Present: Cllr Faraaz Shaukat (Chair), Cllr Syed Ahammad (Deputy Chair), Cllr Sanchia Alasia, Cllr Saima Ashraf, Cllr Faruk Choudhury, Cllr Edna Fergus, Cllr Irma Freeborn, Cllr Cameron Geddes, Cllr Syed Ghani, Cllr Giasuddin Miah, Cllr Margaret Mullan, Cllr Adegboyega Oluwole, Cllr Bill Turner, Cllr Dominic Twomey, Cllr Jeff Wade and Cllr John White

Also Present: Cllr Sade Bright, Cllr Mick McCarthy and Cllr Tony Ramsay

Apologies: Cllr Amardeep Singh Jamu and Cllr Chris Rice

32. Declaration of Members’ Interests

There were no declarations of interest.

33. Minutes - To confirm as correct the minutes of the meeting held on 9 October 2017

The minutes of the meeting held on 9 October 2017 were confirmed as correct.

34. Farmhouse Venue, 649 Dagenham Road, Dagenham-17/00439/FUL

The Development Management Manager (DMM) introduced a report in relation to the application for the Farmhouse Venue, 649 Dagenham Road, Dagenham. This application was for the erection of permanent marquee in the grounds for use as function venue for up to 400 guests and provision of additional car parking spaces on land between the existing Farmhouse Venue and the Millennium Centre car park. The application had been previously presented to the Board meeting of 31 July where Members voted to grant planning permission subject to determination of conditions and reasons for approval being confirmed at the next meeting of the Board.

Subsequently it became apparent that the applicant had inadvertently included land within the application site boundary that was not in his ownership or control, and without serving the requisite Notice on the owner. This means that even if permission had been granted on the basis of those plans it would not have been possible for the applicant to implement the scheme. The applicant had addressed this matter by submitting an amended site location plan showing the area which coincides with his land ownership, and an amended plan within that area for the proposed overspill car parking and associated landscaping.

The amended plans did not affect the siting of the proposed marquee to the rear of the former Farmhouse Tavern, but result in a reduction in the size of the proposed overspill car parking area and the associated landscaping.
The Council had received Counsel’s Opinion to the effect that because these changes affected relevant planning considerations of ecology and the impact of the development on the Green Belt it was necessary for the Board to reconsider the application in its entirety in order to ensure a planning decision that was legally sound.

This report was for the most part the same as that presented to the Board on 31 July 2017 with some amendments where relevant to explain and analyse the impact of the amended plans.

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

The applicant had considered that the Farmhouse Venue met a specific need as there were a shortage of larger function venues in the borough however the DMM stated that there were other large function venues available. An enforcement notice had been issued against the erection of a marquee at the Farmhouse Venue in 2011 and, in a subsequent appeal, the Planning Inspector stated that this was an intrusive structure and detracted from the under-developed nature of the Country Park. Members needed to be satisfied that the proposed marquee, which was a little smaller and less high than the marquee the subject of the notice, would adequately overcome the inspector’s concerns.

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

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

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

The Chair invited William Dennehy, Peter Harris and Terry Justice, local residents and objectors to the application to address the Board. The main points raised against the development were:

- There were no special circumstances to allow this application as it is in the Green Belt.
There was a build-up of urban sprawl in the borough with other major developments nearby.

This application would be detrimental to the area.

Noise nuisance was at the premises already from amplified music.

This application would impact negatively on people using the Country Park.

The application would be detrimental to the environment and wildlife.

The peace and tranquillity of the park would be harmed if this application were agreed.

There were other large venues available in the locality that could be used.

The petition showed the strength of feeling against the application.

The Chair invited Councillor Mick McCarthy, Eastbrook Ward Councillor, to address the Board. He had lived in the area for over fifty years and supported the officer’s recommendation to refuse the application. He considered that the adjacent Country Park was a place of relaxation and if the application were agreed, it would allow the Farmhouse Venue to be open at any time of day. He was also concerned about the impact of noise and traffic for the cemetery, car parks and the park itself.

The Chair invited Councillor Tony Ramsay, Eastbrook Ward Councillor to address the Board. He asked the Board to reject the application on planning grounds. The Farmhouse Venue was on green belt land and the Country Park was adjacent to it. He noted that the petition had shown 1850 signatures against the application which showed a strong feeling locally against the application. If agreed, he considered it would be a threat to the environment and wildlife. Noise nuisance would also be of concern if the application were agreed and had already been reported for various events.

The Chair invited Councillor Sade Bright to address the Board. She considered that the Farmhouse Venue was a viable business and the application needed to be approved for it to survive. She understood that the Farmhouse Venue was on Green Belt land but considered that businesses needed to continue and grow. She understood what objectors were saying about the application, but businesses needed to be supported. She felt that this venue was necessary for large events as it was not too far to travel there and was used by all groups in the community. She felt that the Venue would be able to thrive if this application were allowed and monies earned from the site could be ploughed back into the Country Park.

The Chair invited Ms A. Qureshi, the applicant’s agent, to address the Board. She said that this application had been agreed at the Board meeting on 31 July 2017 and was essential to ensure the viability of the applicant’s business. The application would allow for wider benefits to the local community, for instance people attending events at the Venue would book into local hotels. There was also a lot of demand for events which the Venue catered for. The proposal for the Marquee had not changed since July 2017 and noise mitigation would be addressed by sound limiters. The Marquee would also be screened in green
colour. The traffic issues raised have been addressed by the applicant and there was no evidence to suggest that the Venue was a higher risk to safety and it was the Council’s job to control car parking and not the applicant. The risk of traffic and road safety in using the overspill car park was negligible and it would only be used as a last resort for bigger events. She added that the applicant’s Counsel had stated their advice on the “principle of consistency in decision making” which they felt should apply and that the application should therefore be approved by the Board.

The Legal Adviser to the Board advised that the applicant’s agent had e-mailed Members of the Board directly, with opinion from the applicant’s legal adviser, however the Board needed to reach a decision based on the Board meeting alone and Members should ignore the e-mail sent to them. The issue raised by them concerning consistency was inaccurate.

The Head of Planning confirmed that the proposed development was in the Green Belt. The essential characteristics of Green Belts were their openness and their permanence. National guidance made clear that the construction of a new building in the Green Belt was inappropriate development. Therefore, the proposed Marquee was inappropriate and by definition harmful to the Green Belt and should not be approved except in very special circumstances.

Moreover, officers had identified further harm to the Green Belt due to the loss of amenity for users of the adjacent country park, harm to the character and open setting of the Farmhouse Tavern and harm to highway safety and ecology.

In reaching their decision, the Board needed to ensure they have given substantial weight to this harm and understood that very special circumstances only existed if this harm is clearly outweighed by other considerations which either mitigate or overcome this harm or there are public benefits which override it. These must be material planning considerations.

Whilst officers did not consider that very special circumstances existed, if members, having heard from all the parties, and having thoroughly debated the issues, were minded to approve the application, they must state the very special circumstances which clearly outweigh the harm to the Green Belt.

Members then debated this application in detail.

Members against this application included the following points

- There were a number of strong reasons why the application should be refused relating to the application being on the green belt, the effect on the locally listed building, road safety, traffic and ecology.
- There were a number of other large venues in the area for functions.
- There was a Local Plan review next year and this was not the forum to try and change that at this stage.
- There was no material benefit to this application which would include the loss of enjoyment of the country park and this would upset more
people than not.

- The Marquee was a separate construction and could not be removed. It also looked out of place within the Country Park.
- Road safety and traffic issues were a concern and accidents would be likely to happen.
- The use of the marquee would cause noise disturbance.
- Residents’ concerns about the application needed to be taken into account.
- This application was not about the applicant’s business but planning considerations.
- Very special circumstances to allow this application had not been provided.
- The Country Park is very important for residents and should not be built on. People needed green spaces and harm would be created if this application were approved. The Council were guardians of the green belt and this should be protected.

Members in favour of this application included the following points:

- It was accepted that application was on green belt land however there have sometimes been and should be occasions when exceptional circumstances are allowed for building on the green belt.
- Why has S106 money for highways improvements not been spent?
- It was accepted that there would be some harm as a result of this application but there was unlikely to be a collision of noise issues as no one is in the Country Park at night.
- This small business has been here for a long time and needs to be supported and the application approved.
- The Marquee can be removed.
- Noise can be mitigated.
- The application has not changed since it came before the Board in July 2017

The Board refused planning permission for the following reasons:

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

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

3. The site is located in an area of poor public transport accessibility and the proposed marquee would significantly intensify the existing use attracting a large number of concentrated traffic movements which given the siting of the access/egress of the venue and the adjacent bend in the road would be harmful to highway safety and contribute to additional queuing and traffic congestion on Dagenham Road contrary to policy BR10 of the Borough Wide Development Policies Development Plan Document.

4. The application does not include an adequate assessment of the impact of the proposed overspill parking area on ecology, and consequently the development has the potential to cause harm to the ecological value of the site contrary to policy BR3 of the Borough Wide Development Policies Development Plan Document.

(Councillor Freeborn arrived during the discussion on this item and in accordance with the Council Constitution (Part 5, Chapter 2, paragraph 7.1), was not permitted to take part in the discussion or vote on the item as she had not been present throughout the entire discussion).

(At the conclusion of this item, the Board adjourned for a break at 7.55 pm and reconvened at 8.05 pm)

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

(At the commencement of this item, the Board agreed that, in accordance with Part 2, Chapter 3, paragraph 7.1 of the Council Constitution, the meeting be extended for a reasonable period beyond the two-hour threshold to enable the matter to be concluded.)

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

The DMM stated that the principle of the development was acceptable as this was not protected land and Cabinet had agreed to dispose of it. All one-bed
accommodation would be provided by the applicant, Pocket Living. These would be small affordable units and the applicants specialise in providing intermediate units with prices set 20% below the open price. Cabinet had stipulated that those eligible for buying these properties should be resident or working in the borough as key workers. The DMM stated that Pocket Living’s schemes aim to create a shared sense of community although they did not have balconies. He added that there would be no significant loss of daylight for the adjacent flats and there would be two parking spaces for wheelchair users. The development would be designed to achieve a minimum of 35% reduction in carbon dioxide emissions from the Building Regulations and, in addition, the applicant had agreed to pay a carbon off-set contribution.

The Democratic Services Officer (DSO) read a statement from Madhan Gopal, an objector to the application. Mr Gopal objected to the proposal owing to parking, health and safety of children and wellbeing of children. He considered that parking in Whiting Avenue was very bad and creating additional homes did not solve this problem. In terms of health and safety of children, he considered this would be further strained by an increase in vehicles with drivers rushing to obtain free parking spaces without consideration of speed limits. In addition, he felt that the area was already cramped for young children and constructing more flats in this area would erode green spaces further and impact on children’s creativity.

The Chair invited Paul Ronchi, an objector to the application, to address the Board. He felt that the development would have a detrimental effect on resident standard of living and quality of life and ruin the character of the area with a negative visual impact. He added that trees would be lost, and the environment would be destroyed with little space for landscaping. He felt that more flats meant more cars and traffic and that there would be a loss of privacy and light for residents in their properties.

The Chair invited Barbara Denham, an objector to the application, to address the Board. She was concerned that the site may have been subject to asbestos and that Council had not said that it wanted to build properties on this site and the current ‘buffer’ area was a protection for residents which stopped traffic and noise. She felt that the area had deteriorated with more people coming into the borough and although more housing was needed, Whiting Avenue was not an appropriate location for this development in her view.

The Chair invited Susan Parkin, an objector to the application, to address the Board. She was the Chair of the Residents and Tenants Association and disputed that there had been a full consultation held by the developer, Pocket Living. She felt the flats would be an ‘eyesore’ and were not needed. The current ‘buffer’ protected residents from the threat of flooding. She also disputed the report prepared by Pocket Living and considered that the proposed development would reduce the light into the flats.

The Chair invited Nick Williams, on behalf of the applicant, to address the Board. He stated that the development would provide 100% affordable housing with a 20% open discount. Those buying these flats must be first time buyers and key workers under the age of forty.

Members asked how the planning conditions were policed and were concerned
that the developer said no wheelchair users will want to buy these homes. They were also concerned about the plans for gardens and amenity space. Nick Williams responded that these properties could not be bought to let other than in exceptional circumstances. Pocket Living will police this, and they supported wheelchair units and would provide amenity space with allotments.

DMM added that there was a distance of 24-27 metres maximum between the proposed 4/6 storey block of flats and Harlow Mansions which would be sufficient to protect owner’s privacy. He advised that officers did not have any concerns about overlooking or light issues.

Members asked whether there was a Controlled Parking Zone (CPZ) active in the locality around Whiting Avenue and Gurdwara Way. The DMM stated that there is a CPZ on some local roads although others are private, and that the parking area would be upgraded to a shared surface.

Members were concerned about the issue of pollution on the vacant site, raised by one of the objectors and asked whether this may have contained asbestos. Nick Williams confirmed that the site was being cleared by the Council in liaison with the Environment Agency.

Members were concerned that properties were being made available only to those under 40 years of age however Mr Williams advised that this was a condition of the grant provided for the build.

Members considered this application was a very good initiative as there was a shortage of housing and homes were needed. They noted the concerns of residents however there was a considerable shortage of single unit properties for key workers and they were concerned to ensure that people live in the area and that properties needed to be affordable. The cost of living was very expensive, and they felt that the 20% discount was rather low.

Members asked how these properties would be marketed. Mr Williams confirmed that the applicant was working with the Council on this. He also clarified that the applicant did not employ outside estate agencies to market these properties.

Members were concerned about emergency vehicles accessibility and it was noted that this was acceptable.

Members supported the scheme although expressed concern that the visual material provided by the applicant was not as good as it should be.

The Board granted planning permission subject to:

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

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

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

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

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


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

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

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

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

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

5. No development shall commence until a Construction Environmental Management Plan (CEMP) and a Site Waste Management Plan (SWMP) have been submitted to and approved in writing by the Local Planning Authority. These plans shall incorporate details of:
a) the parking of vehicles of site operatives and visitors;
b) loading and unloading of plant and materials;
c) storage of plant and materials used in constructing the development;
d) the erection and maintenance of security hoarding(s) including decorative
displays and facilities for public viewing, where appropriate;
e) wheel washing facilities;
f) measures to control the emission of dust, dirt and emissions to air during
construction; such measures to accord with the guidance provided in the
document "The Control of Dust and Emissions during construction and
demolition", Mayor of London, July 2014; including but not confined to, non
road mobile machinery (NRMM) requirements;
g) a scheme for recycling/disposing of waste resulting from demolition and
construction works;
h) the use of efficient construction materials;
i) methods to minimise waste, to encourage re-use, recovery and recycling,
and sourcing of materials; and
j) a nominated Developer/Resident Liaison Representative with an address
and contact telephone number to be circulated to those residents consulted on
the application by the developer's representatives. This person will act as first
point of contact for residents who have any problems or questions related to
the ongoing development.

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

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

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

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

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

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

- surface materials;
- boundary treatment;
- refuse storage; and
- management and maintenance.

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

Reason: In the interests of design quality, residential amenity, walking, accessibility and public safety, in accordance with policy CP3 of the Core Strategy and policy BP11 of the Borough Wide Development Policies Development Plan Document.

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

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

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

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

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

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

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

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

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

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

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

Reason: To ensure that noise-sensitive rooms within the proposed development and neighbouring developments are adequately protected from

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

36. **BMS House, 1 Wantz Road, Dagenham- 16/00981/FUL**

The Development Management Manager (DMM) introduced a report in relation to the application for BMS House, 1 Wantz Road, Dagenham. The application includes the demolition of an existing warehouse and redevelopment of site to provide part 4/part 5 storey building comprising 63 residential units comprising 9 x studio flats, 28 x one-bedroom flats, 20 x two-bedroom flats and 6 x one bedroom maisonettes and 353 square metres mixed
commercial space (A1/B1/D1/A3) together with associated car parking spaces.

The DMM was not aware of any complaints relating to the neighbouring church premises and the Environment Health Officer considered that the new flats would not be likely to be subject to excessive noise. The Transport Officer noted that there was a low level of accessibility. The site was in a locally significant employment area. The development would provide a suitable improvement to the existing site.

The DMM added that the application was for a well-designed building with 4-5 storeys and would not be overbearing at street level. The proposed car park would be accessed from Wantz Road. In terms of energy, there would be a 39% reduction in carbon dioxide emissions over the Building Regulations and the developer would pay £50K towards play space under the Section 106 agreement. The Section 106 would also include a commitment that the scheme remains within the private rented sector for 15 years, the prioritisation of local labour supply and a requirement that the applicant enters into the Section 278 Highways agreement.

The Chair invited Ade Adesina, an objector to the application, to address the Board. He was the Pastor of the Church at the adjacent premises. He advised that the Church tended to create noise during worship and, in the issue of sound proofing, enquired who was responsible if this development were to go ahead as it would have a detrimental effect on local businesses. He was concerned about noise complaints arising.

The Chair invited Simon Owen, on behalf of the applicant, to address the Board. The applicant (Neighbour) had worked hard to bring this application forward. The Ground Floor would be a commercial unit to provide more jobs and this was in accordance with the London Plan standards. The applicant had been very careful in designing good quality spaces and there would be a large communal garden to be landscaped to provide the best daylight possible. They would offer tenancies over a three, five or seven-year period and the building would help the regeneration of the area. Rents would be cheap and there was a fifteen-year obligation for the properties to be rented to be provided within the Section 106. He understood Mr Adesina’s concerns and Neighbour had worked hard with officers to help bring this scheme forward and provide a good commercial operation on the ground floor.

Members were concerned about noise insulation and relocation assistance for businesses. They also asked about the viability of the scheme. In response, Kirk Pickering (Development Director, Neighbour) advised that there were some small businesses on the first floor of the site which would need to be relocated. In terms of noise, he was only aware of these concerns being raised recently and Neighbour were willing to assist the church with sound insulation costs should complaints arise. There would be a private rental scheme (PRS) for a minimum of a fifteen-year period and marketed for local people. In addition, he noted that Neighbour was well funded and a viable organisation and considered that the site would generate income.

Members asked how the applicant would ensure that sub-letting would not take place. Kirk Pickering responded that the management of tenancies was undertaken directly by Neighbour and this would be monitored closely by them.
The Board granted planning permission subject to a S106 Agreement to secure:

- A commitment that the development is maintained as a PRS scheme for a minimum of 15 years along with a commitment to prioritise residents who live and or work in the Borough when marketing and identifying suitable tenants.
  The viability of the development is reviewed on occupation and a revised viability assessment is submitted;
- Following submission of the revised viability assessment, if the development results in a surplus, this shall be split 60/40 in favour of the Council and the Council shall spend their share of the surplus on sub-market housing projects in the Borough;
- A commitment to local labour/local supply so that residents and businesses in the Borough will benefit from the proposed development;
- A requirement that the developer enters into a S278 Highways Agreement to undertake any alterations to the public highway in respect of this development;
- A developer contribution of £50,000 towards play space improvements in the area.

and the following conditions:

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

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


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

3. Following the first occupation of the ground floor mixed use commercial space any further changes of use of this space specifically permitted by this permission must be carried out within a period of 10 years from the date of this permission.

   Reason: To accord with the provisions of Class V, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.

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

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

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

Reason: To safeguard and improve the appearance of the area in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document and Section 197 of the Town and Country Planning Act 1990.

6. The landscaping scheme as approved in accordance with condition No. 4; shall be carried out in the first planting and seeding seasons following the occupation of any of the buildings or completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

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

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

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

8. The car parking areas indicated on drawing No. 0102 Rev P4; shall be constructed and marked out prior to the occupation of the development, and thereafter retained permanently for the accommodation of vehicles of occupiers and visitors to the premises and not used for any other purpose.

Reason: To ensure that sufficient off-street parking areas are provided and not to prejudice the free flow of traffic or conditions of general safety along the adjoining highway in accordance with Policy BR9 of the Borough Wide Development Policies Development Plan Document.

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

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

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

a. a survey of the extent, scale and nature of contamination;

b. an assessment of the potential risks to:
   i. human health,
   ii. property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
   iii. adjoining land,
   iv. groundwaters and surface waters,
   v. ecological systems,
   vi. archaeological sites and ancient monuments;

c. an appraisal of remedial options, and proposal of the preferred option(s).

d. This must be conducted in accordance with DEFRA and the Environment Agency’s ‘Model Procedures for the Management of Land Contamination, CLR 11’.

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

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

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

14. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 10 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 11 which are subject to the approval in writing of the Local Planning Authority.

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

Reason for Conditions 10-15: Contamination must be identified prior to commencement of development to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy BR5 of the Borough Wide Development Policies Development Plan Document and Policy 5.21 of the London Plan.

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

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

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

17. The combined heat and power plant (CHP) to be installed at the premises is to comply with the emissions standards for CHP plant for Band A locations set out in Appendix 7 of Greater London Authority Document “Sustainable Design and Construction – Supplementary

18. Habitable rooms having openings facing onto the North, West or East facing facades are to be provided with acoustic ventilators which are commensurate with the performance specification set out in Schedule 1 (paragraphs 6 and 7) of The Noise Insulation Regulations 1975 (as amended).

Reason: To safeguard the amenity of occupiers of the development in accordance with Policy BR13 of the Borough Wide Development Policies Development Plan Document.

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

Reason: To safeguard the amenity of occupiers of the development in accordance with Policies BR13, BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

20. The lighting of the development hereby permitted, is to be designed, installed and maintained as to fully comply with The Association of Chief Police Officers – Secured by Design publication “Lighting Against Crime – A Guide for Crime Reduction Professionals”, ACPO SPD, January 201. The design shall satisfy criteria to limit obtrusive light presented in Table 1, page 25 of the guide, relating to Environmental Zone E3 – Medium district brightness areas – small town centre or urban locations.

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

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

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

22. Demolition and construction work and associated activities are only to be carried out between the hours of 08:00 and 18:00 Monday to Friday and 08:00-13:00 Saturday with no work on Sundays or public holidays. Any works which are associated with the generation of ground
borne vibration are only to be carried out between the hours of 08:00 and 18:00 Monday to Friday. Demolition and construction work and associated activities are to be carried out in accordance with the recommendations contained within British Standard 5228:2009, “Code of practice for noise and vibration control on construction and open sites”. Parts 1 and 2.

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

23. No development shall commence, including any works of demolition, until a Construction Environmental Management Plan (CEMP) and a Site Waste Management Plan (SWMP) have been submitted to and approved in writing by the Local Planning Authority. These Plans shall incorporate details of:

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

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

Reason: The CEMP and SWMP are required prior to the commencement of development in order to reduce the environmental impact of the construction and the impact on the amenities of neighbouring residents, and in accordance with Policy BP8 of the Borough Wide Development Policies Development Plan Document.
24. Prior to the commencement of the development a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall be designed to minimise deliveries of materials and export of any waste materials within the times of peak traffic congestion on the local road network. The Plan shall be implemented in accordance with the approved details and thereafter maintained.

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

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

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

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

c. Details of management and maintenance regimes and responsibilities.

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

e. Long and cross sections of each SuDS Element.

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

The Scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: A surface water drainage scheme for the site is required prior to the commencement of development to prevent an increased risk of flooding and to prevent pollution of the water environment and in accordance with Policy BR4 of the Borough Wide Development Policies Development Plan Document.

26. Notwithstanding condition number 8, electric charging points shall be provided for 20% of the car parking spaces shown on drawing No. 0102 Rev P4 with a further 20% passive provision. The spaces shall be constructed and marked out and the charging points installed prior to the occupation of the development, and thereafter retained permanently for the accommodation of vehicles of occupiers and visitors to the premises and not used for any other purpose.
27. The approved development shall make provision for cycle parking in accordance with a scheme that shall have been previously submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the occupation of the development and thereafter retained permanently for the accommodation of bicycles of occupiers and visitors to the premises and not used for any other purpose.

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

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

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

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

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

30. The flats hereby approved shall not be occupied until a refuse management plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved management plan shall be implemented in accordance with the approved details.

Reasons: To provide for the satisfactory removal of refuse in the interest of the site and locality and to protect the amenity of future occupiers and in accordance with Policies BP8, BP11 and BR15 of the Borough Wide Development Policies Development Plan Document.

31. No development above ground level shall take place until a scheme showing the provisions to be made for external lighting, CCTV coverage, access control, and any other measures to reduce the risk of crime,
have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been implemented. Thereafter the approved measures shall be permanently retained unless otherwise agreed in writing by the Local Planning Authority.

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

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

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

33. A minimum of 10% of the residential units provided shall be constructed to, or capable of easy adaptation to, Building Regulations Optional Requirement Approved Document M4(3) Category 3: (Wheelchair user dwellings) (2015 edition). Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.

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

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

Reason: To avoid the introduction of uses that would be incompatible with the development and to protect the amenity of future occupiers of the development and existing neighbouring occupiers in accordance with Policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

37. **146-188 Church Elm Lane, Dagenham- 17/01405/FUL**

The Development Management Manager (DMM) introduced a report in relation to the application for 146-188 Church Elm Lane, Dagenham.

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

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

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

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

No additional off-street parking provision was proposed for this development. The site has a PTAL (Public Transport Accessibility Level) of 2 on a scale of 1-6 where 6 is excellent. However, it is considered that any additional parking generated by the flat could be adequately accommodated on neighbouring streets and within the John Parker Close car park.

Members asked about conversion of the premises for those with special needs and the DMM stated the conversion did not appear to require a lot of work and as there were access ramps to the front and rear of the premises, the unit may be suitable for such purposes, however this would be a matter for Housing Services.

The Board **granted** planning permission, subject to the following conditions:

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

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

2. The use hereby permitted shall be carried out in accordance with the following approved plans: A-501 Rev A1, A-502 Rev A1, B-506 Rev A1, B-505 Rev A1

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

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the existing building.
Reason: To ensure the development respects the appearance of the existing property and to maintain the amenity of the area in accordance with policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document.

4. The flat hereby approved shall not be occupied until there has been submitted to and approved in writing by the Local Planning Authority a scheme showing a revised location and design of the proposed external amenity space which should seek to safeguard the amenity of neighbouring residential occupiers.

Reason: To safeguard the amenity of neighbouring properties in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

38. Town Planning Appeals

The Board noted details of the following appeals:

Appeals Lodged

The following appeals have been lodged:

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

Application refused under delegated powers 1 August 2017 – Becontree Ward

b) Application for prior approval of proposed single storey rear extension (depth: 6.0 metres in total comprising 3.0 metres existing and 3.0 metre proposed; height to eaves: 3.0 metres and maximum height: 3.0 metres) – 150 Third Avenue, Dagenham (Ref: 17/00717/PRIOR6)

Application refused under delegated powers 8 June 2017 – River Ward

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

Application refused under delegated powers 28 June 2017 – River Ward

Appeals Determined

The following appeals have been determined by the Planning Inspectorate:

a) Application for prior approval of proposed single storey rear extension (depth: 6.0 metres; height to eaves: 2.8 metres and maximum height: 3.0 metres) – 41 Victoria Road, Barking (Ref: 17/00527/PRIOR6 – Abbey Ward)
Application refused under delegated powers 9 May 2017 for the following reason:

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

Planning Inspectorate’s Decision: Appeal dismissed 29 September 2017

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

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

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

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

Planning Inspectorate’s Decision: Appeal dismissed 5 October 2017

Costs application – allowed 5 October 2017

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

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

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

Planning Inspectorate’s Decision: Appeal dismissed 27 September 2017

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

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

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

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

Planning Inspectorate’s Decision: Appeal dismissed 5 October 2017

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

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

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

Planning Inspectorate’s Decision: Appeal dismissed 16 October 2017

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

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

Planning Inspectorate’s Decision: Appeal dismissed 19 October 2017

39. Delegated Decisions

The Board noted details of delegated decisions for the period 26 June to 28 July 2017.