MINUTES OF
DEVELOPMENT CONTROL BOARD

Monday, 12 February 2018
(7:02 - 8:15 pm)

Present: Cllr Syed Ahammad (Deputy Chair in the Chair), Cllr Saima Ashraf, Cllr Edna Fergus, Cllr Cameron Geddes, Cllr Syed Ghani, Cllr Giasuddin Miah, Cllr Margaret Mullane, Cllr Adegboyega Oluwole, Cllr Chris Rice, Cllr Bill Turner and Cllr Jeff Wade

Apologies: Cllr Faraaz Shaukat, Cllr Sanchia Alasia, Cllr Faruk Choudhury, Cllr Irma Freeborn and Cllr Dominic Twomey

53. Declaration of Members' Interests

Councillor Geddes declared an interest in item 5 (Former Dagenham Working Men’s Club) as he is a Director of the Barking Enterprise Centre (BEC).

54. Minutes - To confirm as correct the minutes of the meeting held on 15 January 2018

The minutes of the meeting held on 15 January 2018 were confirmed as correct.

55. Fresh Wharf Estate, Fresh Wharf Road, Barking IG11 7BG- 17/01736/REM

The Development Planning Officer (DPO) introduced a report on the application relating to the Fresh Wharf Estate, Fresh Wharf Road, Barking.

The site already benefitted from outline planning permission (14/01196/OUT) and this reserved matters application sought approval solely for matters concerning the appearance and landscaping of Phase 1 of the development in relation to the erection of 531 dwellings and 952 square metres of Class A1 (shops) and/or Class A2 (financial services) and/or Class A3 (restaurants & cafes) and/or Class A4 (drinking establishments) and/or Class D1 (non-residential institutions) floorspace in buildings ranging in height between 3 and 15 storeys, public open space and ancillary infrastructure. It should be noted that reserved matters for Phase 2 of the development, comprising up to 380 dwellings, would be submitted at a later date. It was noted that matters such as financial obligations, subsidised housing, viability reviews, transport improvements, community facilities, moorings, sustainability and provisions to maximise local labour/local supply and related Section 106 Agreement have already been agreed under the outline permission and therefore are not under consideration as part of this application.

Members noted that outline planning permission had been granted in 2011 and enquired why there had been such a lengthy delay in the site being developed and the premises built and whether there could be closer working with the Council’s arm’s length company, Reside. The Head of Planning (Growth and Homes (HoGPH) advised that the application had been subject to a section 73
amendment in 2015 and this had made changes to the Section 106 agreement and the scale of the development became more viable as a result. He added that this reserved matters application referred to stage 1 of the development and that the developer would need to provide a further viability assessment at stage 2. Nigel Pugsley, representing the applicant, advised that demolition was likely to commence in March 2018, with construction commencing in October 2018, depending on works to the river wall and he stated that the first dwellings would be complete in 2020. The HoGPH referred to the London Plan which increased the target for new homes and that meeting this target would also increase the proceeds of growth such as Community Infrastructure Levy, Council Tax and New Homes Bonus. Be First were working closely with developers in this matter.

Members asked if the Section 106 agreement could be renegotiated for a higher figure. The HoPGH advised that this could not be renegotiated as it had been agreed as part of the Section 73 application in 2015. A standard charge of £6,000 per dwelling was originally agreed by the London Thames Gateway Development Corporation and this was reduced to £5,000 per dwelling after works in kind were deducted.

Members asked about the drawings for the development including details relating to Central Park.

Members queried when the internal layouts of the flats would be finalised. The PDO stated that this was secured under condition 25 in the S73 application and that final drawings would need to be submitted under a discharge of conditions application. The agent said that this would be done in the coming months.

Members were concerned about public rights of access to the riverside walk and other public realm areas within the development and sought assurance that public access would be guaranteed. Nigel Pugsley advised that there were no defined public rights of way, but all areas would be publicly accessible. The HoPGH added that there was already a S106 obligation requiring a “public realm scheme” to be submitted and approved, including details relating to the maintenance of these areas. This obligation also secured public access 24 hours per day, with exceptions for emergencies or maintenance.

Members were concerned about the lack of affordable housing in the application and also sought to ensure that as far as possible, “buy to let” should be avoided. These matters were not for consideration as part of the reserved matters application.

Members were concerned about the potential impacts on future occupiers from noise emanating from the adjacent A406 North Circular Road. The DPO advised an acoustic barrier was to be constructed adjacent to the A406 and that condition 49 of the S73 decision required the submission of details to ensure adequate noise mitigation to the dwellings.

Members were concerned about the response to the London Fire and Emergency Planning Authority’s comments contained in the report which they felt were not adequate as there was no reference to evacuation procedures, building inspections and fire safety. The DPO responded that the report contained details of an early fire strategy. A full fire strategy would be expected
to form part of the external materials submission in due course.

The Board granted reserved matters consent subject to the following conditions (with any amendments that might be necessary up to the issue of the decision).

Conditions:

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

   1702 P 101 001 Rev 02
   1702 P 101 002 Rev 02
   1702 P 101 003 Rev 01
   1702 P 101 004 Rev 02
   1702 P 101 005 Rev 03
   1702 P 101 006 Rev 03
   1702 P 101 007 Rev 03
   1702 P 101 008 Rev 01
   1702 P 101 100 Rev 02
   1702 P 101 101 Rev 02
   1702 P 101 102 Rev 02
   1702 P 101 103 Rev 02
   1702 P 101 104 Rev 02
   1702 P 101 105 Rev 02
   1702 P 101 106 Rev 02
   1702 P 101 107 Rev 02
   1702 P 101 108 Rev 02
   1702 P 101 109 Rev 02
   1702 P 101 110 Rev 02
   1702 P 101 111 Rev 02
   1702 P 101 112 Rev 02
   1702 P 101 113 Rev 02
   1702 P 101 200 Rev 02
   1702 P 101 201 Rev 02
   1702 P 101 202 Rev 02
   1702 P 101 203 Rev 02
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   1702 P 101 210 Rev 02
   1702 P 101 211 Rev 02
   1702 P 101 212 Rev 02
   1702 P 101 213 Rev 02
   1702 P 101 214 Rev 02
   1702 P 101 215 Rev 02
   1702 P 101 300 Rev 02
   1702 P 101 301 Rev 02
   1702 P 101 302 Rev 02
   1702 P 101 303 Rev 02
Reason: For the avoidance of doubt and in the interests of proper planning.

2. No works to the superstructure in Phase 1 shall take place until details/samples of all materials to be used in the construction of the external surfaces of the development in Phase 1 have been submitted to and approved in writing by the Local Planning Authority. Phase 1 of 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.

3. No works to the superstructure in Phase 1 shall take place until full details of the hard landscaping for Phase 1 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) street furniture;
   c) play spaces and any related equipment; and
   d) management and maintenance.

The hard landscaping scheme shall be implemented prior to occupation of Phase 1 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.

4. No works to the superstructure in Phase 1 shall take place until a detailed scheme of soft landscaping for Phase 1 has been submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme shall be carried out in the first planting and seeding seasons following the occupation or completion of Phase 1 of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the
completion of Phase 1 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.

5. Before occupation 90% of the dwellings in Phase 1 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.

6. Before occupation 10% of the dwellings in Phase 1 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.

56. Former Dagenham Working Men’s Club, 121 Broad Street, Dagenham, RM10 9HP-17/00786/FUL

(As he had previously declared an interest in this item, Councillor Geddes did not take part in this application and absented himself from the meeting.)

The Development Management Manager (DMM) introduced a report on the application relating to the Former Dagenham Men’s Working Club, 121 Broad Street, Dagenham.

The application related to the erection of two 4 storey buildings to provide 6 one-bedroom flats and 14 two-bedroom flats together with start-up small business space (Class B1/D1). It was proposed that the business space would be offered to the Council at a peppercorn rent and would be used to provide additional premises for the Barking Enterprise Centre (BEC). A viability assessment concluded that the residual land value and the benchmark land value were similar and therefore it is not possible to provide any affordable housing in this instance.

It was noted that following public consultation, there had been no responses received. The Development Management Manager (DMM) stated that it was not viable for the scheme to have affordable housing.
The proposed flats would be to a high standard with adequate space and double/triple aspects which would allow good levels of light and cross ventilation.

In terms of amenity space, the ground floor units would have patios and the upper floor flats would have either recessed or projecting balconies. There would also be a communal garden. There would be 18 car parking spaces (20 flats)

The S106 agreement would include a marketing strategy which would seek to maximise owner occupation and ensure that no one would be able to buy more than one property for the first six months of marketing.

Members enquired why specifically Barking Enterprise Centre (BEC) had been selected for the community space. The DMM responded that the BEC ran two premises in Barking which were very successful and were seeking additional premises and that the BEC been chosen after internal discussion. The HoPGH added that, in hindsight, there should have been greater transparency in the selection process and Members agreed that the S106 needed to be amended accordingly.

Members enquired if a condition could be utilised to ensure that “buy to let” was not permitted for the proposed development. The DMM advised that this would be enforced in the legal agreement with the developer/applicant.

The Board granted planning permission subject to:

1. A Section 106 legal agreement to secure the matters set out in section 6.42 of the report with an amendment to the third item so that it reads as follows

   Terms of transfer for start up start up business space and/or community space (lease, peppercorn rent, and fit out).

   The provision of start up small business space and/or community space built to “shell and core” to be gifted to the Council for onward leasing.

2. and

3. 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 S.51 of the Planning and Compulsory Purchase Act 2004)

2) The development hereby permitted shall be carried out in accordance with the following approved plans: DWMC/16/01, DWMC/16/02, DWMC/16/03,
Reason: For the avoidance of doubt and in the interests of proper planning.

3) 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.

4) No development above ground level shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping for the site which shall include indications of all existing trees, shrubs and hedgerows on the site and details of those to be retained.

Reason: To safeguard and improve the appearance of the area 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.

5) 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 the building 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 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) 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 has been submitted to and approved by the Local Planning Authority in writing. The scheme shall make provision for playable space for children. 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 and to provide safe movement throughout the site in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document.

7) The car parking areas indicated on drawing No.DWMC/16/05 Rev D; 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.

8) Electric charging points shall be provided for 10 of the car parking spaces shown on drawing No.DWMC/16/05 RevD. The spaces shall be constructed and marked out and the charging points installed prior to the occupation of the development, and thereafter retained permanently for the accommodation of vehicles of occupiers and visitors to the premises and not used for any other purpose.

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

9) 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.

10) The accessible parking bays indicated on drawing No.DWMC/16/05 Rev D; shall be clearly marked with a British Standard disabled symbol and permanently retained for the use of disabled persons and their vehicles and for no other purpose.


11) No above ground new development shall commence until a scheme showing the provisions to be made for external lighting, 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 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 the interests of enhancing security and safety, to avoid light pollution and safeguard neighbouring amenity and in accordance with policies BC7 and BP11 of the Borough Wide Development Policies Development Plan Document.

12) Details of a scheme of acoustic protection of habitable rooms facing Broad Street against ambient noise shall be submitted to the Local Planning Authority.
Authority for approval in writing. The scheme of acoustic protection shall be sufficient to secure internal noise levels no greater than 35 dB LAeq in living rooms and bedrooms (07.00 hrs to 23.00 hrs) with windows closed; and 30 dB LAeq in bedrooms (23.00 hrs to 07.00 hrs) with windows closed. Additionally, where the internal noise levels will exceed 40 dB LAeq in living rooms and bedrooms (07.00 hrs to 23.00 hrs) or 35dB LAeq in bedrooms (23:00 hrs to 07.00 hrs) with windows open the scheme of acoustic protection shall incorporate a ventilator system which is commensurate with the performance specification set out in Schedule 1 (paragraphs 6 and 7) of The Noise Insulation Regulations 1975 (as amended). The approved scheme shall be fully implemented before the first occupation of the residential unit to which it relates and shall be maintained at all times thereafter.

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

13) The start up small business space (Class B1/D1) use hereby permitted shall not take place other than between the hours of 06:00 and 23:00 on any day.

Reason: To prevent the use causing any undue disturbance to occupants of neighbouring properties at unreasonable hours and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

14) The rating level of the noise from the B1/D1 use hereby approved 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: In the interests of residential amenity, in accordance with Policies BR13 and BP8 of the Borough Development Policies DPD (March 2011).

15) The collection of domestic and commercial waste is not permitted take place between the hours of 23:00hrs on one day and 07:00hrs the following day.

Reason: In the interests of residential amenity, in accordance with Policies BR13 and BP8 of the Borough Development Policies DPD (March 2011).

16) 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'.

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

17) 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.

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

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

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

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

19) 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 19 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 20 which is subject to the approval in writing of the Local Planning Authority.

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

20) Demolition and construction work and associated activities other than internal works not audible outside the site boundary 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. Driven piling or ground improvement work which will generate perceptible off-site ground borne vibration is only to be carried out between the hours of 08:00 and 18:00 Monday to Friday.

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

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

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

22) If piling or other ground improvement work is undertaken pursuant to this permission, then the 5% level of vibration attributable these activities shall not exceed a peak particle velocity of 1.5mm/sec when measured at the point of entry to any adjoining residential development. In the event of reasonable complaint of vibration nuisance and at the request of the Local Planning Authority monitoring to evaluate compliance with this condition is to be carried out and the results submitted to the Local Planning Authority.

Reason: To minimise the transmission of noise and vibration and thereby
safeguard the amenity of neighbouring residential occupiers 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 hoarding(s) including decorative displays and facilities for public viewing, where appropriate;
f. wheel washing facilities;
g. measures to control the emission of dust, dirt and emissions to air during construction; such measures to accord with the guidance provided in the document “The Control of Dust and Emissions during construction and demolition”, Mayor of London, July 2014.
h. a scheme for recycling/disposing of waste resulting from demolition and construction works;
i. the use of efficient construction materials;
j. methods to minimise waste, to encourage re-use, recovery and recycling, and sourcing of materials; and a nominated Developer/Resident Liaison Representative with an address and contact telephone number to be circulated to those residents consulted on the application by the developer’s representatives. This person will act as first point of contact for affected persons who have any problems or questions related to the ongoing development.

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

24) The development shall comply with the requirements of Building Regulation M4(2) 'accessible and adaptable dwellings’. 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 the house is accessible and adaptable in accordance with policy 3.8 of the London Plan.

25) 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.

26) The refuse enclosures indicated on drawing No. DWMC/16/10 shall be constructed in accordance with the approved plans prior to the occupation of the development hereby approved and thereafter permanently retained for the use of the occupiers of the premises.

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

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

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

57. 4 Farr Avenue, Barking IG11 ONZ- 17/01878/FUL

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

58. Town Planning Appeals

The Board noted details of the following appeals:

Appeals Lodged

The following appeal has been lodged:

a) Application for a certificate of lawfulness for an existing development – Loft conversion involving construction of gable end roof, rear dormer windows and front rooflights - 2 Melford Avenue, Barking (Ref: 17/00408/CLU_E)

Application refused under delegated powers 11 August 2017 (Longbridge 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: 2.5 metres and maximum height: 2.9 metres) – 23 Mill Lane, Chadwell Heath (Ref: 17/01472/PRIOR6 – Chadwell Heath Ward)**

   Application refused under delegated powers 6 October 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 28 December 2017

b) **Application for a certificate of lawfulness for an existing use: Use of outbuilding as independent dwelling – 106 Manor Road, Dagenham (Ref: 16/01304/CLU_E – Village Ward)**

   Application refused under delegated powers 14 February 2017 for the following reason:

   1. The applicant has failed to provide sufficient evidence to prove on the balance of probability that the outbuilding has been continuously used as an independent dwelling for more than four years prior to the date of service of an enforcement notice against the use dated 28 July 2014 and is therefore not immune from enforcement action in accordance with Section 171B of the Town and Country Planning Act 1990.

   Planning Inspectorate’s Decision: Appeal dismissed 16 January 2018

c) **Erection of a single storey rear extension and loft conversion involving the construction of a rear dormer window and a hip to gable roof extension and external insulation and rendering – 10 Herbert Gardens, Chadwell Heath (Ref: 17/01473/FUL – Whalebone Ward)**

   Application refused under delegated powers 20 November 2017 for the following reason:

   1. The proposed rear dormer window and gable roof by reason of their design, scale and form would fail to be subordinate to the existing host property and constitute unsympathetic, disproportionate and

**Planning Inspectorate’s Decision: Appeal dismissed 26 January 2018.**

59. **Delegated Decisions**

The Board noted details of delegated decisions for the period 3 October- 8 November 2017.