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 a 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 substation; creation of a new publicly accessible route between Whiting Avenue and Gurdwara Way; landscaping and highways alterations including works to and re-configuration of the existing access road and turning head and the re-provision of 10 car parking spaces.

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

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

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

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

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


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

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

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

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

Reason: In order to minimise the impact of construction on the free flow of traffic on the local highway network and in the interests of highway safety, and in accordance with policy BR10 of the Borough Wide Development Policies Development Plan Document and policy 6.3 of the London Plan.

5. No development shall commence until a Construction Environmental Management Plan (CEMP) and a Site Waste Management Plan (SWMP) have been submitted to and approved in writing by the Local Planning Authority. These plans shall incorporate details of:

a) the parking of vehicles of site operatives and visitors;
b) loading and unloading of plant and materials;
c) storage of plant and materials used in constructing the development;
d) the erection and maintenance of security hoarding(s) including decorative displays and
facilities for public viewing, where appropriate;
e) wheel washing facilities;
f) measures to control the emission of dust, dirt and emissions to air during construction;
such measures to accord with the guidance provided in the document “The Control of Dust
and Emissions during construction and demolition”, Mayor of London, July 2014; including
but not confined to, non road mobile machinery (NRMM) requirements;
g) a scheme for recycling/disposing of waste resulting from demolition and construction
works;
h) the use of efficient construction materials;
i) methods to minimise waste, to encourage re-use, recovery and recycling, and sourcing
of materials; and
j) a nominated Developer/Resident Liaison Representative with an address and contact
telephone number to be circulated to those residents consulted on the application by the
developer’s representatives. This person will act as first point of contact for residents who
have any problems or questions related to the ongoing development.

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

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

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

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

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

7. No deliveries, external running of plant and equipment, or demolition and construction
works, other than internal works not audible outside the site boundary, shall take place on
the site other than between the hours of 0800 to 1800 on Monday to Friday and 0800 to
1300 on Saturday and not at all on Sundays, Public or Bank Holidays without the prior
written permission of the Local Planning Authority. Any works which are associated with
the generation of ground borne vibration are only to be carried out between the hours of
0800 and 1800 Monday to Friday.
Reason: To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

8. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any piling shall be undertaken in accordance with the terms of the approved piling method statement.

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

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

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

10. No development above ground level shall take place until details/samples of all materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved materials.

Reason: To protect or enhance the character and amenity of the area in accordance with policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document and policies 7.1, 7.4 and 7.6 of the London Plan.

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

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

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

Reason: In the interests of design quality, residential amenity, walking, accessibility and public safety, in accordance with policy CP3 of the Core Strategy and policy BP11 of the
12. No above ground new development shall commence until a detailed scheme of soft landscaping for the site has been submitted to and approved in writing by the Local Planning Authority. All trees, shrubs, plants and seeds introduced to the site should generally be native (except for fruit trees) and of local provenance, unless otherwise agreed. The approved landscaping scheme shall be carried out in the first planting and seeding seasons following the occupation or completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To secure the provision of the landscaping in the interests of the visual amenity of the area and in accordance with policy CP3 of the Core Strategy and policies BR3 and BP11 of the Borough Wide Development Policies Development Plan Document.

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

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

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

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

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

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

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

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

17. The combined rating level of the noise from any plant installed pursuant to this permission shall not exceed 45 dB 1 metre outside the window to any noise-sensitive room. Any assessment of compliance with this condition shall be made according to the methodology and procedures presented in BS4142:2014.

Reason: To ensure that noise-sensitive rooms within the proposed development and neighbouring developments are adequately protected from noise and in accordance with policy BR13 of the Borough Wide Development Policies Development Plan Document and policy 7.15 of the London Plan.

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

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

19. The development hereby permitted shall not be occupied until bird nesting and bat roosting bricks/boxes have been installed in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. The bird and bat boxes should be incorporated into the structure of the new buildings or roof spaces where feasible. The details shall accord with the advice set out in ‘Biodiversity for Low and Zero Carbon Buildings: A Technical Guide for New Build’ (Published by RIBA, March 2010) or similar advice from the RSPB and the Bat Conservation Trust.

20. Before occupation 76 of the dwellings shall comply with Building Regulations Optional Requirement Approved Document M4(2) Category 2: Accessible and adaptable dwellings (2015 edition). Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.

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

21. The 2 wheelchair units identified on the approved drawings shall be constructed to, or capable of easy adaptation to, Building Regulations Optional Requirement Approved Document M4(3) Category 3: (Wheelchair user dwellings) (2015 edition). Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.

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

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

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

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

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

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

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

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

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

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

Existing Site

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

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

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

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

Proposal

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

1.6 The proposed development comprises 100% intermediate affordable housing.

2.0 Background

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

3.0 Consultations
3.1 Neighbours / Publicity:

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

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

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

**6 Aveley Mansions, Whiting Avenue, Barking**

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

**12 Harlow Mansions, Whiting Avenue, Barking**

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

Response 1:

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

Response 2:

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

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

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

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

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

120 London Road, Barking

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

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

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

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

3.2 Consultees:

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

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

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

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

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

EDF Energy – No response.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Noise**

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

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

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

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

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

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

**Air quality**

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

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

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

Land quality

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

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

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

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

Possible light pollution

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

Construction phase impacts

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

Summary

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

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

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

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

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

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

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

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

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

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

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

4.0 Local Financial Considerations

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

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

5.0 Equalities and Human Rights Considerations

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

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

6.0 Analysis

6.1 Principle of Development

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

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

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

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

6.2 Housing

Housing Mix

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

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

Density

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

Affordable Housing

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

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

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

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

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

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

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

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

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

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

6.3 **Design and Heritage**

**Design**

6.3.1 The proposed development comprises the erection of two buildings of 4 storeys and part 4/part 6 storeys to provide 78 one-bedroom flats. The taller building is
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.
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.

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.

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.

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

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.

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.

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.

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.

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.

External Amenity Space

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.

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 (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.lbld.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

*Borough Wide Development Policies Development Plan Document (March 2011):*

Policy BR3 – Greening the Urban Environment  
Policy BR5 – Contaminated Land  
Policy BR9 – Parking  
Policy BR10 – Sustainable Transport  
Policy BR11 – Walking and Cycling  
Policy BR13 – Noise Mitigation  
Policy BR14 – Air Quality  
Policy BR15 – Sustainable Waste Management  
Policy BC2 – Accessible and Adaptable Housing  
Policy BC7 – Crime Prevention  
Policy BP2 – Conservation Areas and Listed Buildings  
Policy BP5 – External Amenity Space  
Policy BP8 – Protecting Residential Amenity  
Policy BP10 – Housing Density  
Policy BP11 – Urban Design

*Barking Town Centre Area Action Plan (February 2011):*

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

*Other Guidance:*


‘Biodiversity’ Supplementary Planning Document (2012)  

London Riverside Opportunity Area Planning Framework (September 2015)

- **The London Plan (March 2016):**

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

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

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