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<tr>
<th>Barking and Dagenham Council Planning Committee</th>
<th>Date: 18 March 2019</th>
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<tr>
<td>Application No: 17/02151/FUL</td>
<td>Ward: Gascoigne</td>
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<td>Reason for Referral to Planning Committee as set out in Part 2, Chapter 9 of the Council Constitution:</td>
<td>The application is recommended for approval and is considered by the Director of Inclusive Growth to be contrary to a material aspect of the Development Plan in that it would not provide a policy compliant proportion of affordable housing, and the application by reason of its scale, impact upon the environment and the level of likely Councillor interest should, in the opinion of the Director of Inclusive Growth, be determined by the Planning Committee.</td>
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<td>Address: King Edwards Medical Centre, 1 King Edwards Road, Barking IG11 7TB</td>
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<td>Development: Demolition of existing medical centre and erection of seven-storey building comprising replacement ground and first floor medical centre (D1), retail space (A1) to ground floor (to house a pharmacy) and 24 flats to upper (second to sixth) floors with provision of 12 under-croft parking spaces and ancillary facilities.</td>
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<td>Applicant: King Edwards Medical Group Limited</td>
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<td>Contact Officer: Simon Bullock</td>
<td>Title: Principal Development Management Officer</td>
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<td>Summary: The existing medical centre is situated at the junction of King Edwards Road and St. Margarets, and is surrounding by Phase 1 of the Gascoigne East redevelopment (Weavers Quarter). The proposal comprises the demolition of the existing 2 storey medical centre and its replacement with a 7 storey mixed use building comprising ground floor pharmacy, first floor larger replacement medical centre, and 14 two bedroom flats and 10 one bedroom flats on the second to sixth floors. The replacement medical centre would provide up to date facilities and additional space thereby enabling an improvement to this community facility to the benefit of local residents. The pharmacy would also be a new facility which is not currently provided on the site. In terms of the principle of the development the proposed use of the site, housing density, and housing mix is acceptable.</td>
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However, the development would not provide any on-site affordable (sub-market) housing contrary to policy 3.12 of the London Plan. The applicant submitted a development viability report that initially claimed that it would not be financially viable for development to incorporate any affordable housing provision. Following a review of the submitted information by a viability consultant appointed by Be First, it has been concluded and agreed by the applicant that the maximum viable affordable housing provision is a contribution of £215,000 towards off-site affordable housing. In addition a viability review mechanism is incorporated within the S.106 agreed heads of terms that will secure a further contribution in the event that the development values increase during the implementation of the scheme.

Having regard to this evidence, it is recommended that planning permission should be granted as an exception to the policy, in order to enable the regeneration of the site, and the wider benefits that would accrue including the improved medical centre provision, additional housing supply, and improved urban design.

The existing building has an austere appearance and does not provide an active street frontage. The proposed building is considered to provide a high quality of design of appropriate scale, and would provide an active street frontage.

The proposed development would provide a good (policy compliant) standard of accommodation for future residents and it is considered that it would not cause harm to the amenities of neighbouring residents within the adjacent existing buildings.

The scheme includes measures to minimise its environmental impact including a connection to the Gascoigne Heat Network and a Section 106 carbon offset contribution, and a surface water attenuation tank, and measures to improve the biodiversity of the site including the provision of a bio-diverse green roof.

**Recommendation:**

That the Planning Committee grant planning permission subject to the completion of a legal agreement securing a £215,000 contribution towards offsite affordable housing plus a viability review mechanism to secure a further contribution in the event of an uplift in development value, a carbon offset contribution, a Local Labour and Business Agreement, connection of the development to the Gascoigne Heat Network, two years of free car club membership for new residents, and that future residents (excluding Blue Badge holders) will not be entitled to obtain parking permits for Controlled Parking Zones in the vicinity of the site, and the following conditions:

**1. Time Limit**

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. Approved drawings

The development hereby permitted shall be carried out in accordance with the following approved plans: (08)01; (08)02; (08)03; (08)04; (08)05; (08)06; (08)07; (08)10; (08)11; and (08)12.

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

3. Details Materials

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. Accessible housing

Two of the residential units hereby permitted shall be constructed to achieve Building Regulation M4 (3) ‘Wheelchair user dwellings’ standards and the remaining 22 residential units shall be constructed to achieve Building Regulation M4 (2) ‘Accessible and adaptable dwellings’ standards.

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

5. Details hard and soft landscaping

No above ground development shall take place until a scheme of hard and soft landscaping for the site including the roof garden and roof terraces, that shall include details of materials, species and a planting schedule have been submitted to and approved by the Local Planning Authority in writing. The approved hard landscaping shall be carried out prior to the occupation of the development and thereafter permanently retained. The approved soft landscaping 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 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 ensure the development is satisfactorily landscaped in order to improve the visual appearance of the area and in accordance with policies BR3 and BP11 of the Borough Wide Policies Development Plan Document.

6. Details crime prevention measures

No development above ground level shall take place until a scheme showing the provisions to be made for external lighting, CCTV coverage, access control including access to the undercroft car park, 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.

7. Refuse and cycle storage implementation

The refuse and cycle storage enclosures indicated on drawings (08)01; 08(03); 08(04); 08(05) and 08(06) 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 and cycle storage provision in the interests of the appearance of the site and locality and in the interests of promoting cycling as a sustainable and non-polluting mode of transport in accordance with policies BP8, BP11 and BR11 of the Borough Wide Development Policies Development Plan Document.

8. Car parking implementation

Unless otherwise agreed in writing with the Local Planning Authority the car parking spaces indicated on Drawing No. (08) 01 shall be constructed and marked out prior to the occupation of the development, including the accessible parking bays (to be clearly marked with a British Standard disabled symbol), and a minimum of 2 active and 2 passive Electric Vehicle Charging Point bays shall be installed and the parking spaces and charging points shall thereafter be retained permanently for the use of visitors to the premises and not used for any other purposes and the accessible parking bays shall be permanently retained for the use of disabled persons and their vehicles and for no other purpose.

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

9. BREEAM ‘Very Good’

The medical centre and pharmacy shall be implemented in accordance with the submitted BREEAM pre-assessment Revision 1 and shall achieve a minimum ‘Very Good’ BREEAM rating.

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

The development shall be carried out in accordance with the submitted ‘Sustainability Statement and Energy Strategy’ which shall achieve as a minimum a 42% reduction in carbon dioxide emissions over Part L of the Building Regulations (2013), unless otherwise agreed in writing by the Local Planning Authority, and the renewable energy generating equipment shall thereafter be maintained.

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

11. Bird/bat boxes

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

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

12. Living roof details

Details of the proposed living roof including its type and specific purpose together with a maintenance schedule shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development above first floor level. The living roof shall be constructed in accordance with the approved details and thereafter maintained in accordance with the approved maintenance schedule.

Reason: In the interests of reducing the impact of the development on the mains drainage system, enhancing the insulation of the building and contributing to biodiversity and in accordance with policy CR1 of the Core Strategy and policies BR3, BR4 and BP11 of the Borough Wide Development Policies Development Plan Document.

13 – 17. Land contamination and remediation

13. 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 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).

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

14. 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.

15 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.

16. 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.

17. 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 13, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 14, which is subject to the approval in writing of the Local Planning Authority.

Reason for conditions 13 to 17: 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.
18. External lighting standards

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

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

19. Construction hours

No deliveries, external running of plant and equipment or demolition works or construction work, 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 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.

20. Noise and vibration control

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: In order to protect the amenities of neighbouring residents and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

21. Dust control

Measures to control the emission of dust, dirt and emissions to air during construction which are 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 limited to non-road mobile machinery requirements (NRMM), are to be implemented throughout the works to which this permission relates.

Reason: In order to protect the amenities of neighbouring residents and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.
22. Piling

There is to be no use of driven piling in the construction of the development hereby permitted, and any use of non-driven piling shall not 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 must be undertaken in accordance with the terms of the approved piling method statement and such piling or any ground improvement works undertaken shall be carried out such that 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: In order to protect the amenities of neighbouring residents and because the proposed works will be in close proximity to underground sewerage utility infrastructure and in accordance with policies BC11 and BP8 of the Borough Wide Development Policies Development Plan Document.

23. Archaeological investigation

No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.

B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. this part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Reason: Archaeology must be identified prior to the commencement of development to ensure that archaeological investigation is initiated at an appropriate point in the development process and that any areas of archaeological preservation are identified and appropriately recorded/preserved and the results published in accordance with policies BP2 and BP3 of the Borough Wide Development Policies Development Plan Document and section 12 of the National Planning Policy Framework.
24. **Water efficiency**

Before occupation the proposed dwellings shall comply with the water efficiency optional requirement in paragraphs 2.8 to 2.12 of the Building Regulations Approved Document G. 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:** In order to conserve water and to reduce the demand on the mains drainage system and in accordance with policy BR4 of the Borough Wide Development Policies Development Plan Document and policy 5.15 of the London Plan.

25. **Drainage Strategy**

The development shall be carried out in accordance with the submitted ‘Sustainable Drainage Strategy’ including the installation of the surface water attenuation tank indicated at Figure 4.1 which shall be installed prior to the occupation of the development and thereafter be permanently maintained.

**Reason:** 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.

26. **Satellite dish restriction**

With the exception of any roof mounted antennae or satellite dish designed for communal use by the occupiers of each development block, no antennae or satellite dishes shall be placed on any elevation of the buildings 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.

27. **Nesting bird protection**

There shall be no vegetation clearance or tree works during the bird breeding season (February to September) except where a nesting bird survey is carried out by a qualified ecologist no more than 2 days prior to the works. If nesting birds are found:

i. works to that part of the site shall be delayed until the nesting season is over and the fledglings have left the area and a qualified ecologist's report has been submitted to the Local Planning Authority to confirm this;

ii. a strategy shall be submitted to and approved in writing by the Local Planning Authority to ensure the nesting birds are not disturbed by any other works taking place on the site.

**Reason:** In order to prevent harm to wildlife habitats and in accordance with Policy BR3 of the Borough Wide Development Policies Development Plan Document.
28. Construction Method Statement

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

i. the parking of vehicles of site operatives and visitors;
ii. details of access to the site;
iii. loading and unloading and the storage of plant and materials used in constructing the development;
iv. the erection and maintenance of security hoardings including decorative displays;
v. wheel washing facilities;
vi. measures to control the emission of noise, dust and dirt during construction;
vii. a scheme for recycling/reuse of materials and disposing of waste resulting from demolition and construction works; and
viii. details of 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;
ix. details of measures to safeguard the safety and health of children, parents and staff that attend nearby schools.

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.

29. Obscure glazing

The first floor windows in the south-east elevation of the medical centre shall be obscurely glazed to a minimum privacy level 3 and should not be capable of opening to an angle of more than 20 degrees. These qualities should thereafter be permanently maintained.

Reason: To avoid overlooking of the adjoining block of flats, and to protect the privacy of users of the medical centre, and in accordance with policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document and the Residential Extensions and Alterations Supplementary Planning Document.
1. Introduction and Description of Development

1.1 The site lies at the junction of King Edwards Road and St. Margarets and comprises a part single/ part two storey medical centre (GP practice) with associated car park.

1.2 The proposal is to demolish the existing building and erect a 7 storey building comprising a replacement medical centre on the ground and first floors, a ground floor pharmacy, and 24 flats (14 x 2 bedrooms and 10 x 1 bedroom) on the second to sixth floors, with a 12 space undercroft car park accessed from St. Margarets.

1.3 The site is surrounded on three sides (north, south, and west) by the Weavers Quarter residential development (which forms Phase 1 of the Gascoigne Estate east redevelopment) and is nearing completion. To the east of the site, on the opposite side of King Edwards Road, is a church (the Celestial Church of Christ) and the two-storey terraced housing which runs along this side of King Edwards Road.

2. Background

2.1 The planning history specific to the medical centre site consists of the 1967 permission for the erection of a doctors’ surgery (the existing building) and various subsequent extensions to the building.

2.2 The site was also included within the site of the outline planning application for the redevelopment of the Gascoigne Estate east. The initial outline consent (14/00703/OUT) involved the demolition of the existing building and the provision of a replacement medical centre with flats above on the adjacent development parcel. The existing medical centre site would then have formed part of plot accommodating a further courtyard block of flats. The outline application was a ‘hybrid’ which included full details of Phase 1 of the development including the medical centre site but outline details only in respect of the remaining Phases.

2.3 A subsequent Section 73 application to amend the outline consent was granted permission (15/010184/FUL) and has been implemented. This application excluded the medical centre site, with the proposed building on the adjacent development parcel being redesigned to wrap around the retained medical centre.

3. Consultations

Adjoining occupiers

3.1 Consultation letters were sent to 19 neighbouring residential and commercial occupiers, a press notice was published, and a site notice displayed. No comments were received in response to the neighbour consultation.

3.2 In addition the applicant carried out a pre-application neighbour consultation exercise in September 2017, comprising a 2 week public exhibition at the existing medical centre, the outcome of which is summarised below.

3.3 38 consultation forms were filled out, of which all but 4 supported the principle of the replacement medical centre and residential development. Comments on the design and layout of the proposal were generally positive, with support
expressed for the modern design and the bigger and better facilities provided.

3.4 7 of the respondents felt that parking should be provided on the site for patients (there is no such provision at present), and some felt that the design was poor, and that the building would be too high.

Access Officer

3.5 The Access Officer makes various recommendations in respect of matters such as residential room layouts and door hanging arrangements, in addition to providing advice relating to the internal fitting out of the medical centre to improve accessibility.

3.6 Planning Officer note: the applicant has submitted amended drawings to address these points.

Designing Out Crime Officer

3.7 No comments received.

Environmental Health

3.8 No objections subject to the imposition of conditions to secure land contamination investigation and remediation, to restrict construction hours, to control construction related noise, dust and vibration, and to secure appropriate external lighting levels that prevent light pollution within the completed development.

3.9 Planning Officer note: proposed condition numbers 13 to 22 address these matters.

Employment and Skills team

3.10 The team requests the imposition of a planning obligation to secure a Local Labour and Business Agreement.

3.11 Planning Officer note: This forms part of the agreed Heads of Terms for the Section 106 agreement.

Energy Manager

3.12 The Energy Manager is supportive of the proposal to connect the building to the existing Gascoigne Heat Network.

3.13 Planning Officer note: This forms part of the agreed Heads of Terms for the Section 106 agreement.

Essex and Suffolk Water

3.14 No objections.

Historic England – Archaeology
3.15 The site lies within an area of archaeological interest; therefore, a planning condition is requested requiring a scheme of archaeological investigation.

3.16 *Planning officer note: Condition number 23 refers.*

Lead Local Flood Authority

3.17 No reply received.

3.18 *Planning officer note: A drainage assessment has been submitted, as discussed within the Analysis - Environmental Sustainability section below, and this is referenced in proposed condition 25.*

London Fire and Emergency Planning Authority

3.19 No objections.

National Health Service

3.20 No reply received.

Thames Water

3.21 In respect of surface water the scheme should be designed to ensure that storm water flows are attenuated or regulated into the receiving public network through on or off-site storage.

3.22 In addition a condition is requested to require that details of any piling be approved in order to prevent harm to sub-surface sewerage infrastructure.

3.23 *Planning Officer note: Condition numbers 22 and 25 address these points.*

Transport Development Management

3.24 No objections.

Waste and Recycling Policy Manager

3.25 The officer provides details of the required refuse storage area to serve the needs of the development.

3.26 *Planning Officer note: The scheme makes adequate refuse storage provision in accordance with the recommended standards.*

4. Local Finance Considerations

4.1 The developer would be liable for a Mayoral Community Infrastructure Levy (CIL) contribution which will be charged at a new rate of £25 per square metre of chargeable floorspace with indexation applied from 1 April 2019. Decisions granted before 1 April 2019 will be charged at the old rate of £20 per square metre.
In addition, the developer would be liable for the Borough CIL at a rate of £70 per square metre (residential) and £10 per square metre (non-residential use), index linked from 2015. The floor space of the proposed health centre is exempt from CIL.

4.2 The resulting CIL contributions would be £54,124.83 (Mayoral) and £205,105 (LBBD).

5. Analysis

Principle of the development

Proposed use

5.1 The principle of redeveloping the site to provide a replacement medical centre and residential flats is acceptable and in accordance with the site specific allocations policy BTCSSA6 (The Gascoigne Estate) within the Barking Town Centre Area Action Plan.

5.2 The existing medical centre has a floor space of 340m², and the proposed replacement medical centre would have a floor space of 869m² (a 156% increase). This will enable a broader range of medical services to be provided on the site within a new building that will be purpose built to meet the current needs of the existing medical practice. The ground floor pharmacy is an additional facility of benefit to the local community which is not currently provided on the site. The provision of new and improved community facilities is in accordance with the objectives of policy CC2 of the Core Strategy.

Affordable Housing

5.3 With regard to affordable housing, policy within the London Plan, and the London Plan Affordable Housing and Viability Supplementary Planning Guidance (SPG) states that the minimum proportion of affordable housing that can be considered policy compliant is 35% assuming the ‘fast track route’ (that is where the submission of a development viability assessment is not required).

5.4 The applicant submitted a viability assessment with the initial application submission which stated that it would not be financially viable for the scheme to provide any affordable housing. Be First appointed a viability consultant to review the submitted report, the outcome of which was that a number of the assumptions related to development costs, land values, and sales values were challenged.

5.5 Following a number of updated reports, the viability consultant acting for Be First has advised that in their opinion it is not financially viable for the scheme to provide a policy compliant proportion of affordable housing, but that a Section 106 contribution of £215,000 towards off-site provision could be secured. The applicant has agreed to this position and the Section 106 heads of terms that will secure this.

5.6 It is also agreed that the Section 106 will include a viability review mechanism in accordance with the advice of the SPG that will secure an additional contribution in the event that the viability of the scheme improves during its implementation.
5.7 A 2 stage viability review mechanism has been agreed with the applicant in accordance with the SPG, whereby in the event that the permission is not implemented within two years, a further viability exercise must be carried out, that would require an increase in the affordable housing contribution in the event of an increase in development value compared with that predicted within the planning application. The second stage is a viability review at the point of 75% completion of sales, whereby an increase in development value above that indicated within the initial assessment, would also secure an additional Section 106 contribution towards the offsite provision of affordable housing calculated in accordance with the formulae set out within the SPG.

5.8 The amount of any such contribution would be subject to a cap in accordance with the SPG that would be equivalent to the cost of providing 50% affordable housing on site.

5.9 The Council would utilise the contribution towards funding for the provision of new affordable housing within the Gascoigne Estate regeneration schemes.

5.10 In the circumstances related to the evidence provided on viability and taking account of the wider benefits of the scheme particularly in terms of improved local health facilities, the proposed affordable housing contribution is considered acceptable.

Density

5.11 The proposed development of 24 units (10 x 1 bed units, and 14 x 2 bed units) on a site area of 0.07ha results in a residential density of 343 units per hectare. This is somewhat above the recommended density for a location of this nature of up to 260 units per hectare as set out within Policy 3.4 of the London Plan. However, the supporting text to the policy states the density range should not be applied mechanistically and that consideration should be given to the context of the site.

5.12 In this respect the site has an extremely good Public Transport Accessibility Level (PTAL) of 6a on a scale of 0 to 6b where 6b is excellent. Also, within the wider Gascoigne Estate east regeneration scheme there will be a new generously sized public square in close proximity to the site, and the site benefits from convenient access to local community facilities such as schools. In the circumstances the proposed density is considered appropriate and will optimise the development potential of the site.

5.13 Some weight can also be attached to draft London Plan policy D6 which does not apply density guidelines in the same manner, but states that development should make the most efficient use of land and be developed at the optimum density with particular regard to site context, connectivity and local infrastructure.

5.14 Taking account of the above, it is considered that the proposed density is appropriate and would optimise the potential of the site to deliver new housing in accordance with the above policies.
5.15 The proposed development would provide a mixture of one and two bedroom flats. This housing mix is considered appropriate for the location given the proximity to the town centre and the relatively high density surrounding development.

5.16 Whilst policy BTCSSA6 seeking 40% family sized accommodation of 3 bedrooms or more is applicable, its intent is to apply to the regeneration of the Gascoigne Estate as a whole. The actual proportion that was achieved in respect of the outline consent for Gascoigne East was 35.3% with a larger proportion of the 3 bedroom plus units being provided within houses and maisonettes in the southern portion of the estate where the proposed density is somewhat lower and a larger proportion of the 1 and 2 bedroom units being provided within (Phases 1 and 2) the northern part of the regeneration scheme which surrounds this site. Taking account of this context the proposed housing mix is considered appropriate and acceptable.

5.17 The building height at 7 storeys is considered appropriate to its context and is within the range set by the approved parameter plan associated with the initial outline planning permission of between 6 and 8 storeys in this location.

5.18 The section of the adjoining building, Block A2, which is immediately adjacent to the proposed development, is 4 storeys in height. However, this building rises to a 6 storey element at its southern end. Block A1, on the other side of St. Margarets from the application site also has a 4 storey element facing the proposed development, but this building also rises to a taller 8 storey section at its northern end. Consequently, it is considered that both the overall height of the building and the variability in heights resulting from its juxtaposition with a smaller building are both comparable with the surrounding context, and this is considered appropriate.

5.19 The proposed building would provide an active ground floor frontage provided by the double height glazing to the shopfront of the pharmacy and part of the first floor medical centre, and this fronts King Edwards Road and wraps around the corner into St. Margarets.

5.20 Key features of the design include irregularly positioned inset balconies including corner balconies, floor to ceiling windows, curtain wall glazing to part of the north elevation, and a set back to the top floor.

5.21 The main proposed external material is brick, with slate effect cladding to the north elevation, and a metal mesh cladding to the parking area.

5.22 It is considered that the proposed design would provide a well proportioned and visually interesting building that would enhance the street scene in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document.
Amenity

Daylight and sunlight

5.23 The siting of the building is such that it is, as has been described above, immediately adjacent to the recently completed Block A2 within Phase 1 of the Gascoigne East development (Weavers Quarter). This courtyard block wraps around the south and west boundaries of the site in an L shape. It would also be situated opposite Block A1 (to the north) on the other side of St. Margarets. To the east of the site on the opposite side of King Edwards Road is the church adjacent to which (to the south-east of the site) is a terrace of two storey houses.

5.24 The applicant submitted a sunlight and daylight report that has been prepared in accordance with the Building Research Establishment to test the impact of the proposal on sun and daylight levels within the habitable rooms of nearby properties.

5.25 There are two tests in respect of daylight and the BRE standard requires that lighting levels within affected rooms should not fall below 0.8 times their previous value as a result of the development.

5.26 The results demonstrate some mainly minor transgressions below the standard in respect of Nos. 2 and 6 King Edwards Road, and in respect of windows within Block A1 opposite the site.

5.27 In respect of sunlight there is 1 ground floor room within Block A1 that would fall below the standard.

5.28 In terms of the results in respect of the 2 properties within King Edwards Road these are similar to those for the original hybrid consent that included the redevelopment of the medical centre site.

5.29 With regard to Block A1, the south facing windows that would be affected currently face onto a part single/ part two storey building meaning that the existing daylighting levels are particularly good due to the lack of obstruction. In the urban context of the surrounding development and taking account of what has previously been consented it is unrealistic to expect this scale of development to remain. Therefore, it is reasonable to expect that there would be some reduction in daylighting levels as would also be the case had the original consent been implemented.

5.30 There is also a marginal daylight impact on some windows within adjoining Block A2. However, if the shading effect of balconies situated above windows within Block A2 is discounted (as recommended by the guidelines) then these windows do meet the applicable BRE standard.

5.31 On balance the impact on neighbours in respect of day and sunlight is considered acceptable, and this impact is also balanced by the need to optimise the development potential of the site in accordance with policy 3.4 of the London Plan.
Privacy and bulk

5.32 The first floor surgery would include south facing windows that face towards the podium roof garden of the adjacent Block A2 however; these would be obscure glazed in order to ensure adequate privacy in both directions. At the rear of the proposed building (which backs onto the roof garden referred to above) the upper floors are set back to align with the courtyard elevations of the adjacent block.

5.33 The second floor and floors above are also progressively set back from the south elevation, which will serve to reduce the sense of bulk when viewed from the adjacent roof garden or the block opposite.

Proposed amenity

5.34 The proposed development would provide a good standard of amenity for future residents. All flat layouts comply with the minimum internal areas, bedroom sizes and dimensions, and storage space requirements set out within the London Plan and the nationally described space standard.

5.35 In addition all units provide external amenity space in the form of balconies or roof terraces that exceed the minimum requirements of the London Plan Housing SPG. A number of the two bedroom units include amenity space that substantially exceeds the minimum requirement.

5.36 The scheme also incorporates a communal roof garden with lift access that would be available for the use of all residents of the development.

5.37 Where feasible dual aspect units are provided, but 8 units (one third) would be single aspect either to the east or south, but no single aspect north facing units are proposed. The layout maximises dual aspect units within the constraints of the site, and in addition there is access to a communal roof space that will have good sunlight levels and views, in this respect the proposals are considered acceptable.

5.38 The wider Gascoigne East redevelopment includes children’s play space provision including within the future Gascoigne Square which will be within approximately 2 minutes’ walk of the proposed development. It is considered that this provision will adequately meet the needs of the scheme.

Transport

5.39 As mentioned previously the site is highly accessible by public transport (with a PTAL of 6a) and is also within walking distance of town centre facilities.

5.40 The scheme makes provision for residential cycle parking in accordance with London Plan standards. Cycle stores would be secure, being provided off the landings of each residential floor, accessed via the lift. Visitor cycle parking would be provided outside the building on the small forecourt area between the pavement and the front elevation.

5.41 12 car parking spaces would be provided within the undercroft to the rear of the proposed pharmacy. 2 wheelchair accessible parking spaces would be allocated to
the 2 wheelchair accessible flats, with the remaining 10 parking spaces (one of which would be wheelchair accessible) being allocated as staff parking for the medical centre.

5.42 Aside from the accessible units the residential development would therefore be car free. Given the high degree of public transport accessibility and proximity to the town centre this is considered acceptable. In accordance with usual practice in such cases, a Section 106 obligation is proposed, that will prevent future occupiers (excluding Blue Badge holders) being entitled to obtain parking permits for parking within the adjacent Controlled Parking Zone. This will prevent the development from contributing to on street parking congestion in the vicinity of the site.

5.43 The applicant has also agreed to a Section 106 obligation to provide two years of free car club membership to the initial occupiers of each flat. This aligns with the existing Section 106 in respect of the wider Gascoigne East redevelopment, and there is an existing car club operating within the vicinity of the site.

5.44 The Transport Officer has advised that the design of the vehicular access to the car park from St. Margarets is acceptable in terms of the function and safety of the highway.

Environmental Sustainability

5.45 The site lies within Flood Zone 1 meaning that it has a low risk of flooding and therefore a flood risk assessment was not required to be submitted.

5.46 The drainage assessment confirms that the proposed development can be drained of surface water through an attenuation system controlling flow to a greenfield rate of 5 litres per second and up to 40m3 of storage can be provided to balance the flows from the site. A below ground attenuation tank will be located below the ground floor parking area and this can be secured by condition. This is in accordance with London Plan policy 5.12 which seeks to secure greenfield runoff rates and is therefore acceptable.

5.47 A biodiverse green roof would be provided on part of the rooftop of the building, this will contribute to biodiversity and details will be required to be submitted (see proposed condition 12) to seek to optimise its biodiversity potential.

5.48 The proposal incorporates the provision of bird and bat boxes installed on the building which will also contribute to biodiversity in accordance with policy BR3 of the Borough Wide Development Policies Development Plan Document.

5.49 The submitted BREEAM Assessment (Building Research Establishment Environmental Assessment Method) demonstrates that the proposed medical centre and pharmacy has been designed to achieve a BREEAM rating of ‘Very Good’. This is in accordance with policy BR1 of the Borough Wide Development Policies Development Plan Document and can be secured by condition.

5.50 The proposed energy strategy for the site is to connect the development to the existing Gascoigne Heat Network a district heating system that has been developed in association with the wider Gascoigne Estate regeneration scheme. This is in accordance with London Plan policy which expects new developments to connect to
district energy networks where available. Together with building fabric improvements the resulting carbon emissions are predicted to be 42% below those of an equivalent scheme complying with the minimum requirements of the 2013 Building Regulations.

5.51 In order to address the residual predicted annual carbon emissions of 22.4 tonnes a Section 106 carbon offset contribution has been agreed, predicted to be £40,320 that will be utilised by the Council towards measures such as district heating networks that secure an off-site reduction in carbon emissions in accordance with policy 5.2 of the London Plan and the London Plan Sustainable Design and Construction SPG.

5.52 A bat roost survey of the existing building was submitted by the applicant which confirms that there is no evidence of bat habitat within the existing building to be demolished.

6. Equalities

6.1 The Equality Act 2010 requires the Council to advance equality of opportunity in the exercise of its functions.

6.2 The provision of accessible housing within the scheme as proposed would advance equality of opportunity, and the provision of an improved replacement medical centre is considered to have the potential to advance equality of opportunity.

7. Conclusion

7.1 The proposed development would result in the regeneration of the site in a manner which is consistent with and complementary to the redevelopment of the wider Gascoigne Estate and will result in the provision of improved community facilities in terms of the larger health centre and the new pharmacy.

7.2 Taking account of viability advice, it is considered that the development would make the maximum viable contribution towards affordable housing contribution in the form of an off-site contribution, and a viability review mechanism is secured. In the circumstances, this non-compliance with development plan affordable housing policy is considered acceptable.

7.3 As set out within the report it is considered that the proposed development would provide a high quality design, with an appropriate relationship to neighbouring development, and is designed to minimise its impact on the environment in accordance with development plan policy.

Background Papers

- Planning Application File: http://paplan.lbbd.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=P1D8BYBLKNS00
- Local Plan Policy
Policy CM1 General Principles for Development
Policy CM2 Managing Housing Growth
Policy CC1 Family Housing
Policy CC2 Social Infrastructure to Meet Community Needs
Policy CC3 Achieving Community Benefits through Developer Contributions
Policy CP3 High Quality Built Environment
Policy BR1 Environmental Building Standards
Policy BR2 Energy and On-Site Renewables
Policy BR3 Greening the Urban Environment
Policy BR4 Water Resource Management
Policy BR5 Contaminated Land
Policy BR9 Parking
Policy BR10 Sustainable Transport
Policy BR11 Walking and Cycling
Policy BR13 Noise Mitigation
Policy BR14 Air Quality
Policy BC1 Delivering Affordable Housing
Policy BC7 Crime Prevention
Policy BC8 Mixed Use Development
Policy BP3 Archaeology
Policy BP8 Protecting Residential Amenity
Policy BP11 Urban Design

Policy BTCSSA6: The Gascoigne Estate

- **London Plan Policy**

  Policy 3.3 Increasing housing supply
  Policy 3.4 Optimising housing potential
  Policy 3.5 Quality and design of housing developments
  Policy 3.8 Housing choice
  Policy 3.11 Affordable housing targets
  Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
  Policy 3.13 Affordable Housing Thresholds
  Policy 3.16 Protection and enhancement of social infrastructure
  Policy 5.1 Climate change mitigation
  Policy 5.2 Minimising carbon dioxide emissions
  Policy 5.3 Sustainable design and construction
  Policy 5.6 Decentralised energy in development proposals
  Policy 5.7 Renewable energy
  Policy 5.11 Green roofs and development site environs
  Policy 5.13 Sustainable drainage
  Policy 5.21 Contaminated land
  Policy 6.9 Cycling
  Policy 6.13 Parking
  Policy 7.2 An inclusive environment
  Policy 7.3 Designing out crime
  Policy 7.5 Public realm
  Policy 7.6 Architecture
  Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

- **National Policy**

  National Planning Policy Framework
  National Planning Practice Guidance
  Technical housing standards – nationally described space standard