Present: Cllr Faraaz Shaukat (Deputy Chair in the Chair), Cllr Peter Chand, Cllr Faruk Choudhury, Cllr Edna Fergus, Cllr Irma Freeborn, Cllr Cameron Geddes, Cllr Syed Ghani, Cllr Kashif Haroon, Cllr Giasuddin Miah, Cllr Chris Rice, Cllr Liam Smith, Cllr Bill Turner and Cllr Dominic Twomey

Apologies: Cllr Sanchia Alasia, Cllr Rocky Gill, Cllr Margaret Mullane and Cllr Jeff Wade

74. Declaration of Members' Interests

Councillor Miah declared a pecuniary interest in agenda item 8 (102 North Street, Barking) as he is the applicant.

75. Minutes (6 March 2017)

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

76. 15 Foxlands Road, Dagenham- 17/00073/FUL

The Development Management Manager (DMM) introduced a report on the application relating to 15 Foxlands Road, Dagenham.

The application site comprises a 2-storey detached house located on the southern side of Foxlands Road, Dagenham. The application seeks permission for the construction of side and rear extensions in order to convert the existing 3-bedroom house into a 1 bedroom house and a 3-bedroom house.

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

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

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

The site has ‘moderate’ accessibility to public transport and Dagenham East Station is a 3-minute walk from the site. The proposed development would not materially impact upon on-street parking availability in the local area because the one bedroom house would be ‘car-free’. The three-bedroom house would be allocated one off-street car parking space.
The Chair invited David Coppleston, an objector to the application, to address the Board. He felt that the gap between his house and 15 Foxlands Road was not 3 metres but was 2.4m. There was a narrow gap of only 7 metres down the alley. If the application was agreed he would have very little light into his house, particularly in his bedroom. There had been a long history of planning applications with this property. Mr Coppleston hoped that the lack of light into his property would be considered in this matter and felt that the development would not be suitable. He asked the Board to reject the application, which he felt was causing distress and upset to residents in Foxlands Road.

The Chair invited Ann Simpson, an objector to the application, to address the Board. She was attending the Board to support Mr Coppleston and her main concern about the application was that Foxlands Road was very narrow and in particular in relation to car parking, where weekends were very bad with no enforcement. There would also be a lot of disruption with building works and concluded by stating that the application, if approved, would have a very negative effect on those residents living in Foxlands Road.

The Chair invited Amardip Dhani, the applicant, to address the Board. He referred to the officers’ report and stated that the application referred to an area that had been under-utilised for ten years. He was seeking a more efficient use for this and he stated that the application complied with all relevant planning policies. He re-iterated that the space was not 2.4 m but was 3 m for the first floor rear extension as contained in the officers report. He added that as a result of previous application refusals, plans had been suitably redesigned with larger bedrooms and bathroom. He re-iterated that the application was in line with external design standards and in accordance with all planning policies.

Members were concerned about light into Mr Coppleston’s property. In response, The DMM stated that there were no grounds for refusal and officers were satisfied that there would not be any light impediment. In addition, windows on either side were to be obscurely glazed. The application complied with all planning policies and procedures.

The Board granted planning permission subject to the following conditions:

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

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

2) The development hereby permitted shall be carried out in accordance with the following approved plans:

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

   Reason: For the avoidance of doubt and in the interests of proper planning.
3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those in the existing building.

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

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

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

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

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

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

This item was deferred until the next meeting of the Board.

78. Becontree Heath regeneration sites: Wood Lane, Gosfield Road, Stour Road and Althorne Way, Dagenham- 16/01975/FUL

The Development Management Manager introduced a report on the application relating to Becontree Heath regeneration sites in Wood Lane, Gosfield Road, Stour Road and Althorne Way, Dagenham.

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

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

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

The development would provide 46 shared ownership flats, and 124 private for sale flats and houses. This equates to the provision of 27% sub-market housing (affordable housing). The intention is that the shared ownership housing will be owned and managed by ‘Reside’; if not, then by a reputable affordable housing provider.

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

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

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

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

The terraced houses would have 1-to-1 parking to the rear of the properties. 36-37 car parking spaces would be taken away in the Becontree Heath Leisure Centre car park to accommodate the relocation of the bus depot.

Parking Services had no objections to the application. Additional on-street parking facilities would be created, parking provision was acceptable and the site was very well served by bus routes.

The Development Management Manager mentioned the need for an additional condition that related to the timely provision of the relocated bus stand and terminus.

It was also proposed to additionally include in the Section 106 the requirement for a marketing strategy restricting the sale of more than one unit for the first six months (to help avoid buy to let). After six months, anyone buying properties for the purpose of renting will need to ensure the units are managed by an agent registered with the Association of Residential Letting Agents or the
National Association of Estate Agents and shall provide the Council with the name, address and contact details of the managing agent for its approval. It will also include a commitment to sign up to the London Rental Standard or equivalent standards. The GLA have also requested that a review mechanism is included to ensure that any uplift in value is captured for additional affordable housing.

Members were concerned about potential traffic issues which might arise as a result of the application. Currently there are barriers installed on Wood Lane which prevent traffic travelling eastwards turning right onto Althorne Way, and similarly traffic turning right out of Althorne Way onto Wood Lane. Members raised the point that buses may need to make both these manoeuvres to access the new terminus on Althorne Way. The Regeneration Officer responded that TfL have confirmed that it requires the ability to make both of these bus movements and that this would be a condition of their relocation to the new terminus. The junction in question falls outside the applicant’s development boundary, however, the Council has agreed to remove the existing barrier and replace it with ‘Bus Only’ right-hand turn markings on Wood Lane and Althorne Way. A yellow box junction and an enforcement camera would also be installed to prevent other vehicles from making these same movements.

Members were concerned about the lack of affordable housing and it was noted that the former social rent flats in Althorne Way would be replaced with shared ownership units. The Development Management Manager highlighted that the scheme would create a net increase of 14 additional affordable units and that one of the aims of the council’s development brief was to diverse the housing tenure offer in Heath Ward, with 43% of properties in the ward social rent and just 0.8% shared ownership.

Members were concerned that some of the flats were to be built close to a busy road that there was a need to ensure theses were protected from noise in this busy location. Members were also concerned about private sale properties. They enquired whether the Council could legally enforce ‘non-buy to let.’ The Development Management Manager confirmed that for a six-month period, no one would be able buy more than one unit. The Managing Agents must be vetted through the Council and officers were doing as much as they could to regulate this matter. The Acting Head of Regeneration and Planning (Planning) added that the S106 required the Council to approve the managing agent. Mahbub Khandoker from Countryside Properties, explained that their primary target market for this scheme was families and first-time buyers benefitting from the ‘Help to Buy’ programme who intended to live in the properties.

Members were concerned that the applicant has not completed a “flood plan” which had been requested. In terms of the flood risk, Mahbub Khandoker from Countryside Properties stated that work had already been done on this and that the site was not in an area at high risk from flooding.

Members referred to the proposed new bus terminus and whether public toilets could also be installed. The Regeneration Officer stated that this was a valid point, but realistically TfL would not want the management and maintenance responsibilities for public toilets on its site and that the busy leisure centre car park might not be the best location for such a facility given the high volume of
car and bus movements in the area.

Members were keen to look at the siting of the blocks near Wood Lane again. Sally Lewis from Stitch Architects responded that all of the flats have a dual aspect to the courtyard and homes have dual aspect so residents would have an outlook away from the busy road.

Members asked whether bollards and railings could be added to make the road and pavement area safer. Sally Lewis said that this could be looked at but this may not be necessary. David Archibald, Transport Consultant (RPS) added that the scheme did not alter pedestrian movement nor did it reduce or make any changes to the width of the existing footway and therefore was not considered necessary. The Acting Head of Regeneration and Planning (Planning) added that officers could look at the need for some form of protection to pedestrians at the Wood Lane/Althorne Way junction as part of a wider transport review planned in Heath Ward, but that current thinking is to remove street furniture where possible to reduce clutter.

It was also noted that the applicant would be subject to a Section 106 Agreement to secure the following planning obligations:

**S106 Legal Fees**

To pay the Council’s professional fees associated with the preparation and completion of the S106 Agreement.

The Board granted planning permission subject to any direction by the Mayor of London; the completion of a Section 106 legal agreement securing the shared ownership sub-market housing, the marketing strategy, the need to undertake a review of development viability and a local labour and business agreement and the following conditions (subject to any minor amendments or GLA additions):

**Time limit**

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

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

**Plan numbers**

2. Subject to any variation pursuant to condition no. 4. The development hereby permitted shall be carried out in accordance with the following approved plans:
P-001; P-002; P-030; P-040; P-041; P-AB210B; P-AB-211; P-AB-215; P-AB-219; P-AB-220B; P-AB-220B; P-AB-221; P-AB-222; P-AB-223; P-AB-224; P-AB-225; P-AB-226B; P-AB-227; P-AB-250; P-EF-210B; P-EF-211; P-EF-214; P-EF-215; P-EF-219; P-EF-220B; P-EF-221B; P-EF-222; P-EF-223; P-EF-250; P-TA-311; P-TA-312; P-TA-213; P-TB-310; P-TB-311; P-T-320; P-T-321; P-T-322; P-T-323; P-T-330; P-TAB-350; P-410; 6477_LD_PLN_002D; 6477_LD_PLN_003B; 6477_LD_PLN_004C.
Reason: For the avoidance of doubt and in the interests of proper planning.

**Energy Strategy**

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

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

**Energy if no DHN completion**

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

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

**Energy post DHN completion**

5. Within 1 month of the DHN becoming operational, a programme for the implementation of approved plans P-AB-210B; P-AB-220B; P-AB-226B; P-EF-210B; P-EF-220B; P-EF-221B; P-410;6477_LD_PLN_002D; PLN_003B; 6477_LD_PLN_004C for the removal of the plant rooms and conversion to two wheelchair units shall be submitted to and approved by the Council. The scheme shall be delivered in accordance with the approved programme.

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

**Levels**

6. No development within any Phase (Phasing consistent with section 7.4 of the submitted Design and Access Statement or any subsequent update agreed) shall take place until details of existing and finished site levels, finished floor, and ridge levels of the buildings to be erected, and finished external surface levels for that Phase have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
Reason: The proposed levels of the development are required prior to commencement in order to ensure that any works in connection with the development hereby permitted respect the height of adjacent properties and in accordance with policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

Materials

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

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

Boundary details

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

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

Hard landscaping

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

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

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

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

**Soft landscaping implementation**

11. The landscaping scheme for each Phase (Phasing consistent with section 7.4 of the submitted Design and Access Statement or any subsequent update agreed) as approved in accordance with condition No. 6 shall be carried out in the first planting and seeding seasons following the occupation or completion of the relevant Phase, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To secure the provision and retention of the landscaping in the interests of the visual amenity of the area and in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document and Section 197 of the Town and Country Planning Act 1990.

**Nesting bird protection**

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

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

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

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

Crime Prevention

14. No development above ground level within any Phase (Phasing consistent with section 7.4 of the submitted Design and Access Statement or any subsequent update agreed) shall take place until a scheme showing the provisions to be made for CCTV coverage, access control, and/or any other measures to reduce the risk of crime for that Phase, have been submitted to and approved in writing by the Local Planning Authority. The relevant Phase of the development shall not be occupied until the approved scheme for that Phase has been implemented. Thereafter the approved measures shall be permanently retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to provide a good standard of security to future occupants and visitors to the site and to reduce the risk of crime in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document.

M4(2)

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

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

M4(3)

16. The 17 wheelchair units identified on the approved drawings shall be constructed to, or capable of easy adaptation to, Building Regulations Optional Requirement Approved Document M4(3) Category 3: (Wheelchair user dwellings) (2015 edition). Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.

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

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

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

Car parking allocation/management

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

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

Cycle parking

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

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

BREEAM

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

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

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

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

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

Noise

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

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

Plant noise

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

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

Lighting

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

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

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

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

Contamination b.

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

Contamination c.

27. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Contamination d.

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

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

Reason for Conditions 25 to 28: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property, and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy BR5 of the Borough Wide Development Policies Development Plan Document.

Construction hours

29. No deliveries, external running of plant and equipment or construction works, other than internal works not audible outside the site boundary, shall take place on the site other than between the hours of 0800 to 1800 on Monday to Friday and 0800 to 1300 on Saturday and not at all on Sundays, Public or Bank Holidays Any works which are associated with the generation of ground borne vibration are only to be carried out between the hours of 08:00 and 18:00 Monday to Friday, unless otherwise agreed in writing by the Local Planning Authority.

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

Noise/vibration control

30. Demolition and construction work and associated activities are to be carried out in accordance with the recommendations contained within British Standard 5228:2009, “Code of practice for noise and vibration control on construction and open sites”. Parts 1 and 2.

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

Construction Management Plan

31. The development shall be carried out in accordance with the submitted ‘Becontree Heath Construction Method Statement and Construction Management Plan Rev. C’ and piling will be way of a Continuous Flight Auger, unless otherwise agreed in writing with the Local Planning Authority.
Reason: In order to reduce the environmental impact of the construction and the impact on the amenities of neighbouring residents, and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

Construction Logistics Plan

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

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

Satellite dish restrictions

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

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

Bird and bat boxes

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

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

Travel Plan

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

Reason: In order to encourage the use of sustainable transport and in

**Highways Agreement**

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

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

**Althorne Way parking bays**

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

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

**Bus Stand and Terminus**

38. The development of Blocks A and B of the hereby approved development (as shown on drawing no. P-030) shall not commence until the replacement bus terminus and associated drivers’ facilities as shown on drawing nos. P-410 and 6477-LD-PLN-022 Rev. A have been constructed and are ready or occupation.

Reason: The replacement facilities are required before construction takes place on the site of the existing bus terminus in order to ensure the continuation of adequate transport facilities and to prevent road congestion, and in accordance with policy BR10 of the Borough Wide Development Policies Development Plan Document.

79. **539 Rainham Road South, Dagenham- 17/00274/FUL**

The Development Management Manager introduced a report on the application relating to 539 Rainham Road South, Dagenham.

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

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

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

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

It was noted that the centre is now open and had operated without complaint. 
The applicant advised that there have been changes to the management of the 
centre along with the introduction of new highway controls (in the form of 
double yellow lines) along Reede Road at the junction with Rainham Road 
South.

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

Mr Bateman, on behalf of the applicant, advised that there would be no more 
than forty attending at any one time. He stated that the applicant would be 
preparing a list of those declaring their intention to join the late evening 
readings during Ramadan, over the next week or two, with the intention of 
allowing only those that have effectively 'pre-booked' with them to attend 

Members asked how the number of forty attendees could be capped. Mr 
Bateman advised that those attending would have pre-booked already and 
there was also CCTV at the front and back of the premises and they accepted 
the temporary conditions which would expire at the end of June 2017.

Subject to the conditions identified above, it was recommended that the 
extended hours be approved for a temporary period expiring at the end of June 
after Ramadan has finished to allow a trial period to assess the impact of the
extended hours.

The Board granted planning permission subject to the following conditions:

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

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

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

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

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

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

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

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

5) Access and egress to the premises must only be taken from the main shop frontage along Rainham Road South. No access or egress shall be taken from Reede Road.

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

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

Reason: To prevent the use causing any undue disturbance to occupants of neighbouring properties at unreasonable hours and in order to minimise the impact of the development on the local highway network and traffic congestion in accordance with Policies BP8 and BR10 of the Borough Wide Development Policies DPD (March 2011).
7) The maximum number of people using the centre during the extended hours hereby permitted shall not exceed 40.

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

80. 102 North Street, Barking- 17/00176/FUL

As he had declared a pecuniary interest as the applicant, Councillor Miah left the meeting during consideration of this item.

The Development Management Manager introduced a report on the application relating to 102 North Street, Barking.

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

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

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

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

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

Members queried whether the site would be better incorporated into the adjacent school but officers were not aware that the school had expressed an
interest in the site and that they could only deal with the application put before them.

The Board granted planning permission subject to the following conditions:

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

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

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

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

81. Town Planning Appeals

The Board noted details of the following appeals:

Appeals Lodged

The following appeals have been lodged:

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

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

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

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

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

Application refused under delegated powers 17 November 2016 – River Ward.
d) Erection of first floor side/rear extension – 45 Clare Gardens, Barking (Ref: 16/01717/FUL)

Application refused under delegated powers 23 January 2017 – Longbridge Ward.

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

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

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


Appeals Determined

The following appeal has been determined by the Planning Inspectorate:

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

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

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

Planning Inspectorate’s Decision: Appeal allowed 14 March 2017

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


c) Erection of two bedroom bungalow in garden – 44 Rugby Gardens, Dagenham (Ref: 16/00727/FUL – Mayesbrook Ward)
Application refused under delegated powers 19 August 2016 for the following reasons:

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

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

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


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

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

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


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

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


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


h) Demolition of single storey building and erection of three storey building comprising 10 dwellings - Land between 487 - 535A Rainham Road South, Dagenham (Ref: 16/00938/FUL – Eastbrook Ward)

Application refused under delegated powers 27 September 2016 for the following reasons:

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

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

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


82. Delegated Decisions

The Board noted details of delegated decisions for the period 23 January-24 February 2017.