that a Verification Report demonstrating the completion of works set out in the approved Remediation Strategy is submitted to the Local Planning Authority for approval within one month of the completion of both the remediation works and the subsequent 12-month monitoring period. This would demonstrate that the site is safe for its future use.

15. The proposed site of development is at such an angle that the primary amenity area of our properties, particularly gardens, would be severely overlooked from the new development resulting in a serious invasion of privacy.

Response: Matters of outlook and privacy are considered at Section 6.5 of this report. Potential overlooking to neighbouring residential properties and gardens has been mitigated by good quality design and natural screening. The proposed development would not result in significant overlooking or loss of privacy, or immediate outlook, for neighbouring residential occupiers.

16. There are long running concerns from the public to the already overwhelming high volumes of road traffic congesting Gurdwara Way which stretches from the A406 and beyond. The increased demand that the proposed new development would add to this, combined with the access issues, will present a serious threat to highway safety and disruption.

Response: The proposed development is car-free with the exception of two blue badge car parking spaces so it is not anticipated that the development would lead to a significant increase in traffic generation.
In addition to all of the above, the Council fails to supply documents and plans on request, instead referring information and guidance to the London Borough of Barking and Dagenham website which is inevitably shut down and when it is running the information is denied. We would like to have full access to the information regarding the proposed development.

Response: Whilst it is accepted that the Council’s public access website has been suffering IT problems on and off in recent months, paper copies of the application documents have always been available to view on request at the Council’s office, or the office of Be First (from 2 October 2017).

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 which raise similar concerns to those raised in the petition, including overlooking, overshadowing, impact on the character of the area, traffic, noise, loss of open space and landscaping. In addition they highlight 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.

120 London Road, Barking

There are not enough parking spaces; the development would generate more traffic and there is not good access for emergency vehicles.

Response re individual objection letters: Matters relating to the amenity of neighbouring residential occupiers are discussed in detail at Section 6.5 of this report. Matters relating to transport and car parking are discussed in detail at Section 6.6 of this report.

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.

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 – 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.

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 any 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 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 emissions.
(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.lbbd.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

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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 3.3 – Increasing Housing Supply
  Policy 3.4 – Optimising Housing Potential
  Policy 3.5 – Quality and Design of Housing Developments
  Policy 3.8 – Housing Choice
  Policy 3.10 – Definition of Affordable Housing
  Policy 3.11 – Affordable Housing Targets
  Policy 3.12 – Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes
  Policy 3.13 – Affordable Housing Thresholds
  Policy 5.2 – Minimising Carbon Dioxide Emissions
  Policy 5.3 – Sustainable Design and Construction
  Policy 5.5 – Decentralised Energy Networks
  Policy 5.6 – Decentralised Energy in Development Proposals
  Policy 5.7 – Renewable Energy
  Policy 5.9 – Overheating and Cooling
  Policy 5.10 – Urban Greening
  Policy 5.13 – Sustainable Drainage
  Policy 5.14 – Water Quality and Wastewater Infrastructure
  Policy 5.18 – Construction, Excavation and Demolition Waste
  Policy 5.21 – Contaminated Land
  Policy 6.3 – Assessing Effects of Development on Transport Capacity
  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 (August 2017)

• National Planning Policy Guidance

National Planning Policy Framework (March 2012)
Planning Practice Guidance
Technical Housing Standards – Nationally Described Space Standard (March 2015)
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REV DATE DESCRIPTION

SECOND FLOOR PLAN

PLANNING ISSUE
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studio@reedwatts.com

PROJECT
1617 WHITING AVENUE
DRAWING
DRAWING NO
SCALE
STATUS
DATE
REVISION

REV
DATE
DESCRIPTION
THIRD FLOOR PLAN

1:125 @ A1  1:250 @ A3
24.04.17

PLANNING ISSUE
DO NOT SCALE

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REVISION

24.04.17

PLANNING ISSUE

20160420

1:125 @ A1
1:250 @ A3

REV
DATE
DESCRIPTION

FIFTH FLOOR PLAN
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PROPOSED BLOCK PLAN

1:250 @ A1 1:500 @ A3

24.04.17

PLANNING ISSUE

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PROJECT
1617 WHITING AVENUE
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SCALE
STATUS
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<td>FIBRE CEMENT HUNG TILE TYPE A - DARK RED BROWN</td>
</tr>
<tr>
<td>FIBRE CEMENT HUNG TILE TYPE B - LIGHT BROWN</td>
</tr>
<tr>
<td>BRICK TYPE A - RED BRICK</td>
</tr>
<tr>
<td>BRICK TYPE B - BUFF AND RED BRICK MIX</td>
</tr>
<tr>
<td>VERTICAL GLAZED TRANSLUCENT RAINSCREEN WITH POWDER COATED ALUMINIUM</td>
</tr>
<tr>
<td>WINDOW WITH POWDER COATED ALUMINIUM</td>
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<tr>
<td>POWDER COATED STEEL WINDOW CASING</td>
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<td>POWDER COATED STEEL WINDOW FRAMES</td>
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<td>POWDER COATED STEEL LOUVERED DOOR</td>
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<td>TIMBER PERGOLA STRUCTURE</td>
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<td>POWDER COATED STEEL FRAME ENTRANCE DOOR</td>
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<tr>
<td>POWDER COATED MESH BALUSTRADE WITH HANDRAIL AND FRAME</td>
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<tr>
<td>POWDER COATED STEEL WINDOW CASING</td>
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<td>POWDER COATED STEEL FRAME ENTRANCE DOOR</td>
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<tr>
<td>POWDER COATED ENTRANCE DOOR WITH GLASS IN FILL</td>
</tr>
<tr>
<td>POWDER COATED STEEL FRAME WITH MESH INFILL</td>
</tr>
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</table>

ELEVATIONS

- 1:125 @ A1
- 1:250 @ A3

PLANNING ISSUE

24.04.17
BMS House, 1 Wantz Road, Dagenham
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<table>
<thead>
<tr>
<th><strong>Application No:</strong></th>
<th>16/00981/FUL</th>
<th><strong>Ward:</strong></th>
<th>Eastbrook</th>
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<tr>
<th><strong>Reason for Referral to DCB as set out in Part 2, Chapter 9 of the Council Constitution:</strong></th>
<th>The proposed development is a major development which is of a scale and importance that should be determined at DCB.</th>
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<tr>
<th><strong>Address:</strong></th>
<th>BMS House, 1 Wantz Road, Dagenham</th>
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<tr>
<th><strong>Development:</strong></th>
<th>Demolition of existing warehouse and redevelopment of site to provide part 4/part 5 storey building comprising 63 residential units comprising 9 x studio flats, 28 x one bedroom flats, 20 x two bedroom flats and 6 x one bedroom maisonettes and 353 square metres mixed commercial space (A1/B1/D1/A3) together with associated car parking spaces.</th>
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<th><strong>Applicant:</strong></th>
<th>Neighbour</th>
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<tr>
<th><strong>Contact Officer:</strong></th>
<th>Nelupa Malik</th>
<th><strong>Title:</strong></th>
<th>Principal Development Management Officer</th>
<th><strong>Contact Details:</strong></th>
<th>Tel: 020 8227 3888 E-mail: <a href="mailto:nelupa.malik@befirst.london">nelupa.malik@befirst.london</a></th>
</tr>
</thead>
</table>

**Summary:**

The application site comprises a two storey industrial building located south east of the junction of Wantz Road with Oxlow Lane. The site is designated as a Locally Significant Industrial Site in the Local Plan Proposals Map. The site however has been proposed for release as part of the Council’s Local Plan Review.

The development proposes to demolish the industrial building and redevelop the site to provide a part 4/part 5 storey building to comprising 63 residential units. The development would be 100% Private Rented Sector (PRS) residential units comprising a mix of 9 x studio flats, 28 x one bedroom flats, 20 x two bedroom flats and 6 x one bedroom maisonettes. The development also proposes 353 square metres of mixed commercial space (A1/B1/D1/A3) together with 39 car parking spaces. The loss of the employment use is considered to be acceptable in principle by Officers.

All the residential units have been designed in accordance with the London Plan minimum space standards. The development includes 6 units which will be easily adaptable for wheelchair users and this is in keeping with the minimum 10% required by the London Plan. There are no family housing (3 bedroom or more units) proposed as part of this development, however this is supported given the site is not generally considered suitable for family housing.

The application does not provide any sub-market housing and has been accompanied by a viability appraisal which has been independently reviewed. The viability appraisal concludes that after a profit of 15% has been taken into account, the proposed development fails to achieve the benchmark land value and is therefore unable to provide...
any sub-market housing. Following a review of the appraisal officers have accepted the findings of the viability appraisal however a commitment has been sought from the developers to ensure that the development is maintained as a PRS scheme for a minimum of 15 years with a requirement that the viability of the development is reviewed on occupation. This would be secured through a Section 106 Agreement.

The development would provide in total 935m2 of amenity space comprising a mixture of a communal terrace, private terraces and balconies which have been designed to the standards set out in the Mayor’s Supplementary Planning Guidance (SPG) for Housing. The communal terrace will be located at first floor level and measure 429m2 in area.

The scale, form and massing of the proposed building is considered to be acceptable and the design of the development would be attractive and welcoming comprising light and dark coloured grey bricks with complementary coloured window and balcony frames. Visual interest is articulated on the facades of the building through a combination of contrasting coloured bicycle stores on the eastern elevation of the building, window fenestration that provides a vertical emphasis on the building and a mixture of projecting and recessed balconies.

It is not considered that the development would result in any material loss of light, outlook or privacy detrimental to the living standards and amenities enjoyed by neighbouring occupiers.

The site has a PTAL (Public Transport Accessibility Level) of 1b out of 6 where 6 is excellent and therefore has a low PTAL rating. The development would provide 39 car parking spaces equating to a ratio of 0.62 per dwelling. This is considered to be acceptable and in accordance with the London Plan. Included within the car parking provision are four accessible car parking spaces which equates to 10% of the total parking provision and in accordance with London Plan standards. There will be no significant impact on the local highway network as a result of the development.

The proposed development is anticipated to achieve a 38.9% reduction in carbon dioxide emissions beyond Part L of the Building Regulations 2013. The London Plan requires that new residential developments are zero carbon. However if this cannot be achieved then it is acceptable to to provide a 35% reduction in emissions on site with the shortfall off-set through a cash in lieu contribution. The Mayor’s Supplementary Planning Guidance (SPG) for ‘Sustainable Design and Construction’ however, states that the viability of a development should be taken into account when seeking such contributions. In this instance whilst the development will achieve the minimum of 35% reduction in carbon emissions it would not be financially viable to provide a carbon off-set contribution and therefore the energy strategy proposed for this development is accepted by officers.

One letter of objection has been received from the Power House International Ministries who occupy the industrial building forming units 3 & 4 of 280 Oxlow Lane. This building sits immediate adjacent to the application site and to the east. The concerns raised largely relate to the impact that their use will have on new residential occupiers. However the Environmental Health Team considers that the redevelopment of the application site for a proposed residential scheme would not be incompatible with existing neighbouring uses.

Overall the proposal is considered to comply with relevant policies contained in the Local Plan, the London Plan and the National Planning Policy Framework.
Recommendation:

That the Development Control Board grant planning permission subject to a S106 Agreement to secure:

- A commitment that the development is maintained as a PRS scheme for a minimum of 15 years along with a commitment to prioritise residents who live and or work in the Borough when marketing and identifying suitable tenants. The viability of the development is reviewed on occupation and a revised viability assessment is submitted;
- Following submission of the revised viability assessment, if the development results in a surplus, this shall be split 60/40 in favour of the Council and the Council shall spend their share of the surplus on sub-market housing projects in the Borough;
- A commitment to local labour/local supply so that residents and businesses in the Borough will benefit from the proposed development;
- A requirement that the developer enters into a S278 Highways Agreement to undertake any alterations to the public highway in respect of this development;

and 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 Section 51 of the Planning and Compulsory Purchase Act 2004).

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

3. Following the first occupation of the ground floor mixed use commercial space any further changes of use of this space specifically permitted by this permission must be carried out within a period of 10 years from the date of this permission.
   
   Reason: To accord with the provisions of Class V, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.

4. No above ground development 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.

5. No development above ground level shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping for the site.
Reason: To safeguard and improve the appearance of the area 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.

6. The landscaping scheme as approved in accordance with condition No. 4; shall be carried out in the first planting and seeding seasons following the occupation of any of the buildings 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 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.

7. 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.

8. The car parking areas indicated on drawing No. 0102 Rev P4; 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.

9. No development above ground level shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the position, design, materials and type of boundary treatment to be erected. No part of the development shall be occupied until the approved boundary treatment for that part has been provided. The approved boundary treatment shall be retained unless the Local Planning Authority gives prior written approval for its removal.

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

10. 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’.

11. 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.

12. 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.

13. 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.

14. 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 10 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 11 which are subject to the approval in writing of the Local Planning Authority.

15. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.
Reason for Conditions 10-15: Contamination must be identified prior to commencement of development to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy BR5 of the Borough Wide Development Policies Development Plan Document and Policy 5.21 of the London Plan.

16. No development above ground level shall take place until details of the combined heat and power plant (CHP) to be installed at the premises have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall be sufficient to demonstrate that products of combustion emitted from the plant will not be prejudicial to health or a nuisance having regard to;

a) The position and height of the discharge flue of the combustion plant;
b) The position and descriptions of buildings near it;
c) The levels of the neighbouring ground; and
d) Any other matters requiring consideration in the circumstances, including but not limited to, the concentration of oxides of nitrogen in the flue gas and the flue discharge velocity.

Reason: In the interests of protecting neighbouring amenity and air quality in accordance with policies BP8, BP11 and BR14 of the Borough Wide Development Policies Development Plan Document.


18. Habitable rooms having openings facing onto the North, West or East facing facades 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 safeguard the amenity of occupiers of the development in accordance with Policy BR13 of the Borough Wide Development Policies Development Plan Document.

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

Reason: To safeguard the amenity of occupiers of the development in accordance with Policies BR13, BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.
20. The lighting of the development hereby permitted, is to be designed, installed and maintained 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 201. 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.

Reason: In order to avoid light pollution and safeguard neighbouring amenity, in accordance with Policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

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

Reason: To ensure that the commercial use does not cause undue nuisance and disturbance to residents at unreasonable hours and in accordance with Policy BP8 of the Borough Wide Development Policies Development Plan Document.

22. 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. 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 demolition and 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.

23. 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 hoardings(s) including decorative displays and facilities for public viewing, where appropriate;
f) Wheel washing facilities;
g) Measures to control the emission of dust, dirt and emissions to air during construction; such measures to accord with the guidance provided in the document “The Control of Dust and Emissions during Construction and Demolition”, Mayor of London, July 2014; including but not confined to, non road mobile machinery (NRMM) requirements;
h) Noise and vibration control;
i) A scheme for recycling/disposing of waste resulting from demolition and construction works;

j) The use of efficient construction materials;

k) Methods to minimise waste, to encourage re-use, recovery and recycling, and sourcing of materials; and

l) A nominated Development/Resident Liaison Representative with an address and contact telephone number to be circulated to those residents consulted on the application by the developer’s representatives. This person will act as first point of contact for residents who have any problems or questions related to the ongoing development.

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

Reason: The CEMP and SWMP are required prior to the 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.

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

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

25. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the local planning authority. Those details shall include:

a. A design that is compliant with the national Non-Statutory Technical Standards for SuDS, National Planning Policy Framework and Ministerial Statement on SuDS.

b. Evidence that the proposed solution will effectively manage the 1 in 30 and 1 in 100 (+CC% allowance for climate change storm events), during all stages of the development (pre, post and during), with discharge rates being restricted as close to greenfield runoff rates as is reasonably practical.

c. Details of management and maintenance regimes and responsibilities.

d. A construction phase plan detailing how the drainage elements will be protected during construction.

e. Long and cross sections of each SuDS Element.

f. A finalised drainage layout plan that details pipe levels, diameters and asset locations.

The Scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
Reason: A surface water drainage scheme for the site is required prior to the commencement of development to prevent an increased risk of flooding and to prevent pollution of the water environment and in accordance with Policy BR4 of the Borough Wide Development Policies Development Plan Document.

26. Notwithstanding condition number 8, electric charging points shall be provided for 20% of the car parking spaces shown on drawing No. 0102 Rev P4 with a further 20% passive provision. The spaces shall be constructed and marked out and the charging points installed prior to the occupation of the development, and thereafter retained permanently for the accommodation of vehicles of occupiers and visitors to the premises and not used for any other purpose.

Reason: To encourage the use of electric cars in order to reduce carbon emissions, and in accordance with Policy BR10 of the Borough Wide Development Policies Development Plan Document and Policy 6.13 of the London Plan.

27. The approved development shall make provision for cycle parking in accordance with a scheme that shall have been previously submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the occupation of the development and thereafter retained permanently for the accommodation of bicycles of occupiers and visitors to the premises and not used for any other purpose.

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

28. Details of the proposed solar photovoltaic panels generating equipment shall be submitted to and approved in writing by the Local Planning Authority before the commencement of any work above ground level. The equipment shall be installed before the development is occupied and shall be permanently maintained so as to provide energy for the development on a day-to-day basis for as long as the development remains.

Reason: In the interests of safeguarding the environment, to ensure that the development provides renewable energy in accordance with Policy BR2 of the Borough Wide Development Policies Development Plan Document and policy 5.2 of the London Plan.

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

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

30. The flats hereby approved shall not be occupied until a refuse management plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved management plan shall be implemented in accordance with the approved details.
Reasons: To provide for the satisfactory removal of refuse in the interest of the site and locality and to protect the amenity of future occupiers and in accordance with Policies BP8, BP11 and BR15 of the Borough Wide Development Policies Development Plan Document.

31. No development above ground level shall take place 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, 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.

32. Before occupation 90% 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.

33. A minimum of 10% 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.

34. No permission is hereby given for any use of the ground floor commercial premises as a place of worship or as a church hall.

Reason: To avoid the introduction of uses that would be incompatible with the development and to protect the amenity of future occupiers of the development and existing neighbouring occupiers 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 site measures approximately 0.2 hectares and is located directly south east of the junction of Wantz Road with Oxlows Lane, Dagenham. The site comprises a two storey warehouse building with ancillary residential accommodation and is currently in use as a self storage business.
1.2 The site is designated as a Locally Significant Industrial Site in the Council’s Local Plan. The application site however, has been proposed for release as part of the Local Plan Review.

1.3 The surrounding area comprises a mixture of commercial and residential uses. There are two storey residential dwellings on the northern side of Oxlow Lane. Directly to the east of the application site are a collection of 1/2 storey industrial buildings measuring approximately 8 metres high, also fronting Oxlow Lane. To the west of the site is the Oxlow Lane/Hunters Hall Road Neighbourhood Shopping Centre.

1.4 This application relates to the demolition of the existing warehouse and redevelopment of the site to provide a part 4/part 5 storey building comprising 63 residential units consisting of 9 x studio flats, 28 x one bedroom flats, 20 x two bedroom flats and 6 x one bedroom maisonettes and 353 square metres of mixed commercial space (A1/B1/D1/A3) together with associated car parking.

1.5 The commercial unit will predominately front Wantz Lane whilst the maisonettes, which form the ground floor residential units, front Oxlow Lane.

2. Background

2.1 None relevant to this application.

3. Consultations

3.1 Adjoining Occupiers/Press and Site Notices

88 neighbouring occupiers were notified, site notices were displayed around the site and a notice was published in the press during the public consultation exercise and one response was received from the Pastor at Power House International Ministries who occupy units 3 & 4, 280 Oxlow Lane, Dagenham who occupy the industrial building immediately adjoining the application site to the east. The issues and concerns raised are summarised as follows;

- As a multi-purpose facility, the Power House International Ministries produce noise from amplified music as a result of faith group activities during evenings and weekends and from social functions late into the evenings. This will impact on the tenants of the proposed site. The Pastor states that they have never been a nuisance in the locality and do not intend to be in the foreseeable future. The Pastor goes on to state that their facility is on a site in an area allocated in the Local Plan for industrial use and planning permission was granted on this basis i.e. away from residential buildings.

- There is also a nursery and associated play area for the nursery at the rear of the premises. The children of the nursery play and produce noise daily and representatives are concerned about the impact of this noise on the tenants of the proposed site.

- The Pastor is concerned that a financial burden will be placed on the Church as a result of the development.
Officer Note: The comments received from the neighbouring occupiers seem to suggest that they are concerned that the proposed development would not be compatible with their use in that occupiers of the development may register complaints against them.

The matter of safeguarding the amenity of future residents from potential noise impact from adjoining commercial premises has been considered by the Council’s Environmental Health Officer. In this regard the Officer considers that the design of the building including its elevated courtyard amenity area and “set back” above ground floor level mitigates against the likelihood of significant external noise intrusion from neighbouring commercial uses. The Environmental Health Officer has reviewed the complaints history for the locality which suggests that there is not a substantive history of complaints associated with the various nearby commercial uses and as such the Environmental Health Officer has no objections to the principle of residential redevelopment in this location.

3.2 Transport Development Management

Highway Planning Observations

The location of the proposed development provides a Public Transport Accessibility Level (PTAL) rating of 1b (poor), determined using the standard methodology issued by Transport for London (TfL) on a scale of 1a to 6b, where 6b is excellent and 1a, is a very poor level of accessibility. This is mainly due to the site location exceeding the recommended 960m walking distance by 166m to Dagenham East Station. As such, it is considered that the site has poor public transport accessibility. In terms of sustainable modes of travel which will be available to any prospective tenants or occupiers, the site is surrounded by a comprehensive network of footways and local cycle routes. The site does benefit from being well served by local bus services with the nearest of these services being the 174 service which has a good frequency from Monday to Saturday.

Car Parking

It is proposed that there will be a total of 39 car parking spaces for the use of the proposed residential units. The London Plan indicates that a maximum car parking provision of less than 1 space per dwelling should be provided at residential dwellings with 1 to 2 bedrooms. The proposed 39 allocated car parking spaces for the use of the residential dwellings, equates to a provision of 0.62 spaces per dwelling. Included within this provision are 4 accessible blue badge parking bays.

London Plan requires that 20% of residential car parking spaces must be for electric vehicles with a further 20% passive provision for electric vehicles in the future.

Traffic Impact and Generation

The trip generation assessments provided within the transport statement (TS) suggest that the proposed development will generate a modest number of trips in both the AM and PM peak hours. It is stated that the proposal would be likely to generate a slight increase in traffic levels during the typical weekday peak hours than the level of traffic attracted to the existing use at the site. We are broadly satisfied that the impact from the proposed development on the local roads will be
minimal and that there is sufficient capacity within the local highway network to accommodate trips likely to arise from the development.

**Proposed vehicular and pedestrian access arrangement**

The vehicular access into the site will be from Wantz Road via an existing site entrance. This access will require some changes but no details have been submitted to show the extent of modifications required.

**Additional Comments**

Recommend the following:

An allocation of parking bays for electric charge points need to be provided with provision for passive bays in order to comply with the London Plan. This should be secured by condition.

Since the existing vehicular access will need to be modified, a highway scheme will be required showing all the necessary alterations to the public highway. This will need to be secured with the applicant separately in a section 278 (Highways Act 1980) agreement.

A Construction and Logistics Plan should be provided. This should be secured by condition.

There are no apparent adverse highway implications and no objections are raised to the scheme.

*Officer Note: Highway matters are considered in the main body of this report.*

### 3.3 Access Team

A number of comments and recommendations have been made with regards to door widths, requirement for colour contrasted hand rails, step nosings, décor and signage and the requirement for 10% wheelchair accessible units amongst other things.

*Officer Note: These comments and recommendations have been forwarded to the agents. Revised plans have been submitted identifying 6 wheelchair accessible units which comply with the London Plan requirement of a minimum of 10% of the total provision.*

### 3.4 Environmental Protection Team

A comprehensive report covering matters relating to noise, air quality/sustainability, possible light pollution, land quality and demolition and construction phase impacts has been provided. However the Environmental Protection Team has no objections to the proposal subject to recommended conditions being imposed.

*Officer Note: Suggested conditions will be imposed.*

### 3.5 Historic England
The proposal is unlikely to have a significant effect on heritage assets of archaeological interest.

3.6 **London Fire and Emergency Planning Authority**

Access to the ground floor commercial use is considered satisfactory.

Access to the residential accommodation will be considered acceptable subject to the provision of fire mains in both stairways with outlets at all levels. The fire mains should comply with BS 9990:2015.

There should be access for a pump appliance to within 18m of the inlets to the fire mains which should be visible from the appliance.

There should be a fire hydrant within 90m of the inlet to a fire main.

*Officer Note: The above comments have been forwarded to the agents.*

3.7 **Drainage and Flooding Team**

The development does not adequately demonstrate that greenfield runoff rates can be met. In addition there are factors for the developer to consider such as where surface water flows will be directed during an exceedance event/blockage. However these matters can be resolved via the imposition of a suitable condition.

*Officer Note: Suggested condition will be imposed.*

3.8 **Street Lighting – No response received.**

3.9 **Designing Out Crime Officer**

General comments and recommendations have been made with regards to the entrance and lobby areas and access control protocols on lifts and doors to facilitate security amongst other things. However there is no objection to the proposal.

*Officer Note: The comments and recommendations have been forwarded to the agents.*

4. **Local Finance Considerations**

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

This would result in a total Mayoral contribution of £95,624.03. In terms of the Borough contribution, this would equate to £37,852.94 for the residential floorspace, a maximum of £69,284.90 for an A1 (supermarket) use, a maximum of £1,979.56 for B1 use and a maximum of £3,959.13 for all other non-residential uses.

5. **Equalities 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 6 units having a layout and size specifically enabling ease of use by a wheelchair user.

6. Analysis

6.1 Principle of Development

6.1.1 The site is identified as a Locally Significant Industrial Site in the Local Plan Proposals Map.

6.1.2 Policy CE3 of the Core Strategy states that the partial release of sites within a designated Locally Significant Industrial Site will only be considered acceptable where it can be demonstrated that the remaining part of the designated site will be more intensively developed to ensure no net loss of employment provided.

6.1.3 The Council’s Local Plan Review Issues and Options Report (July 2015) has identified the site for future release for housing. The submitted planning statement states that the existing self-storage company is a low employment generator currently providing employment for 2 people. The site is also on the edge of the employment area and directly fronts Oxlow Lane thus having poor visual impact on the street scene. The redevelopment of the site will improve the this stretch of Oxlow Lane. Moreover the commercial floorspace proposed as part of this development would provide the flexibility to attract a number of uses that would have the potential to generate a higher level of employment than that which currently exists on the site.

6.1.4 As such the proposal to remove the employment use and redevelop the site for residential/mixed use commercial purposes is considered to be acceptable in principle subject to the proposal being in accordance with other relevant parts of the Local Plan.

6.2 Housing

Housing Mix

6.2.1 The development proposes 63 private rented sector (PRS) residential units in a single block. The proposed mix of 9 x studio flats, 28 x 1 bedroom flats, 20 x two bedroom flats and 6 x one bedroom maisonettes reflects the nature of the private rented sector which provides rental accommodation of predominately one and two bedroom units.

6.2.2 The proposal includes 6 units which will be easily adaptable for wheelchair users. The proposal meets the 10% wheelchair housing requirement set out in Policy 3.8 of the London Plan and Building Regulation M4(3).

6.2.3 Policy CC1 of the Core Strategy states that major housing developments will generally be expected to provide a minimum of 40% family accommodation (three-bedroom or larger). The policy goes on to state, however, that not all sites will be suitable for family sized accommodation, for example, where it would not be
possible to provide a satisfactory environment for young children, particularly in respect of access to external amenity space.

6.2.4 Officers accept that the application site is not generally suitable for family sized units due to the constrained nature of the site and its location adjoining a Locally Significant Industrial Site. The proposal for mainly one and two bedroom units is therefore considered to be acceptable.

Density

6.2.5 The density matrix in the London Plan identifies that a site with a Public Transport Accessibility Level (PTAL) of 1b in an urban setting should provide 150-200 habitable rooms per hectare (hr/ha) or 50-95 units per hectare (u/ha).

The density has been calculated in accordance with the Mayor’s ‘Housing’ Supplementary Planning Guidance (SPG) by reducing the total site area of 0.2 hectares by the proportion of non-residential floorspace. The site has most of the characteristics of an urban setting as defined by the London Plan. With a residential gross internal area (GIA) of 5068m², a non-residential floorspace of 353m² and at 63 units in total on a site area of 0.186 gives a density of 339 units per hectare. This significantly exceeds the density guidance in the London Plan.

6.2.6 However the London Plan states that it is not appropriate to apply the density matrix mechanistically. The Mayor’s ‘Housing’ Supplementary Planning Guidance further emphasises that density ranges should be considered as a starting point rather than an absolute rule when determining the optimum housing potential of a particular site.

6.2.7 In appropriate circumstances, it may be acceptable for a particular scheme to exceed the ranges in the density matrix provided qualitative concerns are addressed. Such matters would include, amongst other things; the local context and character of a site, and the need for development to achieve high quality design in terms of liveability, public realm, residential and environmental quality, and in particular, accord with the housing quality standards sent out in the Mayor’s Housing SPG.

6.2.8 Officers consider that broadly speaking the proposed development meets the tests identified in the Mayor’s Housing SPG and as such the density of the development is considered to be acceptable. Matters relating to design, residential quality and housing quality standards are discussed in more detail further in this report.

Sub-Market Housing

6.2.9 Policy 3.12 of the London Plan and Policy BC1 of the Borough Wide Development Policies DPD seek to achieve the maximum reasonable amount of sub-market housing for individual private residential and mixed use schemes. Developers will normally be expected to provide their sub-market housing on site, but exceptional circumstances may allow for partial off-site provision and/or commuted payments.

6.2.10 The application proposes 100% private rented sector units on site and was accompanied by a full viability assessment so that Officers could consider the appropriate off-site sub-market housing provision or commuted payments for the development.
6.2.11 Officers have instructed an internal review of the viability assessment which deducts development costs from gross development value (GDV) to determine the land value and factors in a developer profit of 15% of GDV.

6.2.12 On the basis of the figures adopted by the viability assessment and an internal review by Be First, the proposed development is currently anticipated to generate a ‘deficit’ of -£1,384,439. It is therefore concluded that the proposed development fails to achieve the benchmark land value and is therefore unable to provide any sub-market housing. However, a review mechanism is proposed which will require the viability to be reappraised on occupation using updated development costs and rental values with the profit split 60/40 between the Council and the applicant.

6.3 Design, Layout and Amenity

6.3.1 The application plot essentially has a square shaped footprint which fronts north onto Oxlow Lane and west onto Wantz Road.

6.3.2 The building has been designed to follow the northern, eastern and western boundary edges of the site with the northern and western elevations being the most visible. The overall height of the building will be 17.3 metres.

6.3.3 The upper residential floors are set back further into the site which allows the opportunity to provide terraces and balconies and enables breaks in the massing of the building and prevents the development from appearing overbearing at street level. The fourth floor residential element is recessed further back from the first to third floors. The building is also arranged around a large south facing communal courtyard situated at first floor level.

6.3.4 In terms of the developments relationship with neighbouring buildings, the closest buildings to the development are industrial/community buildings to the east and south. The neighbouring building to the east measures approximately 8 metres in overall height and there is a distance of 5.1 metres between the two buildings. The neighbouring building to the south measures 7 metres in overall height and will be separated by a distance of 1 metre from the proposed development. Whilst the proposed development would be significantly higher than its immediate neighbouring buildings, it is not considered that the development would result in any material loss of light, outlook or privacy to these buildings.

6.3.5 There are two storey residential dwellings to the north and opposite to the development site. Namely these are number 9 Kingsley Close, 267-261 Oxlow Lane and 1-1a Muggeridge Road.

6.3.6 Number 9 Kingsley Close is an end of terrace dwelling located to the north west of the development and has a south facing gable end flank elevation facing towards the proposed building. As such the southern boundary of the rear garden fronts Oxlow Lane. There are no windows on this flank elevation which is set back approximately 6 metres from the southern boundary of the house.

6.3.7 Numbers 257-261 Oxlow Lane and 1-1a Muggeridge Road form a terrace of five dwellings situated directly north of the application site fronting Oxlow Lane. These dwellings are set back at least 5 metres from their southern boundaries.
6.3.8 It is not considered that the proposed development would have any material impact on these dwellings. There would be a separation of approximately 16 metres between the northern boundary of the application site and the southern boundaries of these residential properties with a greater distance of at least 21 metres between buildings.

6.3.9 Members are reminded that the upper floors of the proposed development are set back further from the boundary edge by 2.1 metres for floors 1-3 and by 4 metres at fourth floor level. It should be pointed out however that the recessed floors allows for the creation of terraces and balconies.

6.3.10 The separation distances are considered to be adequate and would not materially impact on the light, outlook or privacy of nearby residential occupiers. It is therefore considered that the scale and massing of the development is acceptable.

6.3.11 In terms of the appearance of the development, the building would be constructed with a mixture of light and dark grey bricks with windows frames being grey aluminium. Visual interest is articulated on the building through a combination of recessed and projecting balconies and large full height windows and French doors providing a vertical emphasis to the building. The projecting balconies would comprise grey clad exterior surrounds and have glass Juliet balustrades. The eastern elevation will be punctuated with red coloured bike stores that form a feature of this elevation. The ground floor residential units will comprise floor to ceiling glazing in order to provide visual interest and maximise light to these maisonettes.

6.3.12 The external design and appearance of the development is considered to be attractive and welcoming and the palette of materials proposed supported by Officers. The use of good quality materials will be particularly important to enhance its presence in the street scene. These will include the quality of brickwork, mortar and window and door surrounds. However, these matters can be addressed via the imposition of a suitable condition.

6.3.13 Overall the building is considered to be well proportioned and attractively designed and would provide visual interest to the street and therefore accords with policies CP3 of the Core Strategy and policies BP11 and BP8 of the Borough Wide Development Policies Development Plan Document (DPD) which relate to urban design and seek to protect residential amenities.

6.4 External Amenity Space

6.4.1 All the proposed residential units would benefit from a private balcony or terrace designed in accordance with the minimum space requirements set out in the Mayor of London’s ‘Housing’ Supplementary Planning Guidance.

6.4.2 The development provides a total of 935m² of amenity space and included within this is a 429m² communal courtyard at first floor level.

6.4.3 Whilst the development does not meet the quantity requirements for external amenity space as set out in Policy BP5 of the Borough Wide Development Policies DPD it is considered that the range and quality of the space provided is acceptable for a scheme of this nature.
6.5 **Transport and Car Parking**

6.5.1 The site has a PTAL (Public Transport Accessibility Level) of 1b out of 6 where 6 is excellent and therefore has a low PTAL rating.

6.5.2 Table 6.2 of the London Plan requires that less than 1 space is provided per 1-2 bedroom units. The development would provide 39 car parking spaces which equates to a parking ratio of 0.62 spaces per unit. Accessible parking would be provided equating to 10% of the total provision (four spaces). The car parking provision is acceptable and in accordance with the London Plan.

6.5.3 The car park would be at ground floor level and not visible from street view. Vehicular access to the car park will be via Wantz Road. Access to the entrance lobby of the flats would be directly from the car park. The main pedestrian access to the development would be via Oxlow Lane. The access arrangements for the development are considered acceptable.

6.5.4 In terms of cycle parking, table 6.3 of the London Plan requires that 1 cycle space is provided per 1 bedroom unit and 2 cycle spaces provided per 2 bedroom or more units and as such a minimum of 83 cycle parking spaces is required for this development. The applicants have confirmed that this standard will be met.

6.5.5 The proposal provides a variety of cycle parking arrangements for the development. The ground floor maisonettes do not have any individual cycle parking however a secure cycle store is provided at ground floor level. All the flats facing east on the second, third and fourth floors would have an individual bike store. The submitted plans indicate that all remaining flats will keep their cycles in the front terrace of their property however no details have been provided as to how these will be secured. Further details will therefore need to be submitted and a condition will be imposed requiring the submission of these details.

6.5.6 Overall the transport and car parking arrangements for this development are considered to be acceptable. The Transport Development Management Team has been consulted and confirm that there are no adverse highway implications resulting from the development and has no objections to the proposal.

6.6 **Energy**

6.6.1 At the time of submission of this application the London Plan required all developments to achieve a 35% reduction in carbon dioxide (CO2) emissions beyond Part L of the Building Regulations 2013. The proposed development is anticipated to achieve a 38.9% reduction in carbon dioxide emissions beyond Part L of the Building Regulations through energy efficient design measures, a communal CHP (Combined Heat and Power) unit, an air source heat pump for the commercial unit and solar photovoltaic panels (approximately 230m2 of solar photovoltaic array).

6.6.2 Policy 5.2 of the London Plan sets a zero carbon target for new residential development from 2016. Guidance contained within the London Plan: ‘Sustainable Design and Construction’ Supplementary Planning Guidance, states that where it is not possible to achieve a zero carbon development, a financial contribution should be provided in order to secure carbon savings elsewhere. The policy also requires
that at least 35% of the carbon savings are achieved on site and this is achieved by the proposed energy strategy.

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

6.6.4 As highlighted earlier in this report, a viability appraisal has been submitted with the application that demonstrates that the scheme is unable to provide any surplus contributions as this would render the development further unviable. In the circumstances the proposed energy strategy is considered to be acceptable.

7. Conclusion

7.1 The proposed development would result in an attractively design building of appropriate scale and relationship with neighbouring buildings and would make good use of the site.

7.2 The development responds well to the site context and would not cause harm to the amenities of neighbouring occupiers.

7.3 The development would result in 63 good quality residential units which all adhere to the London Plan internal space standards. Given the constraints of the site, each unit would also have access to either a private terrace or balcony area. Occupiers of the development would also have access to a communal roof terrace.

7.4 The development provides sufficient off-street car parking and cycle parking spaces to accommodate this development.

7.5 It is recommended that planning permission be granted subject to the conditions listed above (with any amendments that might be necessary up to the issue of the decision) and a S106 Agreement to secure the matters set out in the recommendation section of this report.

Background Papers

- Planning Application File
- Local Plan Policy

Core Strategy (July 2010)

- Policy CM1 General Principles for Development
- Policy CM2 Managing Housing Growth
- Policy CM4 Transport Links
- Policy CR1 Climate Change and Environmental Management
- Policy CC1 Family Housing
- Policy CP3 High Quality Built Environment

Borough Wide Development Policies Development Plan Document (March 2011)
Policy BR2  Energy and On-Site Renewables
Policy BR3  Greening the Urban Environment
Policy BR4  Water Resource Management
Policy BR5  Contaminated Land
Policy BR9  Parking
Policy BR10 Sustainable Transport
Policy BR11 Walking and Cycling
Policy BR13 Noise Mitigation
Policy BR14 Air Quality
Policy BC7  Crime Prevention
Policy BP3  Archaeology
Policy BP5  External Amenity Space
Policy BP8  Protecting Residential Amenity
Policy BP11 Urban Design

•  London Plan Policy (2016)

Policy 3.3  Increasing Housing Supply
Policy 3.4  Optimising Housing Potential
Policy 3.5  Quality and Design of Housing Developments
Policy 3.8  Housing Choice
Policy 5.2  Minimising Carbon Dioxide Emissions
Policy 5.3  Sustainable Design and Construction
Policy 5.7  Renewable Energy
Policy 5.10 Urban Greening
Policy 5.13 Sustainable Drainage
Policy 5.21 Contaminated Land
Policy 6.9  Cycling
Policy 6.10 Walking
Policy 6.13 Parking

•  National Policy

National Planning Policy Framework
National Planning Practice Guidance
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Reason for Referral to DCB as set out in Section I of the Council Constitution

The application is recommended for approval and involves the conversion of ground floor community rooms and kitchen into a 2 bedroom flat without off-street car parking.

Address:

146-188 Church Elm Lane, Dagenham

Development:

Change of use and conversion of ground floor community rooms and kitchen into 2 bedroom flat and associated alterations to door and window openings.

Applicant:

LBBD – Mr T Taylor

Contact Officer:

Mark Sleigh

Title:

Development Management Officer

Contact Details:

Tel: 020 8227 3822
E-mail: mark.sleigh@befirst.london

Summary:

The application property is a two storey building located to the south of Church Elm Lane with the main access from the north. The application property is a Council building currently incorporating 21 housing units. Part of the ground floor was previously used as two community rooms and a kitchen accessed internally on the ground floor. This related to the former use of the building as elderly persons’ accommodation. The application seeks permission for the conversion of this space into a 2 bedroom flat with associated alterations to the door and window openings.

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 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 flat is indicated as having sole access to an existing courtyard (243m2) which is not currently used but was previously accessible through the community rooms. There are, however, concerns that the use of this space by occupiers of the proposed flat could result in noise and nuisance and privacy issues for occupiers of other flats within the block which have windows directly facing this space. Accordingly, it is proposed to impose a condition which would truncate the space available to occupiers of the proposed flat by the erection of boundary treatment which would restrict access to the areas closest to the neighbouring flats.

No additional off-street parking provision is 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 is considered that any additional parking generated by the flat could be
adequately accommodation on neighbouring streets and within the John Parker Close car park.

**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-501 Rev A1, A-502 Rev A1, B-506 Rev A1, B-505 Rev A1
   
   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.

4. The flat hereby approved shall not be occupied until there has been submitted to and approved in writing by the Local Planning Authority a scheme showing a revised location and design of the proposed external amenity space which should seek to safeguard the amenity of neighbouring residential occupiers.
   
   Reason: To safeguard the amenity of neighbouring properties in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

1. **Introduction and Description of Development**

1.1 The application site is a two storey building located to the south of Church Elm Lane. The building contains 21 housing units and part of the ground floor was previously used as two community rooms and a kitchen relating to the previous use of the building as elderly persons’ accommodation. The application seeks permission for the conversion of this space into a 2 bedroom flat with associated alterations to the door and window openings.

2. **Background**

2.1 92/00335/TP – Erection of extension to provide lift installation - Permitted

3. **Consultations**

3.1 a) Neighbours/Publicity
A site notice was placed outside the entrance of the building. No responses were received.

b) Environmental Health Team

No objections to the proposal.

c) Transport Development Officer

Since there are no restrictions to parking in the John Parker Close car park we believe the demand for an extra parking space could be accommodated. We therefore have no objections.

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 dwelling has 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 community rooms are no longer being used by the current residents of the block as it is no longer providing elderly persons’ accommodation. Therefore, the conversion into a 2 bedroom flat is considered acceptable and would not result in the loss of an active 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 There are minor external alterations proposed as part of this development including changing the signage facing Church Elm Lane to incorporate the additional flat (No. 146) and one window on the front elevation would become obscure glazed as it would serve a bathroom.
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).

6.3.2 The proposed flat is located within existing disused community rooms on the ground floor and there will be no impact upon neighbouring flats in the building with regards to overlooking from within the flat.

6.3.3 There are, however, concerns that the use of the external amenity space could result in noise, nuisance and privacy issues for occupiers of other flats within the block which have windows directly facing this space. Accordingly, it is proposed to impose a condition which would truncate the space available to occupiers of the proposed flat by the erection of boundary treatment which would restrict access to the areas closest to the neighbouring flats.

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, 3 person, 2 bedroom, 1 storey dwellings require a minimum gross internal floor area of 61m², including 2.0m² of built-in storage and at least one double bedroom with a floor area of at least 11.5m² and any additional single bedrooms with a floor area of at least 7.5m².

6.4.2 The gross internal floor area of the flat is 71.5m². Bedroom 1 has a floor area of 14.82m² and Bedroom 2 has a floor area of 8.94 m². In-built storage is supplied in the kitchen and the hall resulting in 1.52m² 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. It states that a 2+ bedroom flat should provide at least 40m² of private, useable, functional and safe external amenity space.

6.5.2 External amenity space is currently provided to the south of the proposed flat with access to a large courtyard (243m²) through the existing community rooms only.

6.5.3 As mentioned above there are concerns regarding the use of the whole of this space as it could impact on the amenity of neighbours and therefore it is proposed that the occupiers of the proposed flat would only have access to part of the courtyard. Although the details of the revised external space would be resolved through details submitted to discharge the proposed condition, officers are confident
that a sufficient area of land could be allocated to the flat to provide a satisfactory sized outdoor area.

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. 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 2 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 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 disused community rooms into a 2 bedroom flat 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 generated by a 3 person, 2 bedroom flat is considered to be minimal and able to be safely accommodated within surrounding streets.

Background Papers

- 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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DEVELOPMENT CONTROL BOARD

6 November 2017

Title: Town Planning Appeals

Report of the Head of Planning

Open Report | For Information
---|---
Wards Affected: Abbey, Becontree, Mayesbrook, River, Whalebone | Key Decision: No

Report Author: Dave Mansfield, Development Management Manager | Tel: 020 8227 3999
E-mail: dave.mansfield@befirst.london

Accountable Director: John East, Growth and Homes

Summary:

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

Recommendation:

The Development Control Board is asked to note this report.

1. **Appeals Lodged**

The following appeals have been lodged:

   a) **Erection of two storey side/rear extension – 80 Gainsborough Road, Dagenham (Ref: 17/00926/FUL)**

   Application refused under delegated powers 1 August 2017 – Becontree Ward

   b) **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 (Ref: 17/00717/PRIOR6)

   Application refused under delegated powers 8 June 2017 – River Ward

   c) **Erection of two storey side extension and single storey front and rear extensions – 105 Arnold Road, Dagenham (Ref: 17/00714/FUL)**

   Application refused under delegated powers 28 June 2017 – River Ward
2. Appeals Determined

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

a) 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 – Abbey Ward)

Application refused under delegated powers 9 May 2017 for the following reason:

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

Planning Inspectorate’s Decision: Appeal dismissed 29 September 2017 (see attached)

b) Subdivision of house into 2 one bedroom flats – 69 Salisbury Avenue, Barking (Ref: 16/01871/FUL – Abbey Ward)

Application refused under delegated powers 25 January 2017 for the following reasons:

1. The development will result in the loss of a family dwelling, further reducing the Borough’s existing stock of family housing contrary to Policy BC4 of the Borough Wide Development Policies Development Plan Document.

2. The development does not provide sufficient gross internal floor space (58m2 required) or any dedicated storage provision (1.5m2 required) in respect of the first floor flat and as such the development will result in a substandard unit of accommodation detrimental to the living standards and amenities enjoyed by occupiers of the development, contrary to policy 3.5 of the London Plan (March 2016).

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

Costs application – allowed 5 October 2017

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

Application refused under delegated powers 28 March 2017 for the following reason:

1. The overall design, height, scale, bulk and massing of the proposed development would be incongruous and out of keeping with the street scene and original design of the host property and terrace in a prominent location disrupting the architectural character and rhythm of neighbouring properties, to the
detriment of the character and appearance of the streetscene and surrounding
area, contrary to policies BP8 and BP11 of the Borough Wide Development
Policies Development Plan Document (March 2011), the Supplementary
Planning Document for Residential Extensions and Alterations (February 2012)
and policies 7.4 and 7.6 of the London Plan 2016.

Planning Inspectorate's Decision: Appeal dismissed 27 September 2017 (see
attached)

d) Erection of two storey 2 bedroom dwelling – 12 Hainault Road, Chadwell
Heath (Ref: Whalebone Ward)

Application refused under delegated powers 30 March 2017 for the following
reasons:

1. The proposed development, by virtue of its rearward depth, would have an
overbearing presence and have an adverse impact on outlook and loss of light
to the neighbouring residents, 12 Hainault Road and would therefore be harmful
to the amenity of neighbouring occupiers contrary to Policies BP8 and BP11 of
the Borough Wide Development Policies Development Plan Document and the
guidance within the Residential Extensions and Alterations Supplementary
Planning Document.

2. The proposed development would fail to provide any off-street parking for the
existing dwelling and the proposed dwelling in an area of low public transport
accessibility, which would result in an increase to the existing parking pressures
harmful to highway safety and contrary to Policies BR9 and BR10 of the
Borough Wide Development Policies Development Plan Document and Table
6.2 of the London Plan (March 2016).

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

e) Demolition of bungalow and erection of 3 two storey two bedroom dwellings –
37 Gordon Road, Chadwell Heath (Ref: 16/01503/FUL – Whalebone Ward)

Application refused at Development Control Board 6 March 2017 for the following
reason:

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

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

f) Retention of 3 canopy roofs and roller shutter to side of industrial unit -
Emperor House, Freshwater Road, Dagenham (Ref: 17/00328/FUL –
Whalebone Ward)
Application refused under delegated powers 15 May 2017 for the following reason:

1. The development, by reason of its siting, design and use would result in poor levels of air quality, loss of light and outlook and general nuisance, harmful to the amenity of adjoining occupiers and contrary to Policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document (March 2011).

Planning Inspectorate's Decision: Appeal dismissed 19 October 2017 (see attached)
The Planning Inspectorate

Appeal Decision

Site visit made on 1 September 2017

by Timothy C King  BA(Hons) MRTP

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

Decision date: 27 September 2017

Appeal Ref: APP/Z5060/D/17/3178272

4 Dronfield Gardens, Dagenham RM8 2YD

- 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 Mrs Adele Edwin-Lamerton against the decision of the Council of the London Borough of Barking & Dagenham.
- The application Ref 17/00122/FUL, dated 23 January 2017, was refused by notice dated 28 March 2017.
- The development proposed is a two storey side extension.

Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal property is an end-of-terrace, two-storey dwelling. Its characteristic hip-ended roof has been recently extended to form a gable-end under permitted development entitlement. The dwelling is set within a triangular-shaped curtilage at the point where the road bends to the left and the neighbouring property, No 5, shows a similar arrangement.

4. The proposal would involve the removal of a detached side garage and the erection of a part two, part single-storey side addition which would extend the dwelling up to the common boundary with No 5 and then follow the angled line back to meet the dwelling’s existing rear wall. Its frontage would increase substantially in width from approximately 4.9m to an expanse exceeding 14m.

5. The extended building would display a variety of roof forms whereby the gable-end would be extended with the ridgeline dropping at roughly mid-point to a short flat section. This would then allow for the inclusion of a part-hip-end which would, in turn, drop to meet the flat-roof of the single-storey section.

6. In the context of the character and appearance of both the host dwelling and its immediate surroundings the proposal would represent an immodest development relative to the existing dwelling which I consider would involve such a degree of alteration as to be disharmonious, distorting the original design significantly. This would be contrary to relevant guidance contained within the Council’s Supplementary Planning Document ‘Residential Extensions.
Appeal Decision APP/Z5060/D/17/3178272

and Alterations’ (SPD) which advises that such development should respect the character of the existing dwelling, having regard also to its proportions so as not create an unbalanced appearance. Reference is also made to the need for appropriate roof treatment, which I find would here lack cohesion, and that side extensions should not involve the loss of prominent and characteristic gaps. In this instance I find that the proposal would fail all such provisos, leading to a marked and detrimental impact on the streetscene.

7. The appellant, in support of her case, cites the existence of certain local extensions. However, whilst certain parallels might be drawn, such as examples involving corner properties, in analysing these developments and the planning permissions granted I have found obvious differences. Although both No 5, and No 35, directly opposite, have been subject to considerable extension, both developments involve the addition of single-storey side extensions. The degree of visual impact is thereby considerably less than that which would result from the proposal.

8. Two other properties, No 105 Markygate Road and No 39 Verney Road, have recently secured planning permissions for two-storey side extensions but both, whilst involving significant width increase, replicate the original design and project the characteristic hip-ends. Having had regard to the above and the photographs provided of other examples, these previous decisions do not outweigh the harm I have identified would result from the current proposal. Besides, each proposal is determined on its own merits and impacts resulting from the individual circumstances involved.

9. Although the appellant refers to the proposal’s positive impact on the property, and I acknowledge the significant floorspace increase, I consider that the extension’s design, when viewed externally, would involve a development that would neither integrate within the streetscene nor complement the host dwelling. In the circumstances, I find that the proposal would be contrary to relevant advice on design matters within paragraphs 58 and 60 of the National Planning Policy Framework. The use of matching materials would not mitigate in this regard.

Other matters

10. The appellant, in paragraph 6.6 of her Statement, makes reference to what appears may have been a former local planning policy (H22 and Appendix 7). However, as no details are provided as to this policy’s document source I have not afforded this point any weight. Similarly, although mention is made as to sustainable development the proposal is an extension to an existing dwelling and there are no details as to its particular relevance in this instance.

11. I conclude that the proposal would be harmful to the character and appearance of the area, and would be in material conflict with the aims and objectives of Policies BP8 and BP11 of the Borough Wide Development Policies DPD, Policies 7.4 and 7.6 of the London Plan and also the Council’s SPD.

12. For the above reasons, and having had regard to all matters raised, the appeal does not succeed.

Timothy C King

INSPECTOR
Appeal Decision

Site visit made on 19 September 2017

by Jonathon Parsons  MSc BSc(Hons) DipTP Cert(Urb)  MRTPi
an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 05 October 2017

Appeal Ref: APP/Z5060/W/17/3176546
12 Hainault Road, Chadwell Heath, RM6 6BJ

- 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 M Ishaq against the decision of the Council of the London Borough of Barking & Dagenham.
- The application Ref 16/01992/FUL, dated 19 December 2016, was refused by notice dated 30 March 2017.
- The development proposed is 1 no. two bedroom dwelling.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effects of the proposal on (a) the living conditions of the occupiers of 12 Hainault Road, having regard to light and outlook, and (b) the safety of highway users and the free flow of traffic.

Reasons

Living conditions

3. The appeal site comprises land between two semi-detached dwellings at 12 and 14 Hainault Road. The dwelling at No 12 has rear ‘outrigger’ addition, part two storey and part single storey, which is stepped back from the side of the dwelling and the common boundary with the appeal site. This stepping back leaves a gap which a ground floor living room window, within the main part of the dwelling, faces onto. Additionally, within the addition part of No 12, there is a kitchen window facing the gap and the common boundary.

4. The dwelling would have a single storey projection of approximately 3m immediately adjacent to the gap to the rear of No 12. The depth of the proposed rear extension at ground floor would accord with the advice of the Council’s Residential Extensions and Alterations Supplementary Planning Document (SPD) 2012. The projection would be located mainly to the north of the dwelling at No12 so the loss of sunlight to the kitchen and living rooms would be limited. By reason of its bay window design and siting along the side of the addition, the loss of ambient light to the kitchen would also be limited.

5. However, the single storey projection of the new dwelling would have a flat roof height of approximately 3m alongside the common boundary and gap with No 12. The projection of the new dwelling would also be part two storey about...
1.5m back from the boundary. Together with the projection’s depth, this would result in a significant loss of ambient light to the living room window because of projecting built development either side of it. Such a situation would result in a gloomy room environment which would be detrimental to the living conditions of the residents.

6. Turning to outlook, the dwelling’s projection would result in a significant sense of enclosure for neighbours when looking out of both the living room and kitchen windows adversely affecting their living conditions. In this respect, the first floor part of the projection would conflict with the advice of the SPD because it would extend beyond a 45 degree angle as measured from the corner of the neighbouring property. Although the SPD relates to extensions to existing dwellings, this amplifies my findings on the unacceptability of the proposal.

7. The neighbouring dwelling did have a conservatory infilling the gap between the kitchen part of the addition and the common boundary with the appeal plot. However, a conservatory would have been likely to permit some ambient light and outlook by reason of its lightweight construction and extent of glazing. In any case, the conservatory has now been removed. Under permitted development rights, a fence or wall could be erected but the permitted height would be significantly less than that of the projection of the new dwelling. As a result, my concerns on the adverse loss of ambient light and outlook remain significant even after taking into account these considerations.

8. In conclusion, the development would harm the living conditions of the occupiers of the neighbouring property, with reference to light and outlook. Accordingly, the proposal would be contrary to policies BP8 and BP11 of the Barking and Dagenham Borough Wide Development Policies Development Plan Document (DPD) 2011, which collectively and amongst other matters, require that the design of buildings and layout of new development, should maintain residential amenity, having regard to layout and function.

Highways

9. There are bus stops nearby with bus routes to shopping centres and transport hubs in the borough with a frequency of around every 6 to 30 minutes during peak periods. However, the site has a low Public Transport Accessibility Level (PTAL) rating of 2 which would be likely to indicate that occupiers of the development would rely upon on-street parking.

10. The Appellant’s Transport Statement (TS) details surveys to determine demand for on-street parking during the day and night. Parking stress has been calculated as the proportion of occupied spaces within an area surrounding the appeal site and individual streets within it. It concludes that the average overall parking stress based on 6 surveys, varied from 74% to 81% for the important overnight period. The parking stress survey included a road where there are parking restrictions from 700 hours to 1900 hours and the Council contends that most residents would not park here overnight. However, the parking stress assessment still shows that there is sufficient availability of street space on Hainault Road to take the extra parking provision from both the existing and proposed dwelling. In this regard, Hainault Road had maximum overnight stress levels of between 74% and 85% which indicates 14-24 spaces being available. The Appellant has also provided census evidence of low car
ownership within the Borough and Chadwell Heath. The TS conclusions are based on extensive and detailed surveys, and the ‘Lambeth’ methodology which I find robust and comprehensive.

11. On this basis, it has been demonstrated that any resultant street car parking demands would not be severe and that there would be no harm to the safety of highway users. In this respect, the proposal would comply with policies BR9 and BR10 of the DPD, and policy 6.13 of the London Plan (LP) (with Alterations) 2016, which collectively and amongst other matters, encourage sustainable transport, maximum parking standards to take account of on-street parking, traffic flows, local environment and accessibility of the site, existing and planned public transport, and the impacts on road safety to be considered.

Other matters

12. This small–sized dwelling would provide a low cost housing opportunity in an urban location which has accessibility to services and public transport. It would meet a need for more housing set out in LP policy 3.3 and the Council’s Core Strategy (CS) 2010 policy CM2. The development would optimise the housing potential of this site by providing an additional dwelling, with associated number of bed spaces and habitable rooms in compliance with LP policy 3.4 and partly with DPD policy BP10. The scheme’s density in terms of habitable rooms and number of units would not be significantly different to the density ranges for this type of area under the LP policy. The proposal would comply with design requirements for external private outdoor space and internal room spaces in accordance with DPD policies BP5 and BP6, and LP policy 3.5.

13. There are no neighbour objections to the proposal but the lack of objection cannot be relied upon to deem a development acceptable. Planning is concerned with the living conditions of both current and future residents, and works of this nature are of a permanent long term nature.

Conclusion

14. However, the proposal’s contribution to housing need and the optimisation of a housing site in accordance with LP policies 3.3 and 3.4, CS policy CM2 and DPD policy BP10 (partly) would be limited by reason of the small scale nature of the development. In the case of DPD policy BP10, the optimisation of housing potential is further subject to the requirements of design which the proposal would fail by reason of its adverse impact on living conditions. The proposal’s compliance with space standards set out in DPD policies BP5 and BP6, and LP policy 3.5 are not overwhelming positive factors to be put in the balance. They reflect a general technical requirement to be incorporated in most residential schemes for them to be acceptable.

15. Moreover, to facilitate the creation of one dwelling, there would be an adverse impact of a significant nature on a neighbour’s living conditions in conflict with policies BP8, BP10 (overall) and BP11 of the DPD. For all these reasons, the adverse impact and policy conflict would result in an overall conflict with the development plan taking into account all the referred to policies. There are no other material considerations to outweigh the development plan conflict identified.
16. For the above reasons and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Jonathon Parsons

INSPECTOR
Appeal Decision

Site visit made on 19 September 2017

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

Decision date: 16 October 2017

Appeal Ref: APP/Z5060/W/17/3175823
37 Gordon Road, Chadwell Heath, RM6 6DD

- 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 VNM Property against the decision of the Council of the London Borough of Barking & Dagenham.
- The application Ref 16/01503/FUL, dated 21 September 2016, was refused by notice dated 6 March 2017.
- The development proposed is demolition of existing dwelling and construction of one replacement and two additional two storey, two bedroom dwellings.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the proposal’s effects on highway safety and also the living conditions of neighbouring occupiers, with particular regard to on-street parking.

Reasons

3. The proposal would involve the loss of the existing bungalow and its replacement with three, two-bed dwellings. No existing on-site parking space exists and none is proposed.

4. The site lies at the corner of Gordon Road and Whalebone Grove where on-street parking is restricted due to the presence of double yellow lines running for a short distance into both streets. At my site visit, carried out on a weekday morning, I noticed that kerbside parking was heavy on both sides of these two streets with little spare capacity, particularly in proximity to the appeal site. The yellow lines clearly impact in this regard, bunching up the cars parked immediately beyond.

5. The London Plan’s maximum parking standards requires less than 1 space for each residential unit of 1-2 bed size. However, the document also mentions that in outer London areas with low PTAL ratings (generally 0-1) boroughs should consider higher levels of provision. I acknowledge that the appeal site has a PTAL rating of 2 but this is still low and the degree of kerbside parking witnessed would tend to suggest an existing significant level of car ownership. Further, this is more than likely exacerbated by the fact that a number of local properties, both in Gordon Road and Whalebone Grove do not have sufficient space within their front curtilages to allow for off-street parking. Despite the
cycle storage indicated for the proposed dwellings I have no reason to believe that the development would not aggravate the current levels of parking stress.

6. The appellant, in support of the appeal, has brought to my attention two particular cases. One involves a successful appeal decision at 16 Gordon Road, down the street, where planning permission was recently granted for the conversion of an existing 6-bed bungalow into two smaller dwellings. The other relates to 68 Whalebone Grove, a nearby site where, nearly three years ago, in early 2015, the Council granted permission for two additional residential units at the site, one a new 3-bed house.

7. In the former case the Inspector comments that parking spaces were available close to the appeal property. From my observations at the site visit I did note that parking stress along the stretch of Gordon Road in immediate proximity to No 16 was slightly lighter, but I am also mindful that two on-site parking spaces already existed and would remain as part of the scheme. In the latter case I can similarly confirm that kerbside parking close to the property, whilst heavy, was not so congested as that of the circumstances affecting the property now at appeal where car parking dominates the street. This, in turn, impacts on the ability of pedestrians to cross the street safely, which Policy BR10 of the Council’s Borough Wide Development Policies Development Plan Document (BWDP) serves to guard against.

8. The Council, whilst raising concerns as to highway safety issues arising from the development also consider that additional on-street parking would have implications for the living conditions of neighbouring occupiers. To this end BWDP Policy BP8 seeks, amongst other things, to ensure that occupiers are not exposed to unacceptable levels of disturbance such as traffic movements arising from a development. I consider that the net increase of two dwellings at the site would impact unduly in this regard.

9. I have taken into account the appellant’s suggestion that up to five cars could potentially park along the kerbsides outside the property and that some additional parking space could be made available by the removal of the dropped kerb at the far end of the property’s return on Gordon Road. Whilst the latter might be the case this would only be minimal and my observations do not support these assertions as a whole.

10. I have had regard to the advice within the National Planning Policy Framework that development should only be refused on traffic grounds where the residual cumulative impacts would be severe. Nonetheless, in this particular instance I consider that the potential adverse effects highlighted would be significant.

11. I conclude that the proposal would be harmful to both highway safety and the living conditions of neighbouring occupiers, contrary to the aims of BWDP Policies BR10 and BP8.

12. For the above reasons, and having had regard to all matters raised, the appeal does not succeed.

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 September 2017

Appeal Ref: APP/Z5060/D/17/3177142
41 Victoria Road, London IG11 8PY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 1, Paragraph A.4 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- The appeal is made by Mr Pavas Garg against the decision of the Council of the London Borough of Barking & Dagenham.
- The application Ref 17/00527/PRIOR6, dated 21 March 2017, was refused by notice dated 9 May 2017.
- The development proposed is rear extension.

Decision

1. The appeal is dismissed.

Procedural Matters

2. The date of the application provided in the Heading above is that given on the application form. Although the appeal form indicates a date of 25 March 2017, the Council has provided evidence to demonstrate that the application was received on 29 March 2017 and I intend to consider the appeal on this basis.

3. The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO) grants planning permission for certain classes of development, described as permitted development. To amount to permitted development, it is necessary for proposals to accord fully with the limitations relevant to the development concerned, as set out in the Order.

4. Having regard to the Council’s reason for refusal, it will first be necessary to consider whether or not the proposal would meet the relevant criteria for permitted development. If so, it will then be necessary to assess the potential impacts of the proposal. In considering an application for prior approval under Schedule 2, Part 1, Paragraph A.4, the GPDO requires 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.

Reasons

5. Schedule 2, Part 1, Class A of the GPDO grants planning permission, subject to various criteria, for the enlargement, improvement or other alteration of a dwellinghouse. Paragraph A.1(j)(iii) states that development is not permitted if ‘the enlarged part of the dwellinghouse would extend beyond a wall forming a

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side elevation of the original dwellinghouse, and would have a width greater than half the width of the original dwellinghouse’. The GPDO defines the term ‘original’ as the building as it existed on 1 July 1948, or if built on or after that date, as so built.

6. The appeal property is a mid-terrace two-storey house and the proposed extension would extend across the full width of the dwelling. The Council’s officer report indicates that the house was originally built with a small single-storey rear projection, measuring 1.5 metres in depth and 1.0 metre in width. It is not disputed that no projection currently exists to the rear of the dwelling, although a wall exists to the side boundary with the adjoining dwelling. No floorplans have been provided of the original dwelling. However, a rear projecting element is shown on the location plan submitted within the application for prior approval, which lends support to the Council’s position.

7. In this regard, my attention has been drawn to an appeal decision. Whilst this appeal did not concern Paragraph A.1(j) of the GPDO, I have had regard to its approach to demolition and the original dwelling. Furthermore, although the appellant has made reference to the form and profile of the dwelling as it exists currently, there is nothing substantive before me to dispute the original existence of a rear projection.

8. In this particular case, the use of ‘forming’ within the GPDO is applied to the original dwellinghouse, which is defined by reference to a point in the past. As such, it appears to me that it is intended to mean the same as ‘which forms or formed’. On the balance of the evidence available to me, I am satisfied that the original dwelling included a rear projection, which has since been demolished. Having regard to this previous projection and the scale and location of the proposal, the development proposed would therefore extend beyond a wall that formed a side elevation of the original dwellinghouse and would have a width greater than half the width of the original dwellinghouse.

9. Accordingly, for these reasons, the development proposed would not meet the limitations of Paragraph A.1(j)(iii) and, as such, I conclude that the proposal is not permitted development. Consequently, the proposal is development for which an application for planning permission is required. Such an application would be a matter for the local planning authority to consider in the first instance and cannot be addressed under the prior approval provisions of the Order. As I have found that the proposal falls outside the limitations of permitted development, it is not necessary to make a determination on the matters for prior approval.

Conclusion

10. For the reasons given above, I conclude that the appeal should be dismissed.

A Napier

INSPECTOR

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1 Ref APP/BP9506/X/15/3022061
Appeal Decision

Site visit made on 29 August 2017

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

Decision date: 05 October 2017

Appeal Ref: APP/Z5060/W/17/3174591
69 Salisbury Avenue, Barking IG11 9XW

- 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 P Hare against the decision of the Council of the London Borough of Barking & Dagenham.
- The application Ref 16/01871/FUL, dated 29 November 2016, was refused by notice dated 25 January 2017.
- The development proposed is conversion of house to two, one bedroom flats.

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr P Hare against the Council of the London Borough of Barking & Dagenham. This application is the subject of a separate decision.

Main Issues

3. The main issues in this appeal are:
   1) The effect on the supply of family housing within the borough; and
   2) Whether the proposal would provide for a satisfactory standard of living conditions for future occupiers, with particular regard to the first floor flat and its gross internal floorspace.

Reasons

Supply of housing

4. On this main issue the main thrust of the appellant’s case is the interpretation of Policy BC4 of the Borough Wide Development Policies Development Plan Document (BWDP) and the findings of the appointed Inspector regarding a previous appeal (Ref APP/Z5060/W/15/3137146) relating to a proposed conversion of a dwelling into two self-contained flats.

5. The BWDP document was adopted in March 2011 and its Policy BC4, in essence, serves to help address the loss of family homes and aims to ensure that what is described in the policy’s reasoned justification as a current deficit of such is not worsened by further flat conversions. Although the explanatory text acknowledges that conversions to flats can provide a valuable source of

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housing, and meet a related need for smaller households, this is weighed against the need to protect and increase the supply of family housing. In this regard there is a particular reference to preserving four-bed dwellings, of which the appeal property is one.

6. The current proposal would involve the property’s conversion into two, one-bed flats as was the case with the previous appeal, although that related to a three-bed dwelling. In his decision letter of 30 March 2016 the Inspector commented as to evidence before him of a surplus of three-bed dwellings in the owner-occupied and private rented sectors and a shortfall in the supply of one-bed units within the owner-occupied sector. He also mentions that the evidence produced indicated that the greatest housing need within the Borough is for three-bed (family) affordable housing.

7. The proposal involved the conversion of a three-bed market dwelling, yet the Inspector remarks that no evidence had been produced by the Council at that time to suggest that the loss of such would be harmful to the supply across the borough or that it would impede the ability of the Council to meet its housing targets and aspirations. Given this, and the resultant creation of two, one-bed units towards meeting the apparent shortage, the appeal was allowed. However, in his decision letter the Inspector comments that the Council had made reference to what was, at that time, emerging evidence in the form of a Strategic Housing Market Assessment, and he mentions that he had not had site of the document. As such, he was unable to afford it any significant weight in reaching his decision.

8. The said document has since been finalised and the Outer North East London Strategic Housing Market Assessment, Report of Findings (SHMA) was published in September 2016.

9. The SHMA, which covers the period 2011-2033 was commissioned to give the relevant authorities (Barking & Dagenham, Havering and Redbridge) an objectively assessed and evidence based assessment of developed needs for both market and affordable housing.

10. The document comments that given the overlapping nature of housing market areas it does not preclude the three authorities and also Newham from also considering their needs as part of the wider Outer London North East London Area. It also mentions that the findings should not be considered in isolation, but form part of a wider evidence base to inform the development of housing and planning policies.

11. The document’s Figure 78 shows the ‘Full Objective need for Housing; Size and tenure mix across Outer North East London for Long Term Migration’ for the said period. Taking family-sized housing as being 3-bedroom and over for the purposes of these calculations, rather than confining it only to 4-bed properties, the findings show that this comprises approximately 63% of the total figure for market housing as against some 11% for 1-bed units in Barking & Dagenham. When widening this total to take in both market and affordable housing the need for family-sized housing reduces slightly to some 59%.

12. Although I acknowledge the apparent need for 1-bed units the substantial need for family housing clearly outweighs this. Further, if taking the three authorities together, the need for family-sized market housing reaches 78% with a slight reduction to 71% for the need for both tenures. In this particular
instance the proposal would involve the loss of a four–bed house, a family-sized dwelling which BWDP Policy BC4 seeks to preserve and, as such, the policy serves a clear purpose, consistent with addressing the SHMA’s findings, highlighted above.

13. The appellant, on the back of the previous appeal, now refers to the said policy as being ‘fundamentally flawed’ and, in paragraph 2.7 of his written statement, implies that the Inspector allowed the appeal on this basis. However, the Inspector used no such wording in his decision letter and it is clear from the letter’s reasoning that the appeal turned on the evidence laid before him at the time and the apparent absence of any evidence by the Council to counter the then appellant’s argument. In particular, as mentioned, the Inspector had not had sight of the SHMA document which was published some six months after the decision to allow the appeal, and now represents a strong material consideration.

14. In the circumstances I find that BWDP Policy BC4 and its justification hold good and, as part of the Council’s development plan, is most relevant to the current appeal. Indeed, the respective Inspectors in dismissing the subsequent appeals for conversions cited by the appellant have all concluded likewise, although I accept the appellant’s point that there is no suggestion that the policy at issue was subject to the level of scrutiny which the Inspector applied when allowing the earlier appeal.

15. I have had regard to the Greater London Authority data which has forecast that average household sizes throughout the greater London area are likely to significantly reduce in the future and I have also examined the findings of the other documents advanced by the appellant, including the Council’s Housing Needs Survey (2005), its Housing Strategy (2007-2010) and an extract from an Issues and Options document. However, none of these, even when taken together, outweigh the contemporary evidence in the form of the SHMA, now before me. Given its findings the proposal would have adverse implications for the type of housing which the Council seeks to retain.

16. I therefore conclude that the proposal would be harmful to the supply of family housing within the borough, and this would materially conflict with BWDP Policy BC4.

Living conditions

17. Notwithstanding the ‘in principle’ policy objection to the proposal the Council also saw fit to refuse planning permission on the understanding that the upper floor flat would be undersized in relation to the minimum standards set out in Policy 3.5 and its associated table 3.3 in the London Plan (LP).

18. The table advises that a 1-bed, 2-person flat should be to a minimum gross internal area (GIA) of 58 sqm. However, at the application stage the appellant had indicated that the flat would measure 52 sqm. Subsequent to the Council’s decision the appellant revised his measurement to also include hallways, staircases and storage areas which it is claimed would increase the GIA to 63 sqm. A revised layout plan has been produced for this purpose.

19. The floor area size given, as re-calculated, would satisfy the London Plan’s requirements and would also provide requisite internal storage space. Accordingly, I am satisfied that the proposal would provide for a satisfactory
standard of living conditions for future occupiers and there would be no conflict with LP Policy 3.5.

**Conclusion**

20. Whilst I have found that the proposed upper floor flat would be adequately sized this is significantly outweighed by what is, in context, a relevant and compelling policy objection.

21. For the above reasons, and having had regard to all matters raised, the appeal does not succeed.

*Timothy C King*

INSPECTOR
**Appeal Decision**

Site visit made on 19 September 2017

by Jonathon Parsons  MSc BSc(Hons) DipTP Cert(Urb)  MRTP

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

**Decision date:** 19 October 2017

**Appeal Ref:** APP/Z5060/W/17/3177539

**Emperor House, Freshwater Road, Dagenham, Essex RM8 1RW**

- 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 T S Bains against the decision of the Council of the London Borough of Barking & Dagenham.
- The application Ref 17/00328/FUL, dated 22 February 2017, was refused by notice dated 15 May 2017.
- The development proposed is “3 no canopy roof to side of unit and roller shutter”.

**Decision**

1. The appeal is dismissed.

**Procedural Matter**

2. At the time of my site visit the canopy roof and shutter has been erected. Therefore, the appeal has been considered on this basis.

**Main Issue**

3. The main issue is the effect of the development on the living conditions of the occupiers of neighbouring units, having regard to light and outlook.

**Reasons**

4. The appeal site comprises a 2 storey unit currently used as a shop fitters with a frontage used mostly for the parking and turning of vehicles. There is a gap down the side of the building where are several openings leading into the unit. At the time of my site visit, shop frames were being made inside the unit. The canopy roof has been erected within the gap down the side of the building and upon a metalled upright structure. The roof consists of three canopies interspersed with open areas. Alongside the canopy roof structure, there are two storey buildings within a site known as Dominion Works.

5. Within Dominion works, unit 4 has three first floor offices whose windows are just below the height of one of the canopies. Although there is a gap between the canopy and the affected offices, it is narrow and the material of the canopy, flat polycarbonate, does not allow any significant light through it. Light, mainly ambient, can come through underneath the canopy but this is limited given the extent and position of the canopy just above the windows serving these offices. This neighbouring unit is not residential but the offices would have received natural light which is of significance given that office

[Link: https://www.gov.uk/planning-inspectorate]
workers could spend a significant period of time at the unit during the day. Consequently, the development does not result in a good quality environment which would contribute positively to making a place better for people.

6. Turning to outlook, the loss is not significant within the context of an office environment where the primary function for people is to work as opposed to residential environments, where people expect to appreciate their wider surroundings through normal everyday domestic activities, such as relaxation, resting or play. The Appellant has indicated that the canopies are required to provide protection for staff handling large sections of glazing but it has not been demonstrated that the canopies, as designed, are the only solution to dealing with this issue. In the absence of such evidence, the adverse impact arising from the harm to the offices due to the loss of light remains.

7. The Council’s Environmental Health Officer (EHO) and neighbouring business use occupier have indicated that the burning of materials, with flammable/toxic paint in skips takes place underneath the canopies, which in turn funnel smoke and fumes upwards to windows of the unit 4 offices and around the Dominion works. Nevertheless, the EHO has indicated that this activity is illegal which strongly suggests that there are powers to deal with this. Furthermore, the impact of smoke and fumes is not a direct impact of the development. Such activities could occur in the absence of the appeal development. Concerns have also been expressed over noise disturbance but this relates to the existing use on the site which is a separate matter for the Council to consider under Environmental Health legislation.

8. In summary, there would harm to the living conditions of the occupiers of an office within Unit 4, Dominion Works. The National Planning Policy Framework requires planning decisions to aim to ensure that developments function well and add to the overall quality of the area and create comfortable places to live, work and visit. By reason of the adverse loss of light, the development fails to comply with this national policy.

9. There is no clear reference to living condition considerations within policy BP11 of the Council’s Borough Wide Development Policies Development Plan Document (DPD) 2011 which relates to Urban Design. With respect to DPD policy BP8, living condition considerations are referred to but only within the context of protecting residential amenity, as confirmed by the heading of the policy. Given the clear heading of the policy, the policy could not be reasonably broadened to relate to non-residential developments. Notwithstanding this, there is a substantive reason to turn down the development by reason of conflict with national policy for the reasons indicated.

10. For the above reasons and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Jonathon Parsons
INSPECTOR
Costs Decision

Site visit made on 29 August 2017

by Timothy C King  BA(Hons) MRTP

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

Decision date: 05 October 2017

Costs application in relation to Appeal Ref: APP/Z5060/W/17/3174591
69 Salisbury Avenue, Barking, IG11 9XW

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
- The application is made by Mr P Hare for a full award of costs against the Council of the London Borough of Barking & Dagenham.
- The appeal was against the refusal of a planning permission for conversion of a house to two, one bedroom flats.

Decision

1. The application for an award of costs is allowed in the terms set out below.

Reasons

2. Paragraph 030 of the Planning Practice Guidance (PPG) advises that costs may be awarded where a party has behaved unreasonably and the unreasonable behaviour has directly caused another party to incur unnecessary or wasted expense in the appeal process. The guidance makes it clear that a local planning authority is at risk of an award of costs if it fails to produce evidence to substantiate each reason for refusal on appeal.

3. PPG Paragraph 049 states that examples of unreasonable behaviour by local planning authorities include failure to produce evidence to substantiate each reason for refusal on appeal, and also vague, generalised or inaccurate assertions about a proposal's impact which are unsupported by any objective analysis. Unreasonable behaviour can also involve an authority failing to provide reasonably requested information, when a more helpful approach would probably have resulted in either the appeal being avoided altogether, or the issues to be considered being narrowed, thus reducing the expense associated with the appeal.

4. The appeal was based largely on the applicant taking issue with a policy (BC4) in the Council's adopted development plan which serves to resist the loss of family-sized dwellings for conversion into self-contained flats. This followed on from an appeal decision in March 2016 when the then Inspector, on the basis of the evidence before him at that time, interpreted BC4 in the appellant’s favour and allowed the appeal granting planning permission for a conversion of a three-bed house into two, one-bed flats.

5. In the current Costs claim, however, I find that the applicant misinterpreted the previous Inspector's reasoning with the assertion in the fourth paragraph of Section 2 of his letter that 'the loss of a market family dwelling would not be
contrary to Policy BC4’. In fact, the Inspector comments in paragraph 11 of his decision letter that the proposal would be contrary to BC4 but the proposal would not be in serious conflict with its overarching aims. In this regard the Council, in its efforts to defend its earlier decision to refuse planning permission, had apparently failed to counter the appellant’s argument and evidence, referring only to the findings of an emerging Strategic Housing Market Assessment document (SHMA), but not providing the Inspector with a copy.

6. The SHMA has since been finalised and was published in September 2016. It represents contemporary evidence as to housing need with its findings being a strong material consideration in the appeal. However, I also note that the planning application submitted to the Council was accompanied with certain documents which included a copy of the previous appeal decision letter yet, from the Council’s case report, it would appear from the rather limited case report produced that the content of this very comprehensive submission was largely ignored. The case report makes no mention of the documents submitted in support of the planning application.

7. Further, I have had regard to the e-mail exchanges between the main parties prior to the application being determined whereby the appellant makes attempts to enter into dialogue with the Council regarding the proposal yet the responses are somewhat evasive and guarded. In particular, the appellant highlights the previous appeal decision and the issue surrounding BC4 yet the Council’s representative did not wish to discuss the case to any significant degree.

8. I also note the content of the Council’s e-mail of 25th January 2017 whereby, immediately following planning permission being refused due to the conflict with BC4, the applicant was informed that a second reason for refusal had been added relating to the upper floor flat being under-sized. I accept that an assessment as to the actual gross internal area resulting was initially the responsibility of the applicant but, it appears that the figure put forward was a genuine error and yet the Council did not see fit to raise this with the applicant until after the application had been determined. This reinforces my view that the Council was less than cooperative in its approach.

9. I dismissed the appeal as I had the benefit of the SHMA document and found that the proposal was in material conflict with BC4, which I found compelling, and there is no indication that had the Council behaved otherwise it would have reached a different decision. Nonetheless, the applicant should have been afforded a better service in this instance. The appeal would doubtless still have ensued but the applicant could have reasonably expected a more fuller analysis of its supporting material with due mention of such in the case report. This would have narrowed the evidence and the time spent on the appeal.

10. In the circumstances I conclude that the Council’s approach in its handling of the application constitutes unreasonable behaviour contrary to the advice within the PPG, and the applicant was faced with the expense of instructing a professional agent to undertake a significant amount of work, some of which would have been unnecessary had the Council properly engaged with the applicant and his requests for such.
11. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has been demonstrated and that an award of costs is justified.

**Costs Order**

12. In exercise of the powers under section 250(5) of the Local Government Act 1972 and Schedule 6 of the Town and Country Planning Act 1990 as amended, and all other enabling powers in that behalf, IT IS HEREBY ORDERED that the Council of the London Borough of Barking & Dagenham shall pay to Mr P Hare, the costs of the appeal proceedings described in the heading of this decision.

13. The applicant is now invited to submit to the Council of the London Borough of Barking & Dagenham, to whom a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount.

*Timothy C King*

INSPECTOR
## LONDON BOROUGH OF BARKING AND DAGENHAM
### REGENERATION AND ECONOMIC DEVELOPMENT
#### DEVELOPMENT CONTROL BOARD

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<td>PRIOR6</td>
<td>Mrs P Salam</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). 38 Shirley Gardens Barking Essex IG11 9UZ</td>
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<tr>
<td>PRIOR6</td>
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<td>17/00866/</td>
<td>PRIOR6</td>
<td>Mr S Hanna</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: 3.545 metres). 237 Woodward Road Dagenham Essex RM9 4TB</td>
<td>Eastbury</td>
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<td>PRIOR6</td>
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<td><strong>4 July 2017</strong></td>
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<tr>
<td>17/00523/</td>
<td>FUL</td>
<td>Mr J Kilbey</td>
<td>Erection of two storey one bedroom detached house. 141 Woodward Road Dagenham Essex RM9 4ST</td>
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<td>FUL</td>
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<td>17/00539/</td>
<td>FUL</td>
<td>Mr B Bal</td>
<td>Installation of windows, blocking up of windows and erection of external staircase in connection with conversion of house into one 2 bedroom and one 4 bedroom flats. 4 Fuller Road Dagenham Essex RM8 2TT</td>
<td>Becontree</td>
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<tr>
<td>17/00748/ FUL</td>
<td>Application Refused on 4 July 2017</td>
<td>Mr S Pedro</td>
<td>Erection of two storey side extension. 30 Sovereign Road Barking Essex IG11 0XQ</td>
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<td>17/00750/ CLU_P</td>
<td>Certificate issued on 4 July 2017</td>
<td>Mr M Rahman</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. 286 Goresbrook Road Dagenham Essex RM9 6XU</td>
<td>Goresbrook</td>
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<td>17/00853/ PRIOR6</td>
<td>Prior approval not required 4 July 2017</td>
<td>Mr A Volskis</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 4.5 metres; height to eaves: 2.85 metres and maximum height: 3.0 metres). 31 Cannington Road Dagenham Essex RM9 4BE</td>
<td>Mayesbrook</td>
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<tr>
<td>17/00865/ PRIOR6</td>
<td>Prior approval required and permission refused on 4 July 2017</td>
<td>Mrs S Kaur</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). 39 Lyndhurst Gardens Barking Essex IG11 9YB</td>
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<td>17/00694/ FUL</td>
<td>Application Permitted on 5 July 2017</td>
<td>Mr B Tasci</td>
<td>Erection of single storey side extension. 110 - 114 Becontree Avenue Dagenham Essex</td>
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<td>17/00723/ FUL</td>
<td>Application Refused 5 July 2017</td>
<td>Mr V Fitt</td>
<td>Loft conversion involving construction of hip to gable end roof, rear dormer window and front rooflights. 10 Brockdish Avenue Barking Essex IG11 9DS</td>
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<tr>
<td>17/00741/ CLU_P</td>
<td>Certificate issued on 5 July 2017</td>
<td>Mr S Shaukat</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 Gerald Road Dagenham Essex RM8 1PT</td>
<td>Whalebone</td>
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<tr>
<td>17/00559/ CLU_P</td>
<td>Certificate Refused on 6 July 2017</td>
<td>Mr Y Odesanya</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. 67 Manor Road Dagenham Essex RM10 8BB</td>
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<tr>
<td>17/00640/ CLU_P</td>
<td>Certificate Refused on 6 July 2017</td>
<td>Mr N Patrichi</td>
<td>Application for a certificate of lawfulness for proposed development: Erection of single storey rear extension. 12 Ellerton Gardens Dagenham Essex RM9 4HT</td>
<td>Eastbury</td>
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<tr>
<td>17/00649/ FUL</td>
<td>Application Refused on 6 July 2017</td>
<td>Mrs Y Hanife</td>
<td>Erection of two storey one bedroom house. 33 Braintree Road Dagenham Essex RM10 7NA</td>
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<tr>
<td>17/00767/ TPO</td>
<td>Application Permitted on 6 July 2017</td>
<td>Tesco Stores</td>
<td>Application for tree works subject to a tree preservation order: G1 (2 ash) - remove broken branches and G2 (8 ash) - cut back branches overhanging the store. Tesco Stores Highbridge Road Barking Essex IG11 7BS</td>
<td>Gascoigne</td>
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<tr>
<td>17/00770/ CLU_P</td>
<td>Certificate issued on 6 July 2017</td>
<td>Mr R Islam</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. 33 Coombewood Drive Chadwell Heath Romford Essex RM6 6AB</td>
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<tr>
<td>17/00870/ PRIOR6</td>
<td>Prior approval required and permission refused on 6 July 2017</td>
<td>Mrs S R Begum</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). 58 Salisbury Avenue Barking Essex IG11 9XR</td>
<td>Abbey</td>
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<tr>
<td>17/00871/ PRIOR6</td>
<td>Prior approval not required on 6 July 2917</td>
<td>Mr M Qureshi</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). 9 Woodlands Avenue Chadwell Heath Romford Essex RM6 6EA</td>
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<tr>
<td>17/00884/ FUL</td>
<td>Application Permitted on 6 July 2017</td>
<td>Miss S Edwards</td>
<td>Erection of two storey side and part single/part two storey rear extension. 22 Lamberhurst Road Dagenham Essex RM8 1PS</td>
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<td>17/00696/CLU_P</td>
<td>Certificate issued on 7 July 2017</td>
<td>Mr D Gray</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving the construction of rear dormer window and installation of front rooflights. 36 Oakley Avenue Barking Essex IG11 9JD</td>
<td>Longbridge</td>
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<tr>
<td>17/00755/FUL</td>
<td>Application Permitted on 7 July 2017</td>
<td>Mr G Vintu</td>
<td>Erection of 2 storey, 2 bedroom end of terrace house, including part single/part two storey rear extension to existing house. 156 School Road Dagenham Essex RM10 9QL</td>
<td>River</td>
</tr>
<tr>
<td>17/00774/FUL</td>
<td>Application Permitted on 7 July 2017</td>
<td>Mr C Gotobed</td>
<td>Demolition of existing outbuilding and erection of a new outbuilding in the rear garden. 37 Rose Glen Rush Green Romford Essex RM7 0SL</td>
<td>Eastbrook</td>
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<tr>
<td>17/00777/FUL</td>
<td>Application Permitted on 7 July 2017</td>
<td>Mr S Onut</td>
<td>Erection of single storey side extension. 61 Rugby Road Dagenham Essex RM9 4AJ</td>
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<tr>
<td>17/00778/FUL</td>
<td>Application Permitted on 7 July 2017</td>
<td>Mr A M Choudhury</td>
<td>Erection of single storey rear extension. 8 Dunbar Avenue Dagenham Essex RM10 7JT</td>
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<tr>
<td>17/00783/CLU_P</td>
<td>Certificate issued on 7 July 2017</td>
<td>Mrs N Kanwal</td>
<td>Application for a certificate of lawfulness for a proposed development: Erection of outbuilding in rear garden. 115 Connor Road Dagenham Essex RM9 5UT</td>
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<tr>
<td>17/00788/CLU_P</td>
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<td>Mr M A Ahmed</td>
<td>Application for a certificate of lawfulness for a proposed development: Erection of outbuilding in rear garden. 69 Upney Lane Barking Essex IG11 9LD</td>
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<tr>
<td>17/00790/ FUL</td>
<td>Application Permitted on 10 July 2017</td>
<td>Mr S S Sukhi</td>
<td>Erection of first floor rear extension. 31 Bennett Road Chadwell Heath Romford Essex RM6 6ER</td>
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<tr>
<td>17/00894/PRIOR6</td>
<td>Prior approval not required on 10 July 2017</td>
<td>Mr A Malick</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). 24 Westrow Drive Barking Essex IG11 9BJ</td>
<td>Longbridge</td>
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<tr>
<td>17/00901/PRIOR6</td>
<td>Prior approval not required and permission refused on 10 July 2017</td>
<td>Mr V Thekkeparumbil Koshy</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 5.5 metres; height to eaves: 2.7 metres and maximum height: 2.7 metres). 518 Goresbrook Road Dagenham Essex RM9 4XA</td>
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<td>16/02005/CDN</td>
<td>Application Permitted on 11 July 2017</td>
<td>Weston Homes Plc</td>
<td>Application for approval of details reserved by condition 18 (crime prevention measures) in respect of planning permission 15/01526/FUL Abbey Park Industrial Estate 52 Abbey Road Barking Essex</td>
<td>Gascoigne</td>
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<td>17/00533/ FUL</td>
<td>Application permitted on 11 July 2017</td>
<td>Mr K Zaman</td>
<td>Erection of single storey side extension. 33 Melford Avenue Barking Essex IG11 9HS</td>
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<tr>
<td>17/00558/ PRIOR6</td>
<td>Prior approval required and permission refused on 11 July 2017</td>
<td>Mr A Rahman</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: 3.25 metres). 40 Ventnor Gardens Barking Essex IG11 9JY</td>
<td>Longbridge</td>
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<tr>
<td>17/00664/ CDN</td>
<td>Application permitted on 11 July 2017</td>
<td>Devonshires Solicitors</td>
<td>Application requesting confirmation that all conditions in respect of planning permission 03/00084/FUL have been complied with. 9 Cadiz Road Dagenham Essex RM10 8XL</td>
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<tr>
<td>17/00754/ CLU_P</td>
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<td>Mr I Iqbal</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of two rear dormer windows. 34 Sunningdale Avenue Barking Essex IG11 7QF</td>
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<tr>
<td>17/00759/ CDN</td>
<td>Application permitted on 11 July 2017</td>
<td>Swan New Homes Ltd</td>
<td>Application for approval of details reserved by condition 12 (district heating network) in respect of planning permission 16/01183/FUL, 16 - 48 Cambridge Road Barking Essex</td>
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<td>17/00761/CDN</td>
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<td>Swan New Homes Ltd</td>
<td>Application for approval of details reserved by conditions 35C) (HS1 - demolition methodology), 35D) (HS1 - details) and 43 (dynamic overheating modelling) in respect of planning permission 16/01183/FUL. 16 - 48 Cambridge Road Barking Essex</td>
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<tr>
<td>17/00904/PRIOR6</td>
<td>Prior approval not required on 11 July 2017</td>
<td>Mr R Shams</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). 38 Haydon Road Dagenham Essex RM8 2PB</td>
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<td>17/00670/FUL</td>
<td>Application Permitted on 12 July 2017</td>
<td>Mr J Badshah</td>
<td>Erection of first floor side extension. 32 Rose Glen Rush Green Romford Essex RM7 0SP</td>
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<tr>
<td>17/00678/CLU_P</td>
<td>Certificate issued on 12 July 2017</td>
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<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving construction of rear dormer window and installation of front rooflights 58 Salisbury Avenue Barking Essex IG11 9XR</td>
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<tr>
<td>17/00794/FUL</td>
<td>Application Refused on 12 July 2017</td>
<td>Mrs S Begum</td>
<td>Installation of railings and a door at first floor level in association with use of the roof of the ground floor rear extension as a terrace. 39 Langley Crescent Dagenham Essex RM9 6TB</td>
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<td>Mr M Masood</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 outbuilding. 28 Bushgrove Road Dagenham Essex RM8 3SJ</td>
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<td>17/00908/PRIOR6</td>
<td>Prior approval not required on 12 July 2017</td>
<td>Ms M Begum</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). 27 Herbert Gardens Chadwell Heath Romford Essex RM6 4BS</td>
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<td>17/00919/PRIOR6</td>
<td>Prior approval not required on 12 July 2017</td>
<td>Mr F Haque</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 5.5 metres; height to eaves 3.0 metres and maximum height: 4.0 metres). 27 Roles Grove Romford Essex RM6 5LT</td>
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<td>Application for approval of details reserved by condition 4 (arboricultural method statement) in respect of planning permission 17/00055/FUL. James Cambell Primary School Langley Crescent Dagenham Essex RM9 6TD</td>
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<td>Mr D Shakeel</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 and erection of an outbuilding. 55 Bushgrove Road Dagenham Essex RM8 3SL</td>
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<tr>
<td>17/00720/FUL</td>
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<td>Mr D Shakeel</td>
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<tr>
<td>17/00789/FUL</td>
<td>Application Refused on 14 July 2017</td>
<td>Mr J Varnele</td>
<td>Erection of two storey side and single storey rear extension. 129 Hardie Road Dagenham Essex RM10 7BT</td>
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<td>17/00804/FUL</td>
<td>Application Permitted on 14 July 2017</td>
<td>Mr D Oladele</td>
<td>Erection of single storey rear extension. 8 Heathway Dagenham Essex RM10 9PP</td>
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<tr>
<td>17/00821/FUL</td>
<td>Application Permitted on 14 July 2017</td>
<td>Mr S Ahmed</td>
<td>Erection of part single, part two storey rear extension. 32 Clare Gardens Barking Essex IG11 9JH</td>
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<td>17/00928/PRIOR6</td>
<td>Prior approval not required on 14 July 2017</td>
<td>Mr Roypascua &amp; Mrs Merlyn</td>
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<td>Mr Dalpunia</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). 20 Kings Avenue Chadwell Heath Romford Essex RM6 6BB</td>
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<td>17/00933/ PRIOR6</td>
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<td>Application for prior approval of proposed single storey rear extension (depth: 6.0 metres comprising 3.8 metres proposed and 2.2 metres existing; height to eaves: 2.85 metres and maximum height: 3.0 metres). 12 Mayswood Gardens Dagenham Essex RM10 8UU</td>
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<tr>
<td>16/01876/ FUL</td>
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<td>Mrs K Sibatovska</td>
<td>Erection of front porch and canopy, timber decking to rear of house and outbuilding with associated covered timber decking (retrospective). 228 Sterry Road Dagenham Essex RM10 8PT</td>
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<tr>
<td>17/00652/ FUL</td>
<td>Application Permitted on 17 July 2017</td>
<td>Miss L Dilevsica</td>
<td>Erection of outbuilding. 18 Waterbeach Road Dagenham Essex RM9 4AD</td>
<td>Mayesbrook</td>
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<tr>
<td>17/00829/ CLU_P</td>
<td>Certificate issued on 17 July 2017</td>
<td>Mr P Akerman</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. 62 Dunkeld Road Dagenham Essex RM8 2PT</td>
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<td>Application for approval of details reserved by condition 19 (crime prevention) in respect of Phase 2 of planning permission 13/00229/FUL. Leys Redevelopment Site Wellington Drive Dagenham Essex</td>
<td>Village</td>
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<tr>
<td>17/00939/PRIOR6</td>
<td>Prior approval required and permission refused on 17 July 2017</td>
<td>Mr A Bari</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 4.25 metres comprising 2.45 metres existing and 1.8 metre proposed; height to eaves: 3.03 metres and maximum height: 3.08 metres). 84 Reede Road Dagenham Essex RM10 8DT</td>
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<td>17/00942/PRIOR6</td>
<td>Prior approval required and permission refused on 17 July 2017</td>
<td>Mr P Kelly</td>
<td>Application for prior approval of proposed single storey rear extension (depth: part 5.1/part 6.0 metres; height to eaves: 2.85 metres and maximum height: 3.0 metres). 26 East Road Chadwell Heath Romford Essex RM6 6XP</td>
<td>Chadwell Heath</td>
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<tr>
<td>17/00952/PRIOR6</td>
<td>Prior approval required and permission refused on 17 July 2017</td>
<td>Mr D Clarke</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: 3.3 metres). 158 Baron Road Dagenham Essex</td>
<td>Valence</td>
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<tr>
<td>17/00955/PRIOR6</td>
<td>Prior approval required and permission refused on 17 July 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>
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<tr>
<td>17/01081/CDN</td>
<td>Application Permitted on 17 July 2017</td>
<td>Estates &amp; Agency Properties Limited</td>
<td>Application for approval of details reserved by condition 25 (Foundation Design) in respect of planning permission 13/00852/FUL. Abbey Retail Park Abbey Road Barking Essex</td>
<td>Gascoigne</td>
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<tr>
<td>17/00740/FUL</td>
<td>Application Permitted on 18 July 2017</td>
<td>Mr B Bushi</td>
<td>Erection of outbuilding in rear garden to be used as 'granny annexe'. 39 Cranborne Road Barking Essex IG11 7XD</td>
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<tr>
<td>17/00838/FUL</td>
<td>Application Permitted on 18 July 2017</td>
<td>Barry Stewart &amp; Son Ltd</td>
<td>Change of use of first floor from Class D1 (non-residential institutions) to Class B1(a) (offices). First Floor Roding House 2 Cambridge Road Barking Essex</td>
<td>Abbey</td>
</tr>
<tr>
<td>17/00839/FUL</td>
<td>Application Refused on 18 July 2017</td>
<td>Oakam Ltd</td>
<td>Change of use of Unit K from Class A1 (shops) use to sui generis use (pay day loan shop). Unit K Vicarage Field Shopping Centre Ripple Road Barking Essex</td>
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</tr>
<tr>
<td>17/00930/NMA</td>
<td>Application Permitted on 18 July 2017</td>
<td>Glyntex</td>
<td>Application for non-material amendment following grant of planning permission 14/01009/FUL. Relocation of first and second floor windows, change in window design, installation of ground floor window on the eastern elevation and removal of Juliet balconies. 588 Rainham Road South Dagenham Essex RM10 7XD</td>
<td>Eastbrook</td>
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<tr>
<td>17/00956/ PRIOR6</td>
<td>Prior approval not required on 18 July 2017</td>
<td>Simona Visniauskiene</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 5.63 metres; height to eaves: 2.7 metres and maximum height: 3.4 metres). 19 Pasture Road Dagenham Essex RM9 5BJ</td>
<td>Parsloes</td>
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<tr>
<td>17/00965/ PRIOR6</td>
<td>Prior approval required and permission refused on 18 July 2017</td>
<td>Mr A Malsori</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 4.5 metres; height to eaves: 2.87 metres and maximum height: 2.95 metres). 6 Jackson Road Barking Essex IG11 7UE</td>
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<tr>
<td>16/01127/ FUL</td>
<td>Application Permitted on 19 July 2017</td>
<td>Mrs C Patel</td>
<td>Erection of two storey side extension and part single/part two storey rear extension. 7 Edward Road Chadwell Heath Romford Essex RM6 6UH</td>
<td>Chadwell Heath</td>
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<tr>
<td>17/00086/ CLU_P</td>
<td>Certificate issued on 19 July 2017</td>
<td>Mr W Unk</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. 310 Hedgemans Road Dagenham Essex RM9 6BX</td>
<td>Goresbrook</td>
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<tr>
<td>17/00429/ FUL</td>
<td>Application Permitted on 19 July 2017</td>
<td>Barney Bears Nursery’s Ltd</td>
<td>Loft conversion involving construction of rear dormer window and front rooflights in connection with increasing the number of children attending the nursery from 32 to 36. 60 Upney Lane Barking Essex IG11 9LR</td>
<td>Longbridge</td>
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<tr>
<td>17/00634/ FUL</td>
<td>Application Refused on 19 July 2017</td>
<td>Mr A Mazeika</td>
<td>Erection of single storey front/side garage extension. 108 Parsloes Avenue Dagenham Essex RM9 5NT</td>
<td>Parsloes</td>
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<tr>
<td>17/00645/ PRIOR6</td>
<td>Prior approval required and permission refused on 19 July 2017</td>
<td>Mr S Haroon</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 6.0 metres; height to eaves: 4.0 metres and maximum height: 3.0 metres). 87 Hurstbourne Gardens Barking Essex IG11 9UU</td>
<td>Longbridge</td>
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<tr>
<td>17/00736/ ADV</td>
<td>Application Permitted on 19 July 2017</td>
<td>BiG Lpg</td>
<td>Retention of internally illuminated fascia sign. Unit F 13 River Road Barking Essex IG11 0HE</td>
<td>Thames</td>
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<tr>
<td>17/00762/ CLU_P</td>
<td>Certificate issued on 19 July 2017</td>
<td>Mr T Noor</td>
<td>Application for a certificate of lawfulness for a proposed development: Erection of single storey rear extension and outbuilding. 33 Champness Road Barking Essex IG11 9PD</td>
<td>Longbridge</td>
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<tr>
<td>17/00763/ FUL</td>
<td>Application Permitted on 19 July 2017</td>
<td>Mrs T Noor</td>
<td>Conversion of garage to habitable accommodation. 33 Champness Road Barking Essex IG11 9PD</td>
<td>Longbridge</td>
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<tr>
<td>17/00844/ FUL</td>
<td>Application Refused on 19 July 2017</td>
<td>LBBD - Childrens Services School Investment Organisation &amp; Admissions</td>
<td>Demolition of existing front boundary wall and erection of replacement 2.4 metre high weld mesh fence. Eastbrook Comprehensive School Dagenham Road Dagenham Essex RM10 7UR</td>
<td>Eastbrook</td>
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<tr>
<td>17/00848/ FUL</td>
<td>Application Permitted on 19 July 2017</td>
<td>Mrs P Salam</td>
<td>Demolition of garage and rear extension and erection of single storey side and rear extension. 38 Shirley Gardens Barking Essex IG11 9UZ</td>
<td>Longbridge</td>
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<tr>
<td>17/00849/ CLU_P</td>
<td>Certificate issued on 19 July 2017</td>
<td>Mrs P Salam</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. 38 Shirley Gardens Barking Essex IG11 9UZ</td>
<td>Longbridge</td>
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<tr>
<td>17/00962/ PRIOR6</td>
<td>Prior approval required and permission refused on 19 July 2017</td>
<td>Mr R Zaffar</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: 3.1 metres). 6 Ashton Gardens Chadwell Heath Romford Essex RM6 6RT</td>
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<tr>
<td>17/00963/ PRIOR6</td>
<td>Prior approval required and permission refused on 19 July 2017</td>
<td>Mrs R Khanam</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: 3.8 metres). 17 Saville Road Chadwell Heath Romford Essex RM6 6DS</td>
<td>Whalebone</td>
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<tr>
<td>17/00968/ PRIOR6</td>
<td>Prior approval required and permission refused on 19 July 2017</td>
<td>Mr S Pisev</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). 250 Woodward Road Dagenham Essex RM9 4TB</td>
<td>Eastbury</td>
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<tr>
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<tr>
<td>17/00146/ FUL</td>
<td>Application Refused on 20 July 2017</td>
<td>Mr A Majeed</td>
<td>Erection of single storey side and rear extension. 25 Park Avenue Barking Essex IG11 8QU</td>
<td>Abbey</td>
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<tr>
<td>17/00160/ FUL</td>
<td>Application Permitted on 20 July 2017</td>
<td>Mr R Stoev</td>
<td>Erection of single storey side and rear extension. 68 Waterbeach Road Dagenham Essex RM9 4AA</td>
<td>Mayesbrook</td>
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<tr>
<td>17/00824/ FUL</td>
<td>Application Permitted on 20 July 2017</td>
<td>Mr N Ali</td>
<td>Erection of single storey rear extension/conservatory. 40 Buller Road Barking Essex IG11 9UA</td>
<td>Longbridge</td>
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<tr>
<td>17/00851/ CLU_P</td>
<td>Certificate issued on 20 July 2017</td>
<td>Mr R Kucinskas</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, and erection of single storey rear extension. 30 Cornworthy Road Dagenham Essex RM8 2DE</td>
<td>Mayesbrook</td>
</tr>
<tr>
<td>17/00852/ FUL</td>
<td>Application Permitted on 20 July 2017</td>
<td>TJX UK</td>
<td>Installation of new plant/heating/ventilation/air conditioning equipment consisting of 13 condenser units, 1 air handling unit with associated duct and pipe work, within a 2 metre high black powder coated steel fence enclosure. Unit 4 Merrielands Retail Park Merrielands Crescent Dagenham Essex RM9 6SJ</td>
<td>Thames</td>
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## Applications Decided/Refused under Delegated Powers

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<tr>
<td>17/00855/CLU_P</td>
<td>Certificate issued on 20 July 2017</td>
<td>Mr M Rahman</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  65 Sandringham Road Barking Essex IG11 9AF</td>
<td>Longbridge</td>
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<tr>
<td>17/00856/ADV</td>
<td>Application Permitted on 20 July 2017</td>
<td>McDonald’s Restaurants Ltd</td>
<td>Installation of 9 internally illuminated and non-illuminated freestanding and banner signs. McDonalds Drive In Restaurant Whalebone Lane North Romford Essex RM6 5QT</td>
<td>Chadwell Heath</td>
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<tr>
<td>17/00858/FUL</td>
<td>Application Refused on 20 July 2017</td>
<td>Mr B Singh</td>
<td>Erection of two storey 2 bedroom end of terrace house. 33 Temple Avenue Dagenham Essex RM8 1LP</td>
<td>Whalebone</td>
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<tr>
<td>17/00967/PRIOR6</td>
<td>Prior approval not required on 20 July 2017</td>
<td>Mr Malik</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). 119 Beccles Drive Barking Essex IG11 9HY</td>
<td>Longbridge</td>
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<tr>
<td>17/00970/PRIOR6</td>
<td>Prior approval not required on 20 July 2017</td>
<td>Mr K Banaszek</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). 87 Alibon Road Dagenham Essex RM10 8BY</td>
<td>Alibon</td>
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**REGENERATION AND ECONOMIC DEVELOPMENT**
**DEVELOPMENT CONTROL BOARD**

**Applications Decided/Refused under Delegated Powers**

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<td>17/00973/ PRIOR6</td>
<td>Prior approval not required on 20 July 2017</td>
<td>Mr Ciprian</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 3.65 metres; height to eaves: 2.7 metres and maximum height: 3.2 metres). 43 Ager Avenue Dagenham Essex RM8 1BF</td>
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<tr>
<td>17/00869/ FUL</td>
<td>Application Permitted on 21 July 2017</td>
<td>Mr L Gaxha</td>
<td>Erection of first floor rear extension. 378 Heathway Dagenham Essex RM10 8NS</td>
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<tr>
<td>17/00987/ PRIOR6</td>
<td>Prior approval not required on 21 July 2017</td>
<td>Mrs H Begum</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 6.0 metres; height to eaves: 2.7 metres and maximum height: 3.0 metres). 117 Blake Avenue Barking Essex IG11 9SB</td>
<td>Eastbury</td>
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<tr>
<td>17/00213/ FUL</td>
<td>Application Permitted on 24 July 2017</td>
<td>Mr N Miah</td>
<td>Erection of single storey front and side extension. 1 Butler Road Dagenham Essex RM8 2DT</td>
<td>Becontree</td>
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<tr>
<td>17/00817/ FUL</td>
<td>Application Permitted on 24 July 2017</td>
<td>Mr Ali</td>
<td>Erection of first floor rear extension. 492 Goresbrook Road Dagenham Essex RM9 4XA</td>
<td>Eastbury</td>
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<tr>
<td>17/00995/ PRIOR6</td>
<td>Prior approval not required on 24 July 2017</td>
<td>Mr S Khan</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 6.0 metres; height to eaves: 3.0 metres and maximum height: 3.0 metres). 98 Baron Road Dagenham Essex RM8 1UA</td>
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<td>Prior approval not required on 24 July 2017</td>
<td>Mr K Khattak</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 4.3 metres; height to eaves: 3.0 metres and maximum height: 3.0 metres). 99 Beccles Drive Barking Essex IG11 9HY</td>
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<tr>
<td>17/01004/PRIOR6</td>
<td>Prior approval required and permission refused on 24 July 2017</td>
<td>Mr S Ali Minhas</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 6.0 metres; height to eaves: 2.95 metres and maximum height: 4.0 metres). 66 Wilmington Gardens Barking Essex IG11 9TP</td>
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<td>Mr V Pascalin</td>
<td>Application for a certificate of lawfulness for a proposed development: Erection of single storey rear extension. 249 Rugby Road Dagenham Essex RM9 4AS</td>
<td>Mayesbrook</td>
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<tr>
<td>17/00508/FUL</td>
<td>Application Refused on 25 July 2017</td>
<td>Mr F Ali</td>
<td>Erection of single storey building in garden to provide one bedroom dwelling and installation of gate in rear boundary wall. 12 Manor Road Barking Essex IG11 9JA</td>
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<tr>
<td>17/00753/FUL</td>
<td>Application Permitted on 25 July 2017</td>
<td>Mr J Singh</td>
<td>Minor alterations to and conversion of existing garage/store in rear garden to a gym, store and toilet. 187 New Road Dagenham Essex RM10 9LU</td>
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<tr>
<td>17/00862/ FUL</td>
<td>Application Permitted on 25 July 2017</td>
<td>Mr S Singh</td>
<td>Erection of single storey rear extension and garage in rear garden. 33 Charlotte Road Dagenham Essex RM10 8TD</td>
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<tr>
<td>17/00864/ CLU_P</td>
<td>Certificate issued on 25 July 2017</td>
<td>Mr S 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 and front solar panelling. 33 Charlotte Road Dagenham Essex RM10 8TD</td>
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<tr>
<td>17/00868/ FUL</td>
<td>Application refused on 25 July 2017</td>
<td>Mr S M Cheung</td>
<td>Erection of single storey side extension. 326 Becontree Avenue Dagenham Essex RM8 2TP</td>
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<td>Mr M Ullah</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. 41 Pondfield Road Dagenham Essex RM10 8HH</td>
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<td>17/00891/ FUL</td>
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<td>Mr Kamrul</td>
<td>Erection of two storey side extension. 240 Stamford Road Dagenham Essex RM9 4EL</td>
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<td>17/00883/ FUL</td>
<td>Application Permitted on 25 July 2017</td>
<td>Mr L Gaxha</td>
<td>Retention of rear outbuilding. 31 Western Avenue Dagenham Essex RM10 8UD</td>
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<td>17/00268/ FUL</td>
<td>Application Refused on 26 July 2017</td>
<td>Emerson Knight Estates Ltd</td>
<td>Demolition of single storey rear and side extensions and erection of part single/part three storey rear extension and external access staircase to first floor level in connection with use of premises as ground floor shop and 6 one bedroom flats. 74 Longbridge Road Barking Essex IG11 8SF</td>
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<td>17/00682/ CLU_P</td>
<td>Certificate refused on 26 July 2017</td>
<td>Mr &amp; Mrs Fei &amp; Qiong Mei Lin &amp; Huang</td>
<td>Application for a certificate of lawfulness for a proposed use: Use of single dwelling as house in multiple occupation for maximum of 6 persons. 38 Victoria Road Barking Essex IG11 8PY</td>
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<tr>
<td>17/00695/ FUL</td>
<td>Application refused on 26 July 2017</td>
<td>Mr A Alim</td>
<td>Erection of rear conservatory. 16 Wykeham Green Dagenham Essex RM9 4NL</td>
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<tr>
<td>17/00727/ FUL</td>
<td>Application refused on 26 July 2017</td>
<td>Mrs A Mahmoodi</td>
<td>Erection of two storey end terrace 2 bedroom house. 58 Bevan Avenue Barking Essex IG11 9NP</td>
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<tr>
<td>17/00832/ FUL</td>
<td>Application Permitted on 26 July 2017</td>
<td>Mr S Dhami</td>
<td>Erection of two storey 2 bedroom dwelling. 14 Mayswood Gardens Dagenham Essex RM10 8UU</td>
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<td>17/00888/CLU_P</td>
<td>Certificate issued on 26 July 2017</td>
<td>Mr K Hasan</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. 21 Marston Avenue Dagenham Essex RM10 7LA</td>
<td>Heath</td>
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<tr>
<td>17/01013/PRIOR6</td>
<td>Prior approval not required on 26 July 2017</td>
<td>Mrs K Naser</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). 52 Fieldway Dagenham Essex RM8 2BE</td>
<td>Becontree</td>
</tr>
<tr>
<td>17/01016/PRIOR6</td>
<td>Prior approval not required on 26 July 2017</td>
<td>Miss A Donnelly</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 6.0 metres in total comprising 3.5 metres existing and 2.5 metre proposed; height to eaves: 2.5 metres and maximum height: 3.0 metres). 120 Cannington Road Dagenham Essex RM9 4BD</td>
<td>Mayesbrook</td>
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<tbody>
<tr>
<td>16/00193/CDN</td>
<td>Application Permitted on 27 July 2017</td>
<td>LBBD &amp; Dagenham &amp; East Thames Group</td>
<td>Application for approval of details reserved by conditions 11 (energy centre), 14 (cycle parking), 15 (energy centre - noise and vibration control), 21 (accessible homes), 22 (wheelchair homes), 24 (highway scheme), 31 (acoustic protection), 32 (lighting) and 39 (air quality) in respect of Phase 1 (Sub-Phase B) of planning permission 15/01084/FUL. Gascoigne Estate East King Edwards Road Barking Essex</td>
<td>Gascoigne</td>
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<tr>
<td>16/00753/CLU_P</td>
<td>Certificate refused on 27 July 2017</td>
<td>Mr I Muslika</td>
<td>Application for a certificate of lawfulness for a proposed development: Loft conversion involving raising ridge height of roof, construction of gable end and rear dormer windows and installation of front rooflights. 257 Stamford Road Dagenham Essex RM9 4EH</td>
<td>Eastbury</td>
</tr>
<tr>
<td>17/00619/FUL</td>
<td>Application Permitted on 27 July 2017</td>
<td>Mr O Ayanwale</td>
<td>Erection of two storey side extension and single storey side/rear extension. 49 Melford Avenue Barking Essex IG11 9HS</td>
<td>Longbridge</td>
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<tr>
<td>17/00795/FUL</td>
<td>Application Permitted on 27 July 2017</td>
<td>Ms H Chen</td>
<td>Erection of single storey side extension and part single/part two storey rear extension. 25 Norfolk Road Barking Essex IG11 7QR</td>
<td>Eastbury</td>
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<tr>
<td>17/00903/TPO</td>
<td>Application Permitted on 27 July 2017</td>
<td>LBBD - Valence House Museum</td>
<td>Application for tree works subject to a tree preservation order: T1(sycamore) and T2 (elder) - clear back 1m and lift 6m; T3 (sycamore) clear back from warehouse roof and lift 1m; T4 (elder) - fell to ground level; T5 (ginkgo) and T6 (holm) clear back from gutters and lift 1m; T7 (smoke bush) - topping down by 1.5m; T8 (oak) - lift 6m; T9 (lime) - lifting of suckers to crown and T10 (sycamore) - clearance from lamp post by 0.5m and lift 4m. Valence House Museum Becontree Avenue Dagenham Essex RM8 3HT</td>
<td>Valence</td>
</tr>
</tbody>
</table>
**LONDON BOROUGH OF BARKING AND DAGENHAM**  
**REGENERATION AND ECONOMIC DEVELOPMENT**  
**DEVELOPMENT CONTROL BOARD**  
**Applications Decided/Refused under Delegated Powers**

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<tr>
<td>17/01020/ PRIOR6</td>
<td>Prior approval not required on 27 July 2017</td>
<td>Mrs J Folasayo</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). 26 Valence Wood Road Dagenham Essex RM8 3AT</td>
<td>Parsloes</td>
</tr>
<tr>
<td>17/01021/ PRIOR6</td>
<td>Prior approval not required on 27 July 2017</td>
<td>Mr K Jepicenko</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 6.0 metres; height to eaves: 2.810 metres and maximum height: 2.810 metres). 10 Hunters Hall Road Dagenham Essex RM10 8JH</td>
<td>Alibon</td>
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<tr>
<td>17/01023/ PRIOR6</td>
<td>Prior approval not required on 27 July 2017</td>
<td>Mr A Kashem</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). 66 Gay Gardens Dagenham Essex RM10 7TD</td>
<td>Eastbrook</td>
</tr>
<tr>
<td>16/01422/ FUL</td>
<td>Application Permitted on 28 July 2017</td>
<td>Mr S Halili</td>
<td>Demolition of existing outbuilding in rear garden, erection of two storey side extension, part single/part two-storey rear extension and construction of two rear dormer windows in connection with subdivision of house to provide 1 three bedroom house and 2 one bedroom flats. 179 Salisbury Avenue Barking Essex IG11 9XS</td>
<td>Abbey</td>
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<tr>
<td>17/00334/ FUL</td>
<td>Application Permitted on 28 July 2017</td>
<td>Bricks &amp; Mortar Ltd</td>
<td>Erection of 3 storey building to provide shop and garages on ground floor with 2 two bedroom flats above. 757 Becontree Avenue Dagenham Essex RM8 3HH</td>
<td>Valence</td>
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<tr>
<td>17/00497/ FUL</td>
<td>Application Permitted on 28 July 2017</td>
<td>Mrs M Maisuria</td>
<td>Conversion of garage to habitable room, erection of first floor side/rear extension. 78 Hurstbourne Gardens Barking Essex IG11 9UT</td>
<td>Longbridge</td>
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<tr>
<td>17/00581/ FUL</td>
<td>Application Permitted on 28 July 2017</td>
<td>Mrs F Mutah</td>
<td>Demolition of existing single storey rear extension and erection of part single and part two storey rear extension. 25 Durell Road Dagenham Essex RM9 5XU</td>
<td>Parsloes</td>
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<tr>
<td>17/00735/ FUL</td>
<td>Application Refused on 28 July 2017</td>
<td>Mr S Islam</td>
<td>Demolition of garage and erection of two storey side extension and front porch. 24 Rowney Road Dagenham Essex RM9 4PP</td>
<td>Mayesbrook</td>
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<tr>
<td>17/00909/ FUL</td>
<td>Application Permitted on 28 July 2017</td>
<td>Mr A Malick</td>
<td>Conversion of garage into habitable room and erection of ground floor front bay. 24 Westrow Drive Barking Essex IG11 9BJ</td>
<td>Longbridge</td>
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<tr>
<td>17/00910/ FUL</td>
<td>Application Permitted on 28 July 2017</td>
<td>Mr J Leckenby</td>
<td>Installation of access ramp with handrails to front of house. 366 Goresbrook Road Dagenham Essex RM9 4UU</td>
<td>Goresbrook</td>
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<tr>
<td>17/00911/ FUL</td>
<td>Application Permitted on 28 July 2017</td>
<td>Mr S Catton</td>
<td>Installation of access ramp with handrails to front of house. 178 Parsloes Avenue Dagenham Essex RM9 5QB</td>
<td>Parsloes</td>
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<tr>
<td>17/01032/ PRIOR6</td>
<td>Prior approval not required on 28 July 2017</td>
<td>Mrs D O'Connor</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 3.6 metres; height to eaves: 2.8 metres and maximum height: 2.8 metres). 70 Fanshawe Crescent Dagenham Essex RM9 5ES</td>
<td>Alibon</td>
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<tr>
<td>17/01034/ PRIOR6</td>
<td>Prior approval not required on 28 July 2017</td>
<td>Mr V Rusu</td>
<td>Application for prior approval of proposed single storey rear extension (depth: 3.6 metres; height to eaves: 2.85 metres and maximum height: 3.0 metres). 93 Frizlands Lane Dagenham Essex RM10 7YJ</td>
<td>Heath</td>
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<tr>
<td>17/01043/ PRIOR6</td>
<td>Prior approval required and refused on 28 July 2017</td>
<td>Miss Z Bokhari</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). 19 Lynnett Road Dagenham Essex RM8 1RJ</td>
<td>Valence</td>
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