


LONDON BOROUGH OF BARKING & DAGENHAM
PLANNING COMMITTEE
10 August 2020
Application for Planning Permission

Case Officer:	Adele Lawrence	Valid Date:	14-11-2018
Applicant:	Trocoll House No. 1 Sarl	Expiry Date:	09-01-2019
Application Number:	18/01927/FUL	Ward:	Abbey Ward
Address:	Trocoll House, Wakering Road, Barking IG11 8PD		

The purpose of this report is to set out the Officer recommendations to Planning Committee regarding an application for planning permission relating to the proposal below at Trocoll House, Wakering Road, Barking IG11 8PD.

Proposal:

Demolition and redevelopment of existing building and car park site, erection of a part 4, 5, 23 and 28-storey building to provide 198 Build to Rent (BtR) residential units, re-provision of the existing public house (Class A4) and new commercial floorspace at ground floor level (Use Class A3). The proposal also includes 3 blue badge car parking spaces within the basement.

The application is referable to the Mayor of London.

Officer Recommendations:

Planning Committee is asked to resolve to:

1. Delegate authority to the London Borough of Barking & Dagenham's Director of Inclusive Growth to refuse planning permission for the reasons set out below subject to any Direction from the Mayor of London.

Reasons for refusal:

1. The application fails to demonstrate that the affordable housing offer of 25% by unit based on 30% London Living Rent and 70% Discount Market Rent (at 80% of market rent) represents the maximum level of affordable housing deliverable on the site, contrary to policies 3.10, 3.11, 3.12 and 3.13 of the London Plan, policies H4, H5 and H11 of the Draft London Plan, the Mayor of London's Affordable Housing and Viability SPG and policy DM1 of the Draft Local Plan.

OFFICER REPORT

Planning Constraints:

- Located in Barking Town Centre Area Action Plan (AAP) Area.
- Site falls within Site Specific Allocation Area 3 (BTCSSA3) (Barking Station).
- Site is adjacent to the Grade II Listed Barking Station booking hall.
- Site falls just inside the Epping Forest Special Area of Conservation (SAC) Zone of Influence (3-6.2km Zone).

Site, Situation and Relevant Background Information:

The 0.187 hectare application site is located in Barking Town Centre immediately to the east of Barking Station.

The application site comprises Trocoll House, a 5-storey early 1960s building at the corner of Station Parade and Waking Road. Trocoll House comprises a public house at ground floor level (The Barking Dog) which is accessed from Station Parade and short-term let serviced office accommodation above which is accessed from Waking Road. It is noted that a couple of the floors of Trocoll House have flexible consent for use as B1 office and/or D1 education use. Trocoll House is one of two similar buildings (the other being Roding House) that flank the entrance to Barking Station.

The application site also includes a rectangular parcel of land on the south-western side of Waking Road immediately to the rear of Trocoll House. Waking Road forms the north-eastern boundary of this part of the site and the tracks and platforms of Barking Station form its south-western boundary. The land is currently in use as a private car park and is arranged on two levels, with a raised ground level and basement below. Egress to the ground level is provided immediately to the rear of Trocoll House, while the access to the ground level and the access/egress to the basement level are provided further along Waking Road at the other end of the site.

Waking Road has a one-way traffic restriction and forms a link between Gurdwara Way (A124) and Longbridge Road/Station Parade. It is characterised predominantly by large footprint buildings, notably Wigham House (10-storeys) and Phoenix House. To the north-west of the site is the Foyer building (9-storeys).

Relevant Background

A previous planning permission for a similar proposal at the site, being 15/00651/FUL, was overturned at Planning Committee on 12 October 2015 and members resolved to refuse the application on the grounds of design, density, lack of affordable housing, insufficient children's playspace and an unsatisfactory waste management strategy. The application was called in by the Mayor of London who subsequently resolved to approve planning permission for the development. The planning permission has not been implemented and lapsed in February 2019.

Key issues:

- Principle of the Proposed Development
- Dwelling Mix and Quality of Accommodation
- Design and Quality of Materials
- Heritage
- Impacts to Neighbouring Amenity
- Sustainable Transport
- Waste Management
- Delivering Sustainable Development (Energy / CO₂ reduction / Air Quality)
- Biodiversity & Sustainable Drainage
- Habitat Regulation Assessment: Epping Forest Special Area of Conservation (SAC)

Planning Assessment:

1. Principle of the Development:	
<i>Existing use(s) of the site</i>	<ul style="list-style-type: none"> • Office (Use Class B1(a)) (with flexible Office / Education (Use Class D1) uses at first and second floor levels) (1,901.7 sqm); • Public House (Use Class A4) (748 sqm); • Car park (95 spaces).
<i>Proposed use(s) of the site</i>	<ul style="list-style-type: none"> • 198 Build to Rent residential units; • Re-provision of existing Public House (Use Class A4) (829 sqm); • Restaurant/cafe (Use Class A3) (311 sqm).
<i>Net gain/loss in number of homes</i>	<ul style="list-style-type: none"> • Gain of 198 Build to Rent residential units.

- 1.1 The National Planning Policy Framework (NPPF) speaks of the need for delivering a wide choice of quality homes which meet identified local needs, in accordance with the evidence base, and to create sustainable, inclusive, and mixed communities. Paragraph 17 specifically states that it is a core planning principle to efficiently reuse land which has previously been developed.
- 1.2 The London Plan, through policies 3.3, 3.5 and 3.8, outlines that there is a pressing need for more homes in London and that a genuine choice of new homes should be supported which are of the highest quality and of varying sizes and tenures, in accordance with Local Development Frameworks. Residential development should enhance the quality of local places and take account of the physical context, character, density, tenure and mix of the neighbouring environment and as a minimum incorporate the space standards and more detailed requirements, as outlined in the Housing SPG. The Draft London Plan outlines comparable messages to the adopted London Plan in regard to the need for more and good quality homes through policies GG4, D1, D4, H1 and H10.
- 1.3 The application site is located within the Barking Town Centre Area Action Plan (AAP) area. Barking Town Centre is defined in the London Plan as a Major Centre within the London Riverside Opportunity Area. Policy CE1 of the Local Plan promotes Barking as a town centre which should offer a mix of uses including retail, leisure, culture and entertainment, housing, community facilities, food and drink.
- 1.4 Policy CM1 of the Local Plan states that residential development (particularly higher density development) will be focussed in the key regeneration areas, which includes Barking Town Centre. Policy CM2 of the Local Plan sets a target of 6,000 new homes in Barking Town Centre through redevelopment in line with the Barking Town Centre AAP.
- 1.5 The site forms part of the Barking Town Centre Housing Zone and the proposal will contribute to the Borough's annual target of additional new homes per year.
- 1.6 The application site is located within Barking Town Centre Site Specific Allocation Area 3 (BTCSSA3) (Barking Station). The proposed uses for the area are an improved transport interchange, shops, restaurants, cafes, office and other commercial uses including leisure, hotel and new homes.
- 1.7 Policy BTC2 of the Barking Town Centre AAP lists 61 Station Parade (The Barking Dog) as forming part of the town centre's secondary shopping frontage.
- 1.8 The proposed development would result in a loss of B1(a) office space, and also an element of flexible B1(a) office/D1 educational floorspace. The D1 use is not protected and accordingly there is no policy requirement to re-provide the use. The applicant has justified the loss of B1 office space in accordance with policy BE5 of the Local Plan and officers are satisfied with their reasoning based around an unviable business, poor performing building and regeneration potential.

- 1.9 The proposed development incorporates new restaurant/café floorspace (Use Class A3) fronting Wakering Road which will provide active frontage and employment opportunities which is welcomed. The existing Public House on the corner of Station Parade and Wakering Road is to be re-provided as part of the development.
- 1.10 The objectives set out in the Supplementary Planning Document (SPD) 'Barking Station Masterplan' for Site Allocation BS4 (Trocoll House) are to create a quality retail environment on arrival to Barking; deliver high quality office space; and to frame the view of the Grade II listed Barking Station.
- 1.11 The proposal would result in the re-building of Trocoll House. Whilst residential use on the upper floors departs from the SPD objectives, as set out in the report above Officers have accepted the applicant's reasoning for residential use on the upper floors of Trocoll House as opposed to office use.
- 1.12 Site Allocation BS5 (Wakering Road) of the 'Barking Station Masterplan' SPD refers to the narrow car park site to the rear of Trocoll House being developed as a high-quality hotel scheme. The hotel objective was based around a previous proposal for a 22-storey hotel which was granted planning permission in November 2010 but found to be unviable.
- 1.13 Given the current demand for residential accommodation, Officers accept the change from hotel use to residential use.
- 1.14 The design requirements set out under Site Allocations BS4 and BS5 are relevant in the consideration of this application.
- 1.15 The principle of a residential-led development on the application site is supported. Members should also note that the principle of a residential-led development on the site was established by way of a previous planning permission 15/00651/FUL for a similar proposal which lapsed in 2019.

2. Dwelling Mix and Quality of Accommodation:			
<i>Proposed Density – units per hectare (u/ph):</i>	1,133 u/ph	<i>Overall % of Affordable Housing:</i>	25%
<i>LP Density Range:</i>	215-405 u/ph	<i>Comply with London Housing SPG?</i>	Yes
<i>Acceptable Density?</i>	Yes	<i>Appropriate Dwelling Mix?</i>	Yes

Density

- 2.1 The NPPF emphasises the importance of delivering a wide choice of high-quality homes and, as part of significantly boosting the supply of housing, advises that Local Planning Authorities should set their own approach to housing density to reflect local circumstances.
- 2.2 Policy 3.4 of the London Plan sets out a density matrix as a guide to assist in judging the impacts of the scheme. It is based on the setting and public transport accessibility level (as measured by TfL) of the site. The policy states that proposals which compromise the policy should normally be resisted, although the policy also states that it is not appropriate to apply the matrix mechanistically.
- 2.3 Unlike the adopted London Plan, there is no density matrix in the Draft London Plan. Instead, Policy D3 of the Draft London Plan seeks to ensure that development proposals make the most efficient use of land and states that sites must be developed at the optimum density, with a design-led approach to optimising density.
- 2.4 Policies CM2 and BP10 of the Local Plan seek to ensure that housing densities are considerate to local context and accessibility, design, sustainability and infrastructure requirements, whilst ensuring optimum use of all suitable sites in the Borough in light of the high levels of identified

housing need. Additionally, and similar to Draft London Plan policy, policy SP4 of the Draft Local Plan advocates a design-led approach to optimise density and site potential.

- 2.5 The site has an excellent level of public transport accessibility (PTAL) with a PTAL of 6b. The density matrix in the London Plan identifies that a site with a PTAL of 6 in a central setting should provide 650-1,100 habitable rooms per hectare (hr/ph) or 215-405 units per hectare (u/ph).
- 2.6 The proposed development would have a density of approximately 1,133 units per hectare. This significantly exceeds the density guidance in the London Plan.
- 2.7 It is considered that the construction of a tall tower on a limited site footprint will almost always result in a density in excess of London Plan guidelines. Given the site is located in the town centre and adjacent to Barking Station, it is considered to be an appropriate location for a high-quality, high-density development. It should also be noted that the proposed density is the same as the previous planning permission for the site.

Housing Mix and Tenure

- 2.8 Policy 3.8 of the London Plan states that residential development should offer genuine housing choice with regard to the range of housing sizes and types. This is supported by policy H10 of the Draft London Plan which seeks residential development to deliver an appropriate mix of housing.
- 2.9 The application proposes a Build to Rent scheme for 198 residential units with the following mix and tenure:

Unit Size	Build to Rent Units	Affordable Units (Discount Market Rent at 80% of market rent)	Affordable Units (London Living Rent)	Total
1-bed / 1-person	2	4	4	10 (5%)
1-bed / 2-person	58	10	5	73 (37%)
2-bed / 3-person	50	17	4	71 (36%)
2-bed / 4-person	38	4	2	44 (22%)
Total units	148 (74.7%)	35 (17.7%)	15 (7.6%)	198 (100%)

- 2.10 Policy CC1 of the Local Plan states that major housing developments will generally be expected to provide a minimum of 30% family accommodation (3-bedrooms or larger) in Barking Town Centre. The policy goes on to state, however, that not all sites will be suitable for family sized accommodation. For example, in town centre locations where the size and form of the site is too tight, and where it would not be possible to provide a satisfactory environment for young children, particularly in respect of access to external amenity space.
- 2.11 The Barking Town Centre Strategy which informed the Council's successful Housing Zone bid, recognises that delivery of new housing in the town centre is critical to support the town centre's revitalisation by increasing footfall and local disposable incomes. The town centre and its environs have a high proportion of affordable housing, including larger units and the strategy is to provide additional 1 and 2 bedroom units (private for sale, Build to Rent and shared ownership) which attract working residents who benefit from Barking's superb public transport accessibility and who can help support a widening of the town centre's retail and leisure offer and in particular help support the poorly developed evening economy. There is a clearly recognised need for 1 and 2-bedroom units and Barking Town Centre is the best location for them given the public transport accessibility and the existing amenities. Accordingly, the proposed mix of unit sizes are supported and reflects that of the previous planning permission for the site.

Affordable Housing

- 2.12 Policy H4 of the Draft London Plan requires 50% of the number of homes built over the plan period to be affordable. The need for affordable housing is also reiterated in policy DM1 of the Draft Local Plan and London Plan policies 3.10, 3.11, 3.12 and 3.13.

2.13 Policy H11 of the Draft London Plan sets out the affordable housing policy for Build to Rent schemes. The policy states that:

To qualify as a Build to Rent scheme the following criteria must be met:

- 1) the development, or block or phase within the development, has at least 50 units;*
- 2) the homes are held as Build to Rent under a covenant for at least 15 years;*
- 3) a clawback mechanism is in place that ensures there is no financial incentive to break the covenant;*
- 4) all the units are self-contained and let separately;*
- 5) there is unified ownership and unified management of the private and Discount Market Rent elements of the scheme;*
- 6) longer tenancies (three years or more) are available to all tenants. These should have break clauses for renters, which allow the tenant to end the tenancy with a month's notice any time after the first six months;*
- 7) the scheme offers rent and service charge certainty for the period of the tenancy, the basis of which should be made clear to the tenant before a tenancy agreement is signed, including any annual increases which should always be formula-linked;*
- 8) there is on-site management, this does not necessarily mean full-time dedicated on-site staff, but all schemes need to have systems for prompt resolution of issues and some daily on-site presence;*
- 9) providers have a complaints procedure in place and are a member of a recognised ombudsman scheme;*
- 10) providers do not charge up-front fees of any kind to tenants or prospective tenants, other than deposits and rent-in-advance.*

2.14 Where a Build to Rent development meets all of the above criteria, the affordable housing offer can be solely Discount Market Rent (DMR) at a genuinely affordable rent, preferably London Living Rent level. DMR homes must be secured in perpetuity.

2.15 In order to follow the Mayor of London's Fast Track viability route, the proposed Build to Rent scheme would need to deliver at least 35 per cent affordable housing with at least 30 per cent of DMR homes provided at an equivalent rent to London Living Rent and the remaining 70 per cent at a range of genuinely affordable rents. The scheme would also need to meet all other requirements of Part C of policy H5 of the Draft London Plan.

2.16 This application was originally scheduled to be determined at Planning Committee on 6 July 2020 with an Officer recommendation to refuse planning permission on affordable housing grounds based on an offer of 19.7% affordable housing by unit (39 units) comprising 30% London Living Rent units (12 units) and 70% DMR units (at 80% of market rent) (27 units). It is noted that the 19.7% affordable housing offer initially comprised 39 DMR units (at 80% of market rent) but the offer was revised in April 2020.

2.17 The application has followed the Viability Tested Route set out in policy H5 of the Draft London Plan. Accordingly, the applicant submitted a Financial Viability Appraisal with the application and this has been robustly scrutinised by BNP Paribas acting on behalf of the Council and the GLA's Viability Team. Viability and affordable housing discussions between parties have been ongoing for a protracted period of time.

2.18 Just prior to finalisation of the 6 July Planning Committee Agenda, the applicant requested that the item be deferred to 10 August Planning Committee so that they could review their affordable housing offer. Officers agreed to defer the item on the basis that the applicant's best and final affordable housing offer be submitted to Officers by 13 July.

2.19 As set out in the table above, the applicant's best and final affordable housing offer, which was submitted on 10 July 2020, is 25% on a unit basis (50 units in total) comprising 30% London Living Rent units (15 units) and 70% DMR units (at 80% of market rent) (35 units). The submitted

appraisal has assumed that the London Living Rent units would be located on the mezzanine and first floor levels of the building and the DMR units would be located on the first to third floor levels.

- 2.20 The last report from BNP Paribas acting on behalf of the Council and dated June 2020, which was based on the previous 19.7% affordable housing offer, concluded that:

We have produced our final appraisal results and the scheme can support 30% affordable housing when the Applicant's initial market rents are increased by 10%. We have also undertaken scenarios assuming that the scheme is forward funding and when this scenario is tested the scheme can support 30% affordable housing when rents are increased by 5% and 35% affordable housing when rents are increased by 10%.

- 2.21 On the basis of BNP Paribas' conclusions and having regard to the applicant's best and final offer of 25% affordable housing, Officers remain unconvinced that the scheme cannot deliver a London Plan policy compliant level of affordable housing at 35% by unit at 30% London Living Rent and 70% DMR. Officers note the applicant's aspiration to deliver a high quality Build to Rent product which could deliver rental income in excess of standard rental products locally and the availability of forward funding for Build to Rent schemes which have delivery partners onboarded. Officers are satisfied that the position provided by BNP Paribas is both robust and reasonable.

- 2.22 The last formal comments from the GLA Viability Team (GLAVT) dated 15 June 2020, which were based on the previous 19.7% affordable housing offer, similarly conclude that:

The GLAVT does not consider that the applicant has demonstrated that the affordable housing offer represents the maximum level deliverable and that limited weight should be applied to the applicant's viability assessment. In summary, this is for the following reasons:

- *The primary evidence relied upon by HEDC (the applicant's Viability Consultant) to form the residential rental values is not appropriate given it is not based upon a specialist Build to Rent scheme, nor has it been appropriately adjusted to reflect one.*
- *The Benchmark Land Value is, in part, based on the valuation of permitted development rights (conversion from office to residential). This is not an approach that the GLAVT can support.*
- *The investment yield adopted by HEDC is considered pessimistic.*
- *HEDC have not carried out any appraisals which assume growth.*
- *HEDC have not carried out an appraisal of an alternative build for sale scheme, in accordance with paragraph 19 of Viability Planning Practice Guidance.*
- *It is noted that BNP Paribas Real Estate's latest review on the applicant's viability position concludes that the scheme can support 35% affordable housing.*

- 2.23 The GLA will formally consider the applicant's best and final offer of 25% affordable housing as part of the GLA Stage 2 referral process.

- 2.24 For the above reasons, Officers consider that the proposed development should be refused as the applicant has failed to demonstrate that the affordable housing offer of 25% represents the maximum level of affordable housing deliverable on the site, contrary to the London Plan, the Draft London Plan, the Mayor of London's Affordable Housing and Viability SPG and the Draft Local Plan.

Quality of Accommodation

- 2.25 At national level, the 'Technical Housing Standards – Nationally Described Space Standard' deals with internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the gross internal area of new dwellings at a defined level of occupancy, as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage, and floor-to-ceiling heights. Policy 3.5 of the London Plan and policy D4 of the Draft London Plan seek for new housing to achieve the space standards in line with those set at national level. The Local Plan and Draft Local Plan reiterate the need for housing developments to conform to these requirements.

- 2.26 Policy D4 of the Draft London Plan also sets out the importance for homes across London to be designed to a high quality – ‘New homes should have adequately-sized rooms and convenient and efficient room layouts which are functional, fit for purpose and meet the changing needs of Londoners over their lifetimes. Particular account should be taken of the needs of children, disabled and older people’.
- 2.27 Policy 3.8 of the London Plan and policy D7 of the Draft London Plan also outline that 90% of new build homes should meet requirement M4(2) (accessible and adaptable dwellings) of Building Regulations Approved Document M and that 10% should meet requirement M4(3) (wheelchair user dwellings). This target is reflected at local level by policy BC2 of the Local Plan and policy SP4 of the Draft Local Plan.
- 2.28 All proposed dwellings would meet the minimum required internal space standards as set out in the nationally described space standard and generally ensure that all future occupants benefit from good standards of daylight/sunlight provision. 20 units (10%) have been designed to comply with M4(3) requirements, with all remaining units compliant with M4(2) requirements.
- 2.29 Private amenity space in the form of balconies is provided for the majority of units in accordance with the London Plan, Draft London Plan and Housing SPG. It is noted that one balcony falls short of the requirements and three 1-bedroom units do not have any private amenity space, however, given the proposed communal amenity space offering, on balance, Officers consider this to be acceptable.
- 2.30 The proposed development includes residential lounges on the lower levels within the podium providing opportunities for a number of on-site functions including lounge/communal rooms; reading/library hubs; co-working space/home office; movie/games rooms; and hireable rooms for children’s parties/dinner parties etc. This is further supported by residential amenity space on the 5th floor on top of the podium which provides a fully flexible space with both internal lounge/kitchen space and an external terrace with planting, seating areas and children’s playspace. A further outdoor communal terrace is provided on the 22nd floor.
- 2.31 The proposed development would result in a minimal child yield and the GLA has confirmed that the proposed dedicated children’s playspace (88 square metres) at 5th floor level meets London Plan and Draft London Plan requirements. It is also noted that Barking Park is a short walk from the site providing further opportunities for play.
- 2.32 Overall, the proposed level of private and communal amenity space is supported by Officers given the town centre location and there being no provision of family-sized accommodation on the site.

3. Design and Quality of Materials:	
<i>Does the proposed development respect the character and appearance of the existing area?</i>	Yes
<i>Does the proposed development respect and accord to the established local character?</i>	Yes
<i>Is the proposed development acceptable within the street scene or when viewed from public vantage points?</i>	Yes
<i>Is the proposed development acceptable and policy compliant?</i>	Yes

- 3.1 The NPPF, policies 3.5, 7.1, 7.4, 7.5 and 7.6 of the London Plan and policies D1, D4 and D6 of the Draft London Plan expect all development to be of high-quality design. This is echoed at local level through policy BP11 of the Local Plan and policy SP4 of the Draft Local Plan.
- 3.2 Specifically, policy 7.4 of the London Plan requires development to have regard to the form, function and structure of the local context and scale, mass, and orientation of surrounding buildings. It is also required that in areas of poor or ill-defined character, that new development should build on the positive elements that can contribute to establishing an enhanced character for future function of the area. Policy D1 of the Draft London Plan reiterates these objectives.

- 3.3 Policy BTC17 of the Barking Town Centre Area Action Plan (BTCAAP) states that the Council considers certain locations in the AAP area 'sensitive', but as potentially suitable for tall buildings and defines the area around Barking Station as such a location. The policy states that proposals for any tall building must conserve townscape features of local distinctiveness and heritage value and should be of exemplary high-quality design and preserve and enhance important views and skylines.
- 3.4 The London Riverside Opportunity Area Planning Framework (OAPF) identifies Barking Town Centre as a key development area and identifies the town centre as a suitable location for high-density development including tall buildings, subject to exemplar design and housing quality and mitigation for social infrastructure, particularly children's playspace. The OAPF identifies the potential for a cluster of tall buildings around Barking Station, amongst other sites in the town centre.
- 3.5 The 'Barking Station Masterplan' SPD also identifies the car park site behind Trocoll House as a suitable location for a tall building of the highest quality, signifying the arrival into Barking Station.
- 3.6 The application was submitted with a design broadly in line with the previous design consented under planning permission 15/00651/FUL. Minor changes were included in the submission including an increase in the back of house area for the Public House; a reduction in car parking spaces; proposed new cladding to the escape stair from the rebuild of Trocoll House; and interior layouts modified to accommodate mechanical risers and structural element changes.
- 3.7 In January 2019, the Council's former Design Review Panel (DRP) challenged a number of elements of the design and in response key changes have been made to the façade treatment in order to introduce a more simplified elevational approach; to increase the level of amenity and communal space for residents; and to improve the streetscape of Wakering Road, with a reordering of the façade fronting Wakering Road providing a clear arrangement of entrances and openness to the commercial unit.
- 3.8 The application proposes the construction of a residential tower consisting of a taller element of 28-storeys and a lower element of 23-storeys. The tower is supported by a podium level of two lower elements of 4 and 5-storeys. Trocoll House will be demolished and re-built to its existing 5-storey height in order to continue to frame and bookend Barking Station. The existing Public House will be re-provided in the same location at the corner of Station Parade and Wakering Road and a new A3 use commercial unit will front Wakering Road. At basement level, cycle parking and 3 blue badge car parking spaces would be provided. The proposal also incorporates a widening of the footpath on Wakering Road to improve the flow of pedestrian traffic, which is an improvement on the previous scheme.
- 3.9 The height, scale, massing and layout of the proposed development is in keeping with the previously approved scheme and is supported by Officers having regard to the emerging context in Barking Town Centre.
- 3.10 Grey brickwork is proposed to the podium to provide a robust base to the building. Detail is added in tonal colours of feature brickwork panels to provide interest and break up the linear façade as it descends down Wakering Road. The amenity level provided on the top of the podium provides a natural break and recess between the two main building elements. This glazed element clearly defines the end of the podium and start of the towers. The towers will have a lightweight appearance featuring clear glazing, glazed spandrel panels and metallic solid panels.
- 3.11 The proposed materiality of the development is supported by Officers and is a welcome update to the materiality of the previously approved scheme which largely featured aluminium cladding and glazing.
- 3.12 Given the proposed height of the development above 18 metres, all external materials will be non-combustible and the development would need to be fitted with sprinklers.

- 3.13 The design of the proposed development is considered to be of a good quality and is not anticipated to be detrimental to local or designated heritage assets. The proposal is generally in keeping with the relevant policies.

4. Heritage:

- 4.1 The NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 4.2 Policy 7.8 of the London Plan, policy HC1 of the Draft London Plan, policies BP2 and CP2 of the Local Plan, policy DM14 of the Draft Local Plan and policy BTC19 of the BTCAAP seek to conserve heritage assets and avoid harm.
- 4.3 The application site is not subject to any heritage designations, however it is adjacent to the Grade II Listed Barking Station booking hall and would be visible from the Grade II Listed Barking Baptist Tabernacle in Linton Road. The proposed development would also be visible from within the Abbey and Barking Town Centre Conservation Area, despite not being located in the Conservation Area itself. Furthermore, the Spotted Dog Public House on the opposite corner of Station Parade and Wakering Road is locally listed.
- 4.4 Officers have considered the submitted Built Heritage Statement and Townscape and Visual Impact Assessment and are of the opinion that the proposed development would not result in harm to the Abbey and Barking Town Centre Conservation Area, the Grade II Listed Barking Station booking hall, the Grade II Listed Barking Baptist Tabernacle or other local heritage assets.
- 4.5 In reaching this conclusion, Officers have paid special attention to the desirability of preserving or enhancing the character or appearance of the adjacent Abbey and Barking Town Centre Conservation Area in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Officers have also paid special attention to the desirability of preserving features of special architectural or historic interest, and in particular, Listed Buildings in accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

5. Impacts to Neighbouring Amenity:

- 5.1 Paragraph 17 of the NPPF details within its core planning principles that new development should seek to enhance and improve the health and wellbeing of the places in which people live their lives. Paragraph 180 outlines that development proposals should mitigate and further reduce potential adverse impacts resulting from noise from new development and to avoid noise giving rise to significant adverse impacts on health and quality of life.
- 5.2 Policies 7.1 and 7.6 of the London Plan state that development should not cause unacceptable harm to neighbouring residential buildings in relation to loss of privacy and overlooking. Policy BP8 of the Local Plan and policy DM11 of the Draft Local Plan specifically relate to ensuring neighbourly development, specifying various potential impacts that development proposals shall consider and avoid or minimise. The policy also emphasises adequate access to daylight and sunlight.

Sunlight / Daylight

- 5.3 The Mayor's 'Housing' SPG states that an appropriate degree of flexibility needs to be applied when using Building Research Establishment (BRE) guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in accessible locations, and should consider local circumstances, the need to optimise housing capacity, and the scope for the character and form of an area to change over time.

- 5.4 The submitted Daylight & Sunlight Report concludes that there is no material effect on daylight to habitable rooms of neighbouring properties resulting from the proposals, with daylight being reasonably maintained / typically meeting the BRE Guide target criteria (with due regard to neighbouring inherent balcony soffit obstructions and / or restrictions within neighbouring rooms located in recesses). In respect of sunlight, the BRE Guide target criteria is met for sunlight to all neighbouring habitable rooms, especially living rooms. In terms of sunlight amenity, there is only limited effect to increased shadowing. It is therefore considered that there is no material adverse effect on daylight and sunlight to surrounding residential properties. It is also noted that the current proposal has minimal massing / volume changes compared to the previous planning permission for the site and therefore results are similar.

Privacy and Overlooking

- 5.5 The proposed development is not anticipated to have any adverse impact with regard to loss of privacy or overlooking to surrounding residential properties.

Noise

- 5.6 The application site poses a number of noise challenges for residential development in terms of noise associated with Barking Station, the proposed commercial uses, the operation of fixed plant, the use of roof terraces, the ground floor Public House use to be retained and the adjacent Spotted Dog Public House use.
- 5.7 The submitted Noise Assessment recommends varying glazing types across the building and the minimum acoustic treatment required in each area, e.g. facing the railway, facing the road and below floor 5, etc. It is concluded that none of the windows need to be un-openable, however it allows for acoustic ventilation on the occasion that windows are shut. No specific measures are required to reduce balcony or amenity area noise.
- 5.8 In the event that planning permission is granted, noise conditions would be imposed to ensure a suitable noise environment for the proposed and surrounding residential occupiers.

Wind Assessment

- 5.9 A wind tunnel study was undertaken to assess the pedestrian level wind microclimate around the application site for the previous scheme which is of a similar height, scale and massing. The study was reviewed again by consultants as part of the current application and they have confirmed that the previous findings remain relevant.
- 5.10 The Wind Impact Study concluded that wind conditions around the proposed building would be suitable for pedestrian strolling at all locations throughout the year. The wind conditions along Wakering Road and Station Parade are not expected to pose a danger to motor vehicles or other road users.
- 5.11 The proposed development would increase wind speeds at some locations on some platforms of Barking Station during the winter months. The wind conditions on these platforms would be suitable for short-term standing or sitting but would be unsuitable for long-term sitting. Given the platforms are not generally used for long-term sitting this is not considered to be a significant concern.

6. Sustainable Transport:			
<i>Net gain/loss in car parking spaces:</i>	95 existing spaces, 3 proposed blue badge spaces; Loss of 92 spaces	<i>PTAL Rating</i>	6b (excellent)
<i>Proposed number of</i>	354	<i>Closest Rail Station /</i>	Barking Station

<i>cycle parking spaces:</i>		<i>Distance (m)</i>	(adjacent to site)
<i>Restricted Parking Zone:</i>	Yes	<i>Parking stress survey submitted?</i>	Yes

- 6.1 The NPPF recognises that sustainable transport has an important role to play in facilitating sustainable development but also contributing to wider health objectives. It is expected that new development will not give rise to conflicts between vehicular traffic and pedestrians.
- 6.2 Policy 6.3 of the London Plan and policies T1 to T6 of the Draft London Plan seek to ensure that impacts on transport capacity and the transport network, at both a corridor and local level, are fully assessed. Furthermore, development should not adversely affect safety on the transport network.
- 6.3 This is also echoed by policies BR9, BR10 and BR11 of the Local Plan and policies DM31 and DM32 of Draft Local Plan which require proposals to have consideration to the local environment and accessibility of the site, on-street parking availability, access and amenity impacts and road network capacity constraints while supporting the Council's commitment to reduce the need to travel and encourage modal shift away from the private car towards healthy and sustainable transport initiatives and choices, notably walking and cycling.
- 6.4 The proposal retains the basement level of the existing car park for a small amount of car parking, as well as cycle parking associated with the proposed development. Three blue badge car parking spaces are proposed for residents to lease.
- 6.5 The application proposes 354 cycle parking spaces in the basement which is in keeping with London Plan and Draft London Plan policies. This includes provision of larger cycles in keeping with policy.
- 6.6 The Transport Development Management (TDM) Officer has confirmed that there are no apparent adverse highway implications arising from the proposed development. As set out in the consultation section of this report, the TDM Officer has recommended that alterations to widen the footpath on Woking Road and for alterations to the highway and the arrangement of blue badge spaces, loading bays, pay and display bays and taxi bays on Woking Road be covered by a S278 Highways Agreement to be secured within a S106 Agreement.
- 6.7 The applicant has responded to queries raised in the GLA Stage 1 Report with respect to parking and cycle parking matters. The GLA suggested the potential need for a contribution towards pedestrian and cycle connectivity, although the applicant is now providing improvements to the pedestrian environment in Woking Road which appears to address this matter. The GLA also suggested the potential need for a contribution towards bus capacity and infrastructure improvements, although this does not appear to have been further clarified. This matter would be addressed as part of the GLA Stage 2 process. The GLA has also requested that a Construction Logistics Plan and Delivery and Servicing Plan be secured in respect of any planning permission granted.
- 6.8 The proposal is considered to be generally in keeping with the relevant policies with regards to transport matters.

7. Waste Management:

- 7.1 Policies CR3 and BR15 of the Local Plan outline the need for development in the Borough to minimise waste and work towards a more sustainable approach for waste management. These objectives are further emphasised in policies SP6 and DM29 of the Draft Local Plan. Policy 5.17 of the London Plan seeks a wider goal for all development proposals in London.
- 7.2 The proposed development incorporates refuse and recycling storage provision for the residential and Public House elements of the scheme at basement level and at ground floor level a refuse and

recycling store is proposed for the commercial space. The proposals appear to be in keeping with the relevant policies and collection would take place from a loading bay on Waking Road.

8. Delivering Sustainable Development (Energy / CO₂ reduction / Air Quality):	
<i>BREEAM Rating</i>	Very Good
<i>Renewable Energy Source / %</i>	Air Source Heat Pumps / 24% for residential development and 23% for non-residential development
<i>Proposed CO₂ Reduction</i>	37% for residential development 39% for non-residential development

Energy and CO₂ Reduction

- 8.1 Chapter 5 of the London Plan and Chapter 9 of the Draft London Plan require development to contribute to mitigation and adaptation to climate change. Specifically, policy 5.2 of the London Plan and policy SI2 of the Draft London Plan set out the energy hierarchy development should follow – ‘1. Be Lean; 2. Be Clean; 3. Be Green’. The policies require major residential development to be zero-carbon, with a specific requirement for at least 35% on-site reduction beyond Building Regulations. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on site, any shortfall should be provided through a cash in-lieu contribution to the Borough’s carbon offset fund and / or off-site, provided that an alternative proposal is identified and delivery is certain. These objectives and targets are also outlined in policy DM24 of the Draft Local Plan. With respect to non-residential development, the London Plan policy requirement is a minimum of 35% on-site reduction in carbon emissions.
- 8.2 Policy 5.3 of the London Plan requires development proposals to demonstrate that sustainable design standards are integral to the proposal, including its construction and operation and ensure that they are considered at the beginning of the design process. Policy 5.6 states that development proposals should evaluate the feasibility of Combined Heat and Power (CHP) systems. Major development proposals should select energy systems in accordance with the following hierarchy – ‘1. Connection to existing heating or cooling networks; 2. Site wide CHP network; 3. Communal heating and cooling’. Policy 5.7 seeks an increase in the proportion of energy generated from renewable sources and states that major development proposals should provide a reduction in expected carbon dioxide emissions through the use of on-site renewable energy generation, where feasible.
- 8.3 Policy 5.9 of the London Plan states that major development proposals should reduce potential overheating and reliance on air conditioning systems and demonstrate this in accordance with the following cooling hierarchy – ‘1. Minimise internal heat generation through energy efficient design; 2. Reduce the amount of heat entering a building in summer through orientation, shading, albedo, fenestration, insulation and green roofs and walls; 3. Manage heat within the building through exposed internal thermal mass and high ceilings; 4. Passive ventilation; 5. Mechanical ventilation; 6. Active cooling systems (ensuring they are the lowest carbon options)’.
- 8.4 The GLA initially objected to the proposed Energy Strategy and the GLA Energy Team has been in detailed discussions with the applicant to arrive at an agreed strategy. A hybrid system of Air Source Heat Pumps (ASHP) and backup gas boilers is now proposed subject to the outcome of a potential connection to the Barking Town Centre District Heating Network.
- 8.5 The applicant has discussed with LBBD Energy as to whether the Barking Town Centre District Heating Network (DHN) is to be extended to enable the site to connect. It is understood that further work is required as to how a physical connection can be made given the presence of railway lines adjacent to the site. The applicant has agreed with the GLA to accept the following condition on any planning permission ‘*Should the District Heating Network Feasibility Study confirm that extension of the Network and connection to the proposed development is both*

physically and financially viable, then the applicant will enter into discussions with LBBB with the aim of connecting to this network. Should further review demonstrate that the connection would not be financially viable, or on completion of ground works, whichever is the sooner, then the energy strategy will revert to the use of Air Source Heat Pumps as per the Ridge document: 'Energy Statement for Trocoll House' Version 3.0, March 2020.'

- 8.6 The GLA has also recommended a condition that the applicant submits a comprehensive analysis of energy consumption, running costs, and the associated property management costs, prior to the commencement of above ground works, should the heat pump solution proceed.
- 8.7 An on-site reduction of 58 tonnes of CO₂ per year in regulated emissions compared to a 2013 Building Regulations compliant development is expected for the domestic buildings, equivalent to an overall saving of 37%. The carbon dioxide savings meet the on-site target set within policy 5.2 of the London Plan. The remaining regulated CO₂ emissions, equivalent to 98 tonnes of CO₂ per annum should be met through a contribution to the Borough's carbon offset fund.
- 8.8 An on-site reduction of 17 tonnes of CO₂ per year in regulated emissions compared to a 2013 Building Regulations compliant development is expected for the non-domestic buildings, equivalent to an overall saving of 39%. The carbon dioxide savings meet the on-site target set within policy 5.2 of the London Plan.

Air Quality

- 8.9 Policy 7.14 of the London Plan emphasises the importance of tackling air pollution and improving air quality and states that development proposals should minimise increased exposure to existing poor air quality and make provision to address local problems of air quality (particularly within Air Quality Management Areas). Similarly, policy S11 of the Draft London Plan states that all development should be air quality neutral as a minimum.
- 8.10 The submitted Air Quality Assessment advises that potential air quality impacts associated with vehicular emissions during the construction phase of the development were screened out as insignificant and accordingly the construction of the development will not interfere with LBBB's Air Quality Action Plan. A qualitative assessment of air quality impacts that may occur during the construction phase of the development focussed upon the potential for fugitive dust emissions and the likelihood of nuisance complaints from nearby residential properties. The assessment concluded that proposed mitigation measures would be effective and that construction activities were likely to have insignificant impact on the surrounding community. Furthermore, the results from the screening air quality assessment for the proposed development indicate that the potential impact on local air quality is likely to be negligible and likely to have an insignificant impact on the health of people living nearby.
- 8.11 The proposed development is considered to be in keeping with the relevant policies with regard to air quality matters.

9. Biodiversity, Landscaping & Sustainable Drainage:

Biodiversity and Landscaping

- 9.1 Policy 7.19 of the London Plan and policy G6 of the Draft London Plan require new developments to make a positive contribution to the protection, enhancement, creation and management of biodiversity wherever possible. Policies CR2 and BR3 of the Local Plan echo the London Plan in its strategic approach to protect and enhance biodiversity and to provide a net gain in the quality and quantity of the Borough's natural environment. This approach is also set out in policy SP5 of the Draft Local Plan.
- 9.2 The proposed development would incorporate soft landscaping at the 5th and 22nd floor levels which would contribute to the biodiversity of the area. A hard and soft landscaping condition would

be secured on any planning permission granted, along with a condition requiring the installation of bird and bat bricks/boxes.

Sustainable Drainage

- 9.3 Policy 5.13 of the London Plan states that development should utilise sustainable urban drainage systems (SUDS) unless there are practical reasons for not doing so and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible in line with the drainage hierarchy set out within this policy. The policy aspirations are also reiterated by policy SI13 of the Draft London Plan and at local level by policies CR4 and BR4 of the Local Plan and policy DM28 of the Draft Local Plan.
- 9.4 The site is located in Flood Zone 1 and therefore has a low probability of flooding. The whole of the existing site area is covered by hardstanding or built development and is wholly impermeable. The proposed development does not increase the area of hardstanding or built development and provides two roof terraces with areas of planting. As such, the permeability of the site will be increased and there will be no negative run-off effects.

10. Habitat Regulation Assessment: Epping Forest Special Area of Conservation (SAC):

- 10.1 The proposal is for new residential development within the 6.2km Zone of Influence (ZoI) for the Epping Forest Special Area of Conservation. Accordingly, in the event that the application is recommended for approval it would be necessary to consult with Natural England as to whether in their view the proposed development would have a significant effect on the sensitive interest features of Epping Forest Special Area of Conservation (SAC) through increased recreational pressure. Given the constraints of the site it is unlikely that any required mitigation could be provided on site and therefore this may result in the need for a S106 contribution as mitigation.

Conclusions:

The applicant has failed to demonstrate that the proposed affordable housing offer of 25% by unit comprising 30% London Living Rent and 70% Discount Market Rent (at 80% of market rent) represents the maximum level of affordable housing deliverable on the site, contrary to the London Plan, the Draft London Plan, the Mayor of London's Affordable Housing and Viability SPG and the Draft Local Plan. On this basis, it is recommended that the Planning Committee refuses the application.

Appendix 1:

Development Plan Context:

The Council has carefully considered the relevant provisions of the Council's adopted development plan and of all other relevant policies and guidance. Of particular relevance to this decision were the following Framework and Development Plan policies and guidance:

National Planning Policy Framework (NPPF) (MHCLG, Feb 2019)

The London Plan: Spatial Development Strategy for London (GLA, consolidated with alterations since 2011, published March 2016)

Policy 3.3 – Increasing Housing Supply
Policy 3.4 – Optimising Housing Potential
Policy 3.5 – Quality and Design of Housing Developments
Policy 3.6 – Children and Young People's Play and Informal Recreation Facilities
Policy 3.8 – Housing Choice
Policy 3.10 – Definition of Affordable Housing
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 5.2 – Minimising Carbon Dioxide Emissions
Policy 5.3 – Sustainable Design and Construction
Policy 5.4 - Retrofitting
Policy 5.5 – Decentralised Energy Networks
Policy 5.6 – Decentralised Energy in Development Proposals
Policy 5.7 – Renewable Energy
Policy 5.9 – Overheating and Cooling
Policy 5.10 – Urban Greening
Policy 5.11 – Green Roofs and Development Site Environs
Policy 5.13 – Sustainable Drainage
Policy 5.14 – Water Quality and Wastewater Infrastructure
Policy 5.15 – Water Use and Supplies
Policy 5.18 – Construction, Excavation and Demolition Waste
Policy 5.21 – Contaminated Land
Policy 6.3 – Assessing Effects of Development on Transport Capacity
Policy 6.9 – Cycling
Policy 6.10 – Walking
Policy 6.13 – Parking
Policy 7.1 – Lifetime Neighbourhoods
Policy 7.2 – An Inclusive Environment
Policy 7.3 – Designing Out Crime
Policy 7.4 – Local Character
Policy 7.5 – Public Realm
Policy 7.6 – Architecture
Policy 7.7 – Location and Design of Tall and Large Buildings
Policy 7.8 – Heritage Assets and Archaeology
Policy 7.13 – Safety, Security and Resilience to Emergency
Policy 7.14 – Improving Air Quality
Policy 7.15 – Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes
Policy 8.2 – Planning Obligations

	Policy 8.3 - Community Infrastructure Levy
<i>The Mayor of London's Draft London Plan - Intend to Publish version December 2019 is under Examination. Having regard to NPPF paragraph 48 the emerging document is a material consideration and appropriate weight will be given to its policies and suggested changes in decision-making, unless other material considerations indicate that it would not be reasonable to do so.</i>	
<i>Draft London Plan - Intend to Publish version December 2019</i>	<p>Policy GG1 - Building Strong and Inclusive Communities</p> <p>Policy GG2 - Making the Best Use of Land</p> <p>Policy GG3 - Creating a Healthy City</p> <p>Policy GG4 - Delivering the Homes Londoners Need</p> <p>Policy D1 - London's Form, Character and Capacity for Growth</p> <p>Policy D2 - Infrastructure Requirements for Sustainable Densities</p> <p>Policy D3 - Optimising Site Capacity Through the Design-Led Approach</p> <p>Policy D4 - Delivering Good Design</p> <p>Policy D5 - Inclusive Design</p> <p>Policy D6 - Housing Quality Standards</p> <p>Policy D7 - Accessible Housing</p> <p>Policy D8 - Public Realm</p> <p>Policy D9 – Tall Buildings</p> <p>Policy D11 - Safety, Security and Resilience to Emergency</p> <p>Policy D12 - Fire Safety</p> <p>Policy D14 - Noise</p> <p>Policy E1 - Offices</p> <p>Policy H1 - Increasing Housing Supply</p> <p>Policy H4 - Delivering Affordable Housing</p> <p>Policy H5 - Threshold Approach to Applications</p> <p>Policy H6 - Affordable Housing Tenure</p> <p>Policy H7 - Monitoring of Affordable Housing</p> <p>Policy H10 - Housing Size Mix</p> <p>Policy H11 – Build to Rent</p> <p>Policy HC1- Heritage and Conservation</p> <p>Policy G1 - Green Infrastructure</p> <p>Policy G5 - Urban Greening</p> <p>Policy G6 - Biodiversity and Access to Nature</p> <p>Policy SI1 - Improving Air Quality</p> <p>Policy SI2 - Minimising Greenhouse Gas Emissions</p> <p>Policy SI3 - Energy Infrastructure</p> <p>Policy SI7 - Reducing Waste and Supporting the Circular Economy</p> <p>Policy SI8 - Waste Capacity and Net Waste Self-Sufficiency</p> <p>Policy SI12 - Flood Risk Management</p> <p>Policy SI13 - Sustainable Drainage</p> <p>Policy T1 - Strategic Approach to Transport</p> <p>Policy T2 - Healthy Streets</p> <p>Policy T3 - Transport Capacity, Connectivity and Safeguarding</p> <p>Policy T4 - Assessing and Mitigating Transport Impacts</p> <p>Policy T5 - Cycling</p> <p>Policy T6 - Car Parking</p>
<i>Local Development Framework (LDF) Core Strategy (July 2010)</i>	<p>Policy CM1 – General Principles for Development</p> <p>Policy CM2 – Managing Housing Growth</p> <p>Policy CM5 – Town Centre Hierarchy</p> <p>Policy CR1 – Climate Change and Environmental</p>

	<p>Management</p> <p>Policy CC1 – Family Housing</p> <p>Policy CC3 – Achieving Community Benefits Through Developer Contributions</p> <p>Policy CE1 – Vibrant and Prosperous Town Centres</p> <p>Policy CP1 – Vibrant Culture and Tourism</p> <p>Policy CP2 – Protecting and Promoting Our Historic Environment</p> <p>Policy CP3 – High Quality Built Environment</p>
<p><i>Local Development Framework (LDF) Borough Wide Development Plan Document (DPD) (March 2011)</i></p>	<p>Policy BR1 – Environmental Building Standards</p> <p>Policy BR2 – Energy and On-Site Renewables</p> <p>Policy BR3 – Greening the Urban Environment</p> <p>Policy BR4 – Water Resource Management</p> <p>Policy BR5 – Contaminated Land</p> <p>Policy BR9 – Parking</p> <p>Policy BR10 – Sustainable Transport</p> <p>Policy BR11 – Walking and Cycling</p> <p>Policy BR13 – Noise Mitigation</p> <p>Policy BR14 – Air Quality</p> <p>Policy BR15 – Sustainable Waste Management</p> <p>Policy BC1 – Delivering Affordable Housing</p> <p>Policy BC2 – Accessible and Adaptable Housing</p> <p>Policy BC7 – Crime Prevention</p> <p>Policy BC8 – Mixed Use Development</p> <p>Policy BE2 – Development in Town Centres</p> <p>Policy BE4 – Managing the Evening Economy</p> <p>Policy BE5 – Offices – Design and Change of Use</p> <p>Policy BP2 – Conservation Areas and Listed Buildings</p> <p>Policy BP3 – Archaeology</p> <p>Policy BP4 – Tall Buildings</p> <p>Policy BP5 – External Amenity Space</p> <p>Policy BP6 – Internal Space Standards</p> <p>Policy BP8 – Protecting Residential Amenity</p> <p>Policy BP10 – Housing Density</p> <p>Policy BP11 – Urban Design</p>
<p><i>Barking Town Centre Area Action Plan (BTCAAP) (February 2011):</i></p>	<p>Policy BTC5 – Leisure Uses and the Evening Economy</p> <p>Policy BTC13 – Housing Supply</p> <p>Policy BTC16 – Urban Design</p> <p>Policy BTC17 – Tall Buildings</p> <p>Policy BTC19 – Heritage and the Historic Environment</p> <p>Policy BTC22 – Sustainable Energy</p> <p>Policy BTC23 – Developer Contributions</p> <p>Site Specific Allocation BTCSSA3 – Barking Station</p>
<p><i>The London Borough of Barking and Dagenham’s Draft Local Plan: (Regulation 18 Consultation Version, November 2019) is at an “early” stage of preparation. Having regard to NPPF paragraph 216 the emerging document is now a material consideration and limited weight will be given to the emerging document in decision-making, unless other material considerations indicate that it would not be reasonable to do so.</i></p>	
<p><i>The London Borough of Barking and Dagenham’s Draft Local Plan: (Regulation 18 Consultation Version, November 2019)</i></p>	<p>Policy SP1 - Delivering Growth</p> <p>Policy SP2 - Delivering Homes that Meet People’s Needs</p> <p>Policy SP4 - Delivering High Quality Design in the Borough</p> <p>Policy SP5 - Enhancing our Natural Environment</p> <p>Policy SP6 - Securing a Sustainable and Clean Borough</p> <p>Policy DM1 - Affordable Housing</p> <p>Policy DM2 - Housing Size and Mix</p>

	<p>Policy DM11 - Responding to Place Policy DM14 - Conserving and Enhancing Heritage Assets and Archaeology Policy DM19 - Urban Greening Policy DM20 - Nature Conservation and Biodiversity Policy DM24 - Energy, Heat and Carbon Emissions Policy DM26 - Improving Air Quality Policy CM27 – Land Contamination Policy DM28 - Managing Flood Risk, including Surface Water Management Policy DM29 - Managing our Waste Policy DM31 - Making Better Connected Neighbourhoods Policy DM32 - Cycle and Car Parking Policy DM33 - Deliveries, Servicing and Construction Policy DM36 - Development Contributions</p>
<p><i>Supplementary Planning Documents / Other</i></p>	<p>DCLG Technical Housing Standards (nationally described space standard) (DCLG, March 2015) (as amended)</p> <p>Affordable Housing and Viability Supplementary Planning Guidance (GLA, August 2017)</p> <p>Housing Supplementary Planning Guidance (GLA, March 2016, Updated August 2017)</p> <p>Shaping Neighbourhoods: Character and Context Supplementary Planning Guidance (GLA, June 2014)</p> <p>Accessible London – Achieving an Inclusive Environment Supplementary Planning Guidance (GLA, October 2014)</p> <p>Sustainable Design and Construction Supplementary Planning Guidance (GLA, April 2014)</p> <p>Town Centres Supplementary Planning Guidance (GLA, July 2014)</p> <p>Shaping Neighbourhoods: Play and Informal Recreation Supplementary Planning Guidance (GLA, September 2012)</p> <p>Barking Station Masterplan Supplementary Planning Document (LBBD, February 2012)</p> <p>Last Orders? Preserving Public Houses Supplementary Planning Document (LBBD, June 2014)</p> <p>Planning Advice Note - Waste and Recycling Provisions in New and Refurbished Residential Developments (10 February 2013)</p> <p>London Riverside Opportunity Area Planning Framework (OAPF) (2015)</p>

Additional Reference:*Human Rights Act*

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

Equalities

In determining this planning application, Be First on behalf of the London Borough of Barking & Dagenham has had regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010 (as amended).

For the purposes of this application there are no adverse equalities issues.

Local Government (Access to Information) Act 1985

Background papers used in preparing this report:

- Planning Application
- Statutory Register of Planning Decisions
- Correspondence with Adjoining Occupiers
- Correspondence with Statutory Bodies
- Correspondence with other Council Departments
- National Planning Policy Framework
- London Plan
- Local Plan

Appendix 2:

Relevant Planning History:			
<i>Application Number:</i>	18/00005/NMA	<i>Status:</i>	Permission Granted
<i>Description:</i>	Application for non-material amendment following grant of planning permission 15/00651/FUL (amended by 16/01590/NMA): Various amendments.		
<i>Application Number:</i>	16/01590/NMA	<i>Status:</i>	Permission Granted
<i>Description:</i>	Application for non-material amendment following grant of planning permission 15/00651/FUL.		
<i>Application Number:</i>	15/00651/FUL	<i>Status:</i>	Permission Granted
<i>Description:</i>	Demolition and redevelopment of car park site, erection of a part 4, 23 and 28-storey building and conversion of upper floors of Trocoll House from office use (B1), to provide 198 residential units and flexible commercial uses at ground floor level (Classes A1, A2, A3, B1 and/or D1).		
<i>Application Number:</i>	12/00192/NMA	<i>Status:</i>	Permission Granted
<i>Description:</i>	Application for non-material amendment following grant of planning permission 10/00350/FUL.		
<i>Application Number:</i>	10/00864/FUL	<i>Status:</i>	Permission Granted
<i>Description:</i>	Change of use of first and second floor office accommodation (Class B1) to a flexible use of offices (Class B1) and/or educational use (Class D1).		
<i>Application Number:</i>	10/00350/FUL	<i>Status:</i>	Permission Granted
<i>Description:</i>	Erection of 22-storey, 187-bedroom hotel together with restaurant, bar and function room facilities with associated landscaping and basement parking and commercial units to ground floor.		
Enforcement Case:	N/A	<i>Status:</i>	-
<i>Alleged breach:</i>	-		

Appendix 3:

The following consultations have been undertaken:

- C2C Rail
- Designing Out Crime Officer
- EDF Energy
- Environment Agency
- Essex and Suffolk Water
- Greater London Authority
- Historic England (Archaeology)
- Historic England (Buildings)
- London City Airport
- London Fire Brigade (Fire Safety)
- London Fire Brigade (Water Team)
- London Underground Limited (LUL) Infrastructure Protection - TFL Engineering
- National Grid / Cadent Gas Ltd
- Network Rail / High Speed 1
- Thames Water
- Transport for London
- Be First Planning Policy and Transport
- Be First Transport Development Management
- Be First Urban Design Officer
- LBBB Access Officer
- LBBB Drainage and Flooding Team (Lead Local Flood Authority)
- LBBB Employment and Skills Team
- LBBB Energy
- LBBB Environmental Health Officer
- LBBB Fire Commander
- LBBB Refuse and Recycling Team
- LBBB School Investment, Organisation & Admissions

Summary of Consultation responses:		
Consultee and date received	Summary of Comments	Officer Comments
Designing Out Crime Officer (e-mail dated 30 November 2019)	Recommended a condition for the scheme to achieve a Secured By Design accreditation.	A condition to achieve a minimum silver Secured By Design accreditation would be secured on any planning permission granted.
Environment Agency (e-mail dated 29 November 2018)	No objection.	Noted.
Greater London Authority (Stage 1 Report dated 18 March 2019)	<u>Principle of Development</u> The principle of a high-density residential scheme, with some town centre uses, is supported in line with the London Plan, the London Riverside OAPF, and the Draft London Plan; however, the applicant should consider greater provision of commercial space to appeal to the SME sector. <u>Affordable Housing</u> The scheme proposes no affordable housing	The applicant has responded to all of the points raised in the GLA Stage 1 Report and the GLA case officer has indicated that all matters have been satisfied with the exception of affordable housing. As set out in the planning assessment section of the report above, the GLA Viability Team considered that the previous 19.7%

	<p>which is wholly unacceptable, particularly considering the high-density nature of the proposals, the proximity to a station, and the low value of the existing site. GLA officers have also identified concerns with the build costs and professional fees in the applicant's Financial Viability Assessment (FVA).</p> <p><u>Urban Design and Historic Environment</u> There are some concerns about the Wakering Road frontage; residential quality on the lower floors; the approach to elevations; and inclusive design. No harm will be caused to designated heritage assets.</p> <p><u>Transport</u> Further information is required on cycle parking, blue badge parking, and S106 contributions.</p> <p><u>Climate Change</u> The Energy Statement submitted is not adequate to address energy policy requirements and should be amended.</p>	<p>affordable housing offer, based on 30% London Living Rent and 70% Discount Market Rent (at 80% of market rent), was unsatisfactory as the applicant had failed to demonstrate that this represents the maximum amount of affordable housing deliverable on the site. The GLA will formally consider the applicant's best and final affordable housing offer of 25% by unit as part of the GLA Stage 2 referral process.</p>
<p>Historic England (Archaeology) (e-mail dated 3 December 2018)</p>	<p>The proposal is unlikely to have a significant effect on heritage assets of archaeological interest. No further assessment or conditions are therefore necessary.</p>	<p>Noted.</p>
<p>Historic England (Buildings) (e-mails dated 19 November 2018 and 12 November 2019)</p>	<p>We do not wish to offer any comments. We suggest that you seek the views of your specialist conservation advisers, as relevant.</p>	<p>Noted.</p>
<p>London City Airport (e-mails dated 19 November 2018 and 5 September 2019)</p>	<p>No objection subject to a condition relating to the erection of cranes and scaffolding.</p>	<p>This condition would be secured on any planning permission granted.</p>
<p>London Fire Brigade (Water Team) (e-mail dated 3 December 2019)</p>	<p>No additional hydrants are required.</p>	<p>Noted.</p>
<p>London Underground Limited (LUL) Infrastructure Protection –</p>	<p>To ensure safety of the railway and its operation, Network Rail should ensure the safe operation of the London Underground District Line as per reciprocal agreement between Network Rail and London Underground.</p>	<p>Noted. Network Rail has responded separately.</p>

TFL Engineering (e-mail dated 3 December 2018)	Network Rail should be consulted on this planning application.	
National Grid / Cadent Gas Ltd (e-mails dated 16 November 2018 and 22 November 2018)	No objection subject to an informative.	Noted.
Network Rail (High Speed) Asset Protection (e-mail dated 16 November 2018)	No objection subject to conditions relating to further consultation and agreement; foundation design; site investigations near to High Speed 1 (above ground); demolition; excavations; imposed loads; and vibration. Informatives also recommended relating to protective provisions agreement (PPA) and costs incurred.	These conditions would be secured on any planning permission granted.
Thames Water (e-mail dated 27 November 2018)	<p>No objection if the developer follows the sequential approach to the disposal of surface water.</p> <p>The applicant should incorporate within their proposal, protection to the property by installing a positive pumped device (or equivalent reflecting technological advances) to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions. Fitting only a non-return valve could result in flooding to the property should there be prolonged surcharge in the public sewer.</p> <p>No objection with regard to foul water sewage network infrastructure capacity.</p>	The applicant has been made aware of Thames Water's comments.
Be First Transport Development Management Officer (e-mail dated 8 June 2020)	<p>No objection. A S106 Agreement should secure the formation of a new highway layout and public realm improvements incorporating a new shared footway space as shown on Drawing 2019/4982/001 Rev c. Works include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • Plane and resurface carriageway. • Full depth footway and parking bay construction in high quality granite paving to accommodate an extended continuous at-grade shared surface to include parking bays and loading area. • Kerb works. • New gully pot(s) and gully covers and frames. • New carriageway markings. • New traffic and parking signs with the 	A S106 Agreement would secure this matter in respect of any planning permission granted.

	<p>associated Permanent Traffic Management Order (PTMO).</p> <ul style="list-style-type: none"> • Application to amend and apply for new PTMO. • Protection of utility apparatus associated with the works. • Relocate and upgrade street lighting. • All other highway works described in the S278 detailed design and the specification and shown in the approved drawings. 	
<p>Be First Urban Design Officer (e-mail dated 4 December 2019)</p>	<p>The height, scale and massing are broadly in line with that of the previous consented scheme and is considered acceptable for a strategic town centre location marking the gateway to a key transport interchange.</p> <p>The revised design approach of creating 3 separate clearly defined volumes with a podium element responding to the human scale of the streetscape and taller tower elements responding to the wider city scale is supported and provides a greater clarity to the previous massing arrangement.</p> <p>It is noted that the amended plans are in response to the need to improve the quality of architecture (in order to function as a landmark building), the internal layout (for residential quality of life), and the contribution to the streetscene (community/public realm interface).</p> <p>The rationalisation of the facade treatment with the removal of the previously approved rainscreen cladding, birch tree references and sawtooth roof is welcomed.</p> <p>The design intent to provide continuity and cohesion between elements using a rational (readable) grid structure to unify the respective facades is acknowledged and addresses the previous chaotic appearance with a more ordered approach which includes a clear elevational break at Level 5.</p> <p>Reflecting the individual identity of each of the 3 elements by a contrast/transition in materiality is welcomed, i.e. from the heavy brick podium plinth at street level to the lighter glazed tallest tower (the lower of the towers appearing slightly heavier to visually link the two).</p> <p>The rationale for realigning the main entrance under the tallest tower (as a logical marker when wayfinding) is accepted. The need for a legible entrance point at ground level is</p>	<p>Matters relating to the widening of the footpath on Waking Road have been agreed in principle with the Transport Development Management Officer and would be secured by S106 Agreement in respect of any planning permission granted.</p>

acknowledged.

The brick plinth provides a suitably robust 'base' to the building and responds to the streetscape and local context. The brick detailing around the residential entrance adds prominence and is particularly welcomed, however, the podium facade at either end of Wakering Road (indicated by the CGI's submitted) appears slightly 'flat' by comparison and would benefit from further articulation.

The crown of the tallest tower which features horizontal louvres/metallic fins (screening the plant) denotes the 'top' of the building and visually terminates the centrally aligned corresponding fins between floors. The simplified integrated approach addresses the previous roofscape disconnect.

The requirement to revise the glazed balcony design initially proposed for the taller towers due to changes in fire regulations is acknowledged. The proposed mesh system (to help retain a lightweight appearance to the towers) is considered acceptable in principle subject to design detail. Slim profile balustrades at podium level are noted.

Physical samples of all external materials should be provided in order to ensure that the design intent is delivered.

The quality of outlook from the lower level single aspect units overlooking the platforms of Barking Station is a concern (as highlighted by the GLA and DRP), however, the slight reduction in the number of these units (with the inclusion of communal lounges) is noted and the inherent constraints of a shallow floorplate and the narrow linear nature of the site are acknowledged.

It is noted that there are no north-facing single aspect units and the number of single aspect units in close proximity to the station platforms is relatively low. There are a good proportion of dual aspect units overall (floors 6 to 22).

The need for greater generosity of space highlighted by the DRP has been partly addressed with the introduction of residential lounges on the lower levels supported by communal roof terraces at levels 5 (which includes play space) and 22 which will encourage social interaction and help foster a community feel.

The extent to which the residential lounges

	<p>address previous concerns raised regarding the number of units served by a single core via long corridors (by splitting each floor into 'two halves') is questionable, however, their potential to function as flexible use 'meeting points' is acknowledged.</p> <p>The extension of ground floor uses (i.e. commercial/coffee shop/bike hub) to maximise the level of active frontage along Wakering Road is welcomed and will address the current lack of engagement at street level.</p> <p>The relationship between the proposed development, the public realm and the wider context is an important consideration that remains unresolved. The current condition of Wakering Road is poor, the pavement serving the proposed entrance and southern side is not wide enough to serve the volume of residents/visitors that will be accessing 198 new homes within Trocoll House.</p>	
<p>School Investment, Organisation & Admissions (e-mail dated 15 November 2018)</p>	<p>If any S106/CIL is payable then Education would be looking for funds to go towards providing school places for this development.</p>	<p>The development would be liable for the Borough CIL, as well as the Mayoral CIL, in the event that planning permission was granted. The School, Investment, Organisation & Admissions Team would have an opportunity to apply for any CIL monies through the Council's process for the allocation of CIL monies.</p>

Appendix 4:

Neighbour Notification:	
Site Notices Erected:	Yes
Date of Press Advertisement:	21 November 2018 and 13 November 2019
Number of neighbouring properties consulted:	283 on 19 November 2018 285 on 31 October 2019
Number of responses:	3 letters of objection received (2 from same objector)
Address:	Summary of response:
64 Sandhurst Drive, Ilford <i>(Received on 14 November 2018 and 15 April 2020)</i>	<p>I along with many other members of the Barking and Dagenham Heritage Conservation Group object to this development for many reasons. The main ones being that the overall scale of this building plan is far too much of a high density for this area which will put a massive strain on the local transport, health and education services. We already have more than our fair share of tower blocks within Barking that cause social and environmental problems which are usually associated with these high- rise residential buildings. Also considering health and safety aspects after incidents such as the Grenfell tower tragedy all Councils should now be extremely cautious in allowing buildings of over 10 to 15-storeys to be constructed. The vast majority of the flats here will not even be affordable for local residents who really should take priority in all types of housing schemes. Therefore, this idea is not socially viable either which means that it is in the best interests of people living in the London Borough of Barking and Dagenham for any planning permission to be refused.</p> <p>Further to my previous objections regarding this scheme I would also like to raise further concerns about the public health implications of building these high-density tower blocks in an already congested area especially in the wake of our current coronavirus epidemic. This virus has spread relatively more quickly within Greater London than in other parts of the United Kingdom mainly due to the overall higher density housing levels. Therefore, it is in the best interests of local public health to refuse planning permission for this development. Above all the coronavirus pandemic should in effect make planners as well as Councils more aware of the health and environmental, as well as the social impacts of these high- rise residential plans.</p>
26 Sutton Road, Barking <i>(Received on 6 March 2019)</i>	This is a totally inappropriate development that will only lead to further congestion and several years of disruption. There is no provision for

parking, indeed it will lead to the loss of a carpark. There will also be unacceptable loss of light. These town centre developments of luxury apartments do nothing to ease the housing crisis and simply enrich developers. Town centres are for trade, commerce and socialising. They are not meant for residential developments of this size. The most egregious part of this application is the weasel-like "re-provision of the existing public house (Class A4) and new commercial floorspace at ground floor level (Use Class A3)". I've seen the mock-ups online and I see no way in which this proposal would involve anything other than the loss of the Barking Dog. The development would mean at the very least the Barking Dog closing for several months, and then being drastically reduced in size to accommodate the "new commercial floorspace". The Wetherspoons' business model is based on large footprint units, and a reduced size might prompt them to pull out of Barking altogether. The Barking Dog is the beating heart of Barking. It acts as a day care centre for coffee-drinking mothers in the morning, and a social club for the elderly in the afternoons. Evenings see it filled with workmen and commuters. I moved to Barking five years ago, and everyone I know in the community I know through the Barking Dog. I lived in Edmonton when Wetherspoons shut the Gilpin Bell and it tore the heart from the community. The same will happen in Barking if this development goes ahead. I remind you that LBBDD planning policy is to reject proposals which result in the loss of public houses. Barking needs investment and it needs development, but luxury flats serve no purpose and lead to social cleansing and exclusion.

Officer Summary:

Officers note receipt of the objections listed above. The material planning considerations are addressed within the planning assessment. It should be noted that the proposal seeks to re-provide the existing Public House. With respect to matters regarding the coronavirus pandemic, it is too early to make any decisions about how this may impact on the future design of housing.

Appendix 5:

Site Plan:

