


LONDON BOROUGH OF BARKING & DAGENHAM
PLANNING COMMITTEE
19th October 2020
Application for Planning Permission

Case Officer:	Grace Liu	Valid Date:	2nd July 2020
Applicant:	BeFirst	Expiry Date:	1st October 2020
Application Number:	20/01352/FUL	Ward:	Village
Address:	1-18 Jervis Court, Church Elm Lane and 1-4 Rectory Road, Barking, RM10 9SH		

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 1-18 Jervis Court, Church Elm Lane And 1-4 Rectory Road, Barking, RM10 9SH.

Proposal:

Demolition of existing buildings and structures and construction of buildings ranging from 3 to 8 storeys, to provide 64 residential units (Use Class C3), flexible non-residential floorspace (Use Class F1) (644sqm), associated means of access, ancillary plant, servicing, car parking, landscape and associated works.

Officer Recommendations:

1. Agree the reasons for approval as set out in this report; and
2. Delegate authority to the London Borough of Barking and Dagenham's Director of Inclusive Growth (or authorised Officer), in consultation with the Director of Law and Governance, to grant planning permission subject to the completion of a Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 (as amended) based on the Heads of Terms identified at Appendix 7 of this report and the Conditions listed in Appendix 6 of this report; and
3. That, if by 19th April 2021 the Unilateral Undertaking has not been completed, the London Borough of Barking & Dagenham's Director of Inclusive Growth (or other authorised Officer), in consultation with the Director of Law and Governance, be delegated authority to refuse planning permission, extend this timeframe to grant approval or refer the application back to the Planning Committee for determination.

Conditions Summary:
Mandatory Conditions

1. Statutory Time Limit - Planning Permission
2. Development in Accordance with Approved Plans

Prior to Commencement Conditions

3. Site Contamination
4. Construction Management
5. Drainage Strategy
6. A Landscape and Ecological Management Plan (LEMP)

7. Piling Method Statement
8. CHP or Biomass
9. Construction Logistics Plan and Delivery and Servicing Plan

Prior to Above Ground Works Conditions

10. Parking Design
11. Detailed Highway Design
12. Acoustic Protection
13. Materials and Balcony Details
14. Fire Safety Scheme
15. Electric Vehicle Charging Points Details
16. Trees
17. Hard/Soft Landscaping Details

Prior to First Occupation / Use Conditions

18. Travel Plan
19. Children's Playspace Implementation
20. Car Parking Implementation
21. Cycle Parking Implementation
22. Refuse and Recycling Strategy Implementation
23. Sustainable Drainage Implementation
24. Crime Prevention Scheme
25. Communal Television and Satellite System
26. External lighting
27. Renewable Energy Infrastructure
28. Details of Any Commercial Kitchen Extract Ventilation System
29. CHP or Biomass Implementation
30. CHP Discharge Details

Monitoring and Management Conditions

31. Accessible Housing
32. Water Efficiency
33. Noise from Non-Residential Uses and Plant and Structure Borne Noise Emissions
34. Carbon Reduction
35. Hours for community floorspace
36. Emissions from Non-road mobile machinery (NRMM)

Unilateral Undertaking – Summary of Heads of Terms:

The proposed heads of terms to be secured through a Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 (as amended) and Section 16 GLC (General Powers) Act 1974 (as amended) (agreed between the Council and the Applicant) are set out below:

Administrative

1. Pay the Council's professional and legal costs, whether or not the deed completes.
2. Pay the Council's reasonable fees in monitoring and implementing the Section 106, payable on completion of the deed.
3. Indexing – all payments are to be index linked from the date of the decision to grant planning permission to the date on which payment is made, using BCIS index.

Affordable Housing

4. Secure 100% affordable housing on site comprising.

23 no. units provided at London Affordable Rent: Unit numbers:

B1-01-01; B1-01-02; B1-01-03; B1-01-04; B1-02-01; B1-02-02; B1-02-03; B1-02-04; B1-03-01; B1-03-02; B1-03-03; B1-03-04; B1-04-01; B1-04-02; B1-04-03; B1-04-04; B1-05-01; B1-05-02; B1-05-03; B1-05-04; C-00-01; C-00-02; C-00-03.

41 no. units provided at Affordable Rent (let at up to 80% of market rent). Unit numbers:

A-00-01; A-00-02; A-00-03; A-00-04; A-01-01; A-02-01; A-02-02; A-02-03; A-02-04; A-03-01; A-03-02; A-03-03; A-03-04; B2-01-01; B2-01-02; B2-01-03; B2-01-04; B2-02-01; B2-02-02; B2-02-03; B2-02-04; B2-03-01; B2-03-02; B2-03-03; B2-03-04; B2-04-01; B2-04-02; B2-04-03; B2-04-04; B2-05-01; B2-05-02; B2-05-03; B2-05-04; B2-06-01; B2-06-02; B2-06-03; B2-06-04; B2-07-01; B2-07-02; B2-07-03; B2-07-04.

Transport

5. Secure restrictions preventing future residents from obtaining parking permits for any controlled parking zone (CPZ).

6. Highway works- requiring the applicant to a) agree a scheme of detailed highways works in accordance with the 'in principle' plan of works as shown on Velocity Transport Planning's drawing 2360-1150-T-003-H and b) implement all the off-site highway works as defined in a) prior to construction.

7. This scheme will require new Permanent Traffic Management Orders. The Council, as the highway authority will require an independent highway stage 1/2 road safety audit, and this should be secured with the applicant separately in a section 38/278 agreement. However, we suggest in the interest of highway safety, a section 38/278 (Highways Act 1980) is entered into by the applicant prior to construction taking place on site.

8. Secure free car club membership for a calendar year on application to the nearest car club operating in the Borough and is to be provided to each future resident/household so that they can have access to a car for infrequent journeys.

Employment and Skills

9. Secure an Employment, Skills and Suppliers Plan ensuring that a minimum of 25% of labour and suppliers required for the construction of the development are drawn from within the Borough, to maximise opportunities for local residents and businesses.

Sustainability

10. The development shall achieve a minimum 49% reduction in carbon dioxide emissions over Part L of the Building Regulations 2013 (when applying updated SAP 10 emission factors) through on-site provision, and a monetary contribution shall be made to the Local Authority's carbon offset fund to offset the remaining carbon emissions to net zero-carbon.

11. Air Quality off-setting contribution. The off-setting contribution rate is £29k per tonne of NOx over the benchmark. The scheme is 1.1kgs over the benchmark (contribution of £3,190.00).

Operation of the Community Facilities

12. Secure the submission, implementation and monitoring of a Management and Travel Plan for the use of the ground floor for community use, including an event management plan for events which will exceed 40 attendees to demonstrate how sustainable modes of transport will be promoted and car parking managed

Playspace Contribution

13. Secure a play space contribution of £30k to offset the shortfall of 160sqm for dedicated play space for children who are aged 12years and above.

OFFICER REPORT

Planning Constraints:

None

Site, Situation and relevant background information:

The application site is 0.34 hectares in size and comprises of a 3-storey residential building, Leaping Toads Nursery Community Building (Class F1) circa 882sqm in floor space and a substation. The existing 3-storey residential building consists a total of 18 units. 14 are occupied by LBBD tenants and the remaining 4 are occupied by private leaseholders.

The Application Site is bounded by Church Elm Lane to the north, Vicarage Road to the east and Rectory Road to the west. The surrounding area is primarily residential and there are publicly accessible open spaces in the local area, including Goresbrook Park (c.0.5 miles to the west of the Site) and Old Dagenham Park (c.160m to the south of the Site).

The wider local area to the north, west and south comprises of a mixture of terraced properties, low-rise residential buildings and rows of commercial shops with residential units above. The area to the east of the site comprises of a high-rise 9 storey residential building.

The Site has good Public Transport Accessibility Level ('PTAL') of 3 (on a scale of 0- 6b, where 0 is the lowest). The Site is located approx. 650m from Dagenham Heathway Underground Station (8-minute walk) for access to District Line services to Barking and Central London. There are also bus stops located immediately adjacent to the Site on Church Elm Lane, providing access to and towards Dagenham Dock Station and Leytonstone Station.

There is no recent planning history apart from the installation of internally illuminated fascia sign, externally illuminated club crest and retention of 2 flag poles (00/00420/ADV) approved in August 2000.

Relevant development nearby includes to the north-east of the site along Church Elm Road, planning permission for a part 5, part 9 storey block of 75 residential flats and commercial uses (Planning ref: 19/00865/FUL). This application has not been implemented.

Key issues:

1. Principle of Development
2. Dwelling Mix and Quality of Accommodation
3. Design and Quality of Materials
4. Impacts to Neighbouring Amenity
5. Sustainable Transport
6. Meeting the needs of local residents
7. Waste Management and Refuse Collection
8. Delivering Sustainable Development (Energy / CO2 Reduction / Air Quality)
9. Biodiversity and Sustainable Drainage

Planning Assessment:

1.0 Principle of the development:

<i>Existing use(s) of the site</i>	Class C3 (residential 18 units) and Class F1(nursery)
<i>Proposed use(s) of the site</i>	Class C3 (residential 64 units) and Class F1 (non-residential institution)
<i>Net increase of units</i>	46 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, D2, D4, H1, H10 and H12.
- 1.3 The Core Strategy outlines through Policy CM1 that development should meet the needs of new and existing communities and deliver a sustainable balance between housing, jobs, and social infrastructure, with Policy CM2 further emphasising the specific housing growth targets of the Borough. Policies SPDG1 and SP3 of the emerging LP (at Reg 19 stage) outline similar objectives.
- 1.4 The proposed redevelopment of the site would re-provide community space and create a total of 64 new dwellings, resulting in a net gain of 46 dwellings. This would positively contribute to the Borough's housing stock, noting the demand for increased housing, and the principle of the development is therefore supported.
- 1.5 The NPPF states strategic and non-strategic policies should set out an overall strategy for the pattern, scale, and quality of development, and make sufficient provision for community facilities (such as health, education and cultural infrastructure). In promoting healthy and safe communities, Paragraphs 91 to 95 specifically discusses how planning policies and decisions should aim to achieve healthy, inclusive, and safe places.
- 1.6 London Plan policy 3.16 and Draft London Plan policy S1 discusses the need to protect and enhance social infrastructure. The policies consider that proposals which would result in a loss of social infrastructure without realistic proposals for re-provision should be resisted. The suitability of redundant social infrastructure premises for other forms of social infrastructure for which there is a defined need in the locality should be assessed before alternative developments are considered.
- 1.7 Core Strategy Policy CC2 seeks to maintain and improve community wellbeing and support will be given to proposals and activities that protect, retain, or enhance existing community facilities, or lead to the provision of additional community facilities. Borough Wide Policy BC6 protects the loss of community facilities.
- 1.8 Class F1 use is now defined as non-residential institutions. The use class was previously known as Class D1 but has changed under the Government's revision of the Use Class Order on the 1st September 2020. This use class includes uses such as a gym, religious meeting place, art gallery and health centres.
- 1.9 The existing site provides 882sqm of community space across three floors (including basement level) of the former British Legion Building. There is also approximately 100sqm of outdoor space.
- 1.10 The application proposes 644sq m of Class F1 community space on the ground floor of Block B. The space is split into 3 units as noted in the table below. The proposed floorspace seeks to provide high quality community space but officers acknowledge however that there is an overall loss of 218sqm. The proposal provides 150sqm of dedicated outdoor space which is an increase of 50sqm on the existing allocation.

Block	Usage	Level	GEA (m2)	GIA (m2)
B	Block 1 Community (D1)	00	82	73 sqm
B	Block 2 Community (D1)	00	90	81 sqm
B	Block B Community (D1)	00	521	490 sqm
Total:			693	644

- 1.11 Whilst officers acknowledge that there is a net loss of F1 space of 218 sqm, officers acknowledge that the existing floorspace was underutilised especially at the upper floor level of the Former British Legion building. The majority of the active Class F1 space was at ground floor level.
- 1.12 Officers acknowledge that the existing tenant, Leaping Toads nursery, has expressed an interest in retaking the new proposed floorspace. It is envisioned that they will move into temporary premises until the new floorspace is ready. Whilst officers understand that there is no formal agreement, the design takes into consideration the needs of the nursery occupier through direct discussion with the existing occupier needs and aspirations. This includes dedicated designed space that allows for the following:
- Buggy parking
 - Toilets for the children
 - Dedicated outdoor space
 - Separate entrances for the nursery and back of house activities.
 - Break out space for the nursery to be accommodated within the smaller flank F1 units
- 1.13 It is therefore recognised that whilst there is a net loss of Class F1 space there is no net loss of active space for the potential new occupier based on their current operation and needs.
- 1.14 If the space is not taken by the current nursery occupier then the 3 units can be let to other potential occupiers. The space is flexible in use class and practical operation as the units can be let as single unit or a combination of two or three.
- 1.15 If the units are not utilised by the current nursery occupier it is acknowledged by officers that the units could be used by a variety of different users, which would all have different impacts on the area depending on hours of use, number of visitors, noise of activities etc. Therefore, a condition will be applied to restrict hours of use, and a legal obligation sought to require the end users to submit a management and travel plan.
- 1.16 Officers are satisfied that whilst there is a net loss in F1 space, the space that is being provided is high quality, rationalised, fit for purpose and meets a desired need.
- 1.17 Officers consider that the proposed works on balance therefore will provide new build community space which is more efficient in design and high quality, as well as retaining the use within class D1 of the former library building, thus it is considered that the proposal is in accordance with London Plan policy 3.16, Draft London Plan Policy S1 and Core strategy and borough wide plan policies CC2 and BC6.

2.0 Dwelling Mix and Quality of accommodation:			
<i>Proposed Density u/ph:</i>	173	<i>Overall % of Affordable Housing:</i>	100%
<i>LP Density Range u/ph:</i>	35-95	<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 D6 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 Core Strategy and Borough Wide Policies CM2 and BP10 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 SP2 of the emerging local plan (at Reg 19 stage) advocates a design-led approach to optimise density and site potential.
- 2.5 The site has a PTAL of 3 which represents an average level of public transport accessibility, although it is noted that there are bus stops immediately outside the site served by frequent bus services and 0.4miles from Dagenham Heathway Underground Station (8-minute walk) The site is also considered to have an 'suburban' setting as per policy 3.4 of the London Plan. In such areas, densities in the range of 150-250 habitable rooms per hectare or 35-95 units per hectare are recommended.
- 2.6 The proposal is for 64 units and the site area is 0.34 hectares. The proportioned residential density would therefore be 173 units per hectare. Whilst the calculated residential density of the site would exceed the recommendations set out in Policy 3.4 of the London Plan, these recommendations are a guide and should not be applied mechanistically. Officers consider that the proposed density is appropriate in this case given the high-quality nature of the proposed development which optimises the site's potential through a successful design led scheme.

Housing Size Mix and Tenure

- 2.7 The proposed development comprises 100% affordable housing, in accordance with the housing size, mix and tenure shown below:

Unit Size	London Affordable Rent	Affordable Rent (up to 80% of market rent)	Total
1-bedroom unit	5	16	21 (33%)
2-bedroom unit	10	16	26 (41%)
3-bedroom unit	5	9	14 (22%)
4 bedroom unit	3	0	3(5%)
Total units	23 (29%)	41 (71%)	64 (100%)
Total habitable rooms	75(39%)	116(61%)	191(100%)

- 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 size and type. This is supported by Policy H12 of the Draft London Plan which seeks residential development to deliver an appropriate mix of housing.
- 2.9 Similarly, Policy CC1 of the Core Strategy seeks to secure the delivery of a mix and balance of housing types, including a significant increase in family housing. The policy requires major housing developments (10 units or more) to provide a minimum of 40% family accommodation (3-bedroom units or larger), whilst acknowledging that not all sites are suitable for family-sized accommodation. Emerging local plan (at Reg 19 stage) SP4 also supports the delivery of family accommodation but does not specify a particular target.
- 2.10 The proposed provision of 27% family accommodation (3-bedroom), although falling short of the 40% target set out in the Core strategy, it is considered reasonably justified as the family sized

housing is provided through 14x 3 bedroom flats and 3x 4 bedroom high quality houses (Block C) with their own amenity space. Officers consider that this range of provision is overall acceptable and would adequately support the family housing stock within the Borough. The existing mix of accommodation at Jervis Court comprises 6x 1 beds and 12x 3beds. The proposed development would therefore increase the amount of family units by 5 than currently.

- 2.11 Policy H5 of the draft London Plan requires 50% of the number of homes built over the plan period to be affordable, with a specific requirement for 50% affordable housing on public sector land as previously established in the Affordable Housing Supplementary Planning Guidance (SPG).
- 2.12 Policy H7 of the draft London Plan, also reflecting the targets previously set out in the SPG, further details the Mayor's preferred affordable tenure split, which consists of a minimum of 30% low-cost rented homes (including Social Rent and London Affordable Rent), a minimum of 30% intermediate products (including London Living Rent and London Shared Ownership) and the remaining 40% to be determined by the Local Authority based on identified need, provided they are consistent with the definition of affordable housing. The policy also indicates that this preferred split, established on a habitable room basis, should not be applied so strictly where the overall affordable housing provision exceeds 75%.
- 2.13 Similar affordable housing requirements, as well as the preferred tenure split set out in draft London Plan policy, are echoed by emerging Local Plan (Reg 19 stage) Policy DM1.
- 2.14 The proposed development delivers 100% affordable housing which is far in excess of the London Mayor's 50% target. Although not representing a genuine mix of tenures, it is considered that the significant contribution to the Borough's much needed provision of affordable housing outweighs any issue arising from the proposed tenure mix. The proposed tenure mix comprising, on a habitable room basis 39% low-cost rented homes and 61% affordable rented homes (let at up to 80% of market rent) is considered acceptable and consistent with the requirements of draft London Plan policy and the Affordable Housing Supplementary Planning Guidance.
- 2.15 The delivery of affordable housing in accordance with the proposed mix set out above will be secured by S106 Agreement.

Quality of Accommodation

- 2.16 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. London Plan Policy 3.5 and Draft London Plan Policy D4 seek for new housing to achieve the space standards in line with those set at national level. The Core Strategy and Borough Wide Policy Document and emerging local plan (Reg 19 stage) also reiterate the need for housing developments to conform to these requirements.
- 2.17 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'.
- 2.18 Policy 3.8 of the London Plan and Policy D5 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 Borough Wide Policies and Policy SP2 of the emerging Local Plan (Reg 19 stage).

- 2.19 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. Seven units (11%) have been designed to comply with M4(3) requirements, with all remaining units compliant with M4(2) requirements. However, 19 units can be adapted in accordance with Part M4(3) by transforming a 2B4P into a 2B3P when adapted for wheelchair use. The layout has been designed so that minimal alteration required to adapt the units.
- 2.20 The proposed dwellings are also provided with the private amenity space required by the London Plan, Draft London Plan and Housing SPG in the form of balconies and meet draft London Plan policy D4.
- 2.21 With respect to on-site provision of playspace, 480sqm square of secure, dedicated playspace in the central courtyard is provided. The courtyard offers integrated play space, of which 265m2 are dedicated play space for the children of 0-5 years old and 211 m2 are dedicated play space for the children of 5-11 years old.
- 2.22 Notwithstanding the above, this is below the 640 square metre playspace requirement for this scheme which is yielded by the Mayor's 'Play and Informal Recreation Supplementary Planning Guidance'.
- 2.23 The applicant has offered a play space contribution of £30k to offset the playspace provision of children from 12 years old who will play in Neighbourhood playable space in Old Dagenham Park, which is less than 400 metres away or a five minute walk from their homes. Officers consider that the contribution would help provide the following:
- Paving
 - Grassed areas
 - External Fixtures /play equipment
 - Soft landscaping (tree/hedges and flower planting)
- 2.24 The £30k offer has been based on the build cost rate per a sqm of the above elements that were costed if they were to be provided on site for this project. Officers are satisfied that the financial figure is a reasonable sum based on the cost build calculations.
- 2.25 A ward councillor highlighted in their representation the issue of The Old Dagenham Park play area in need of regeneration. It is therefore considered that the contribution would address this concern.
- 2.26 On balance that the shortfall in children playspace is offset with the financial contribution of £30k and the exemplar high quality design proposed on site.
- 2.27 Officers therefore consider that the contribution would not only provide playspace for over 12-year olds living in the future development but will also benefit other local residents who would access Old Dagenham Park. Overall, the quality of the proposed playspace strategy for this scheme is considered satisfactory.

3.0 Design and quality of materials:	
<i>Does the proposed development respect the character and appearance of the existing dwelling?</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

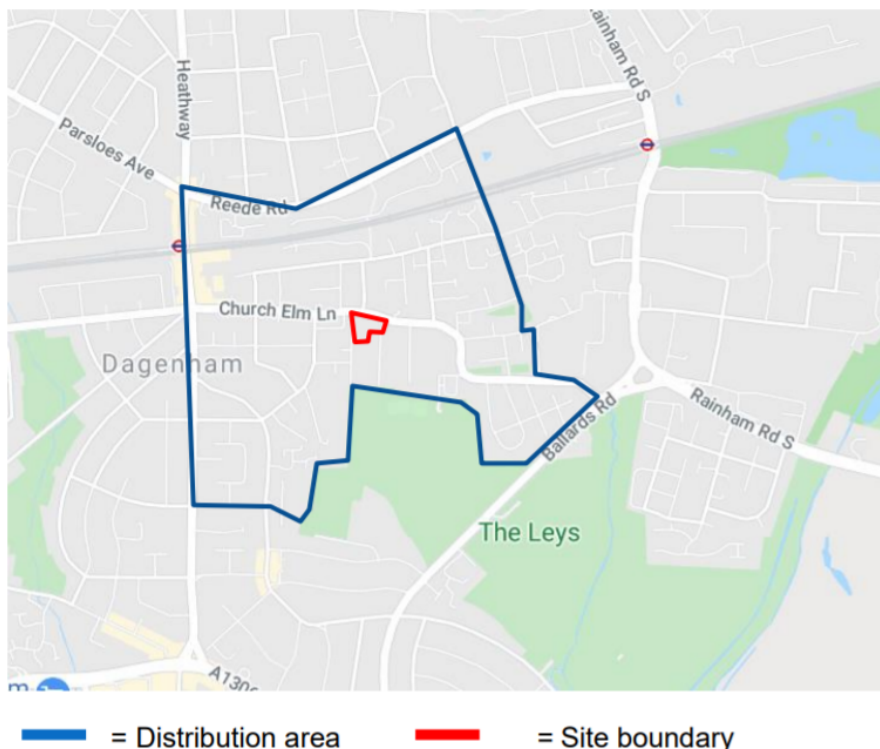
- 3.1 The NPPF, London Plan Policies 3.5, 7.1, 7.4, 7.5 and 7.6 and Draft London Plan Policies D1, D2, D3, D4 and D7 expect all development to be of high-quality design. This is echoed at local level through Policy BP11 of the Borough Wide policies and Policy SP4 of the emerging local plan (Reg 18 stage).
- 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 The principle of redeveloping the application site to consolidate existing Class F1 use as part of a residential led scheme to provide new additional affordable housing and improved landscaping and public realm is supported from a design perspective.
- 3.4 Numerous neighbour representations have been received with regards to the proposed scale and massing of the development and that it is considered to be overdeveloped and out of character within the surrounding character. One representation was received with regards to the potential of wind turbulence resulting from the design. Officers will address these concerns in this section of the report.
- 3.5 The layout design proposes 3 main blocks. Block A is a 4 storey block comprising of affordable rent flatted and maisonette units. Block B comprises of 2 towered elements. The western tower (B1) comprises of 6 storeys and accommodates London Affordable Rent tenure units. The eastern tower element (B2) comprises 8 storeys and accommodates London affordable rent units. Block C comprises of a 3 storey massing and accommodates 3x4 bedroom houses of London Affordable rent tenure. The ground floor podium level comprises of 3 units of flexible Class F1 space. The mix of tenure and typology of units throughout the scheme is welcomed by officers. It offers variety and reduces the risk of isolated tenures. The design supports social inclusion.
- 3.6 Officers consider that the layout with three buildings of varying heights (3 to 8 storeys) and a spacious internal amenity courtyard is not considered to be overdevelopment for a plot of this size. The design is not considered to be oppressive and clear views can be still be maintained through the site and beyond when viewed from adjacent public thoroughfares. The design respects the existing context of the site and the proposed blocks follow the line of adjacent properties along Vicarage Road and Rectory Road.
- 3.5 The different heights (3 to 8 storeys) are determined by the character of the streets on which they sit and the neighbouring building heights. Block 2 is the tallest at 8 storeys is also appropriate in relation to 8 storey Bartletts House to the east and the proposed 9 storey development at the approved 131 Church Elm Lane (app ref 19/00865/FUL) directly to the north east of the application site. Block B1 is 6 storeys and relates to the lower neighbouring buildings on Church Elm Lane. Block A is 4 storeys and mediates between B1 and the neighbouring mansion block.
- 3.6 The scheme was reviewed by the Quality Review Panel on the 20th February 2020. The Panel considered that careful thought had been clearly given to its architecture, in terms of both townscape and the quality of life it will create. The panel supported the scale of development, and the faceting of the taller elements, successfully reducing their apparent bulk. Placing residential entrances on side streets was considered a positive move. It was advised that the connection between the entrance lobbies could have better with views through to the courtyard garden. Officers confirm that this part of the design has been improved in this respect and is successful in linking the two spaces. The restrained architectural expression was also highlighted by the Panel, where simplicity of the external design is supported. A condition will secure the submission of samples and details of external finishes to ensure the simplicity of the design is maintained.
- 3.7 In terms of the concern regarding wind turbulence resulting from the design, officers confirm that the 8 storey element within Block B is below the threshold for a 'tall' building (30m) as defined as GLA referable and does not meet the criteria in Development Management Policy BP4, being significantly taller than neighbouring buildings, having regard to Bartletts House and the approved scheme at 131 Church Elm Lane.
- 3.8 The scheme's landscape design comprises a combination of the following:

- Private gardens (Block C houses)
 - Defensible space to private frontage
 - Enclosure with seating element
 - Communal area
 - Play elements for 0-5 Y
 - Nursery/ Class F1 dedicated private space
 - Parking shared surface
 - Planting screen to avoid direct views
 - New street trees
- 3.9 Officers consider that the indicative soft and hard landscaping strategy has been thoroughly considered and is successful in achieving a net increase of biodiversity on the site. Officers wish to ensure that the strategy is affordable to implement and maintain in the long term and have conditioned the submission of detailed strategies. Further details on this issue can be viewed in section 9 of this report.
- 3.9 The community floor space has been acknowledged that it will make a significant contribution to the wider neighbourhood. The panel and officers have welcomed the flexibility built into the design to allow for positive conversations with the Leaping Toads Nursery about occupying this space. The Class F1 units provide flexibility for more than one tenant to ensure their full potential in occupancy.
- 3.10 In summary officers support the scale and massing of the proposed development and understands the logic of having taller buildings on Church End Lane – with the tallest element marking the route to the Old Dagenham Park. The faceted design of the blocks is helpful in creating more space at corners and reducing their apparent bulk in views from surrounding streets.
- 3.11 Overall, the design of the proposed development is well considered and acceptable.

4.0 Impacts to neighbouring amenity:

- 4.1.1 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.
- 4.1.2 Policies 7.1 and 7.6 of the London Plan states that development should not cause unacceptable harm to neighbouring residential buildings in relation to loss of privacy and overlooking. Policy BP8 of the Borough Wide Policies and Policy DMD1 of the emerging Local Plan (Reg 19 stage) specifically relate to ensuring neighbourly development, specifying various potential impacts that development proposals shall take into account and avoid or minimise. The policy also emphasises adequate access to daylight and sunlight.
- 4.1.3 Officers note that 25 neighbouring representations have been received. Representations have also been received from the three ward councillors. They are summarised and can be viewed in detail in Appendices 4, 5 and 8. The following concerns are noted as being material planning considerations.
- Scale and massing
 - overdevelopment
 - Detrimental views
 - Loss of ecology
 - Quality of playspace at Dagenham Park
 - Crime and anti-social behaviour
 - Wind turbulence caused by the proposed 6 and 8 storey elements
 - Lack of parking for the scheme and culminative impact on existing parking in the area
 - Affordability of the units
 - Sunlight and daylight impacts on surrounding houses.
 - Insufficient existing drainage
 - Lack of social infrastructure to accommodate proposal, i.e. GPs.

- 4.1.4 Officers acknowledge the above concerns and they are addressed throughout the report in the relevant sections. Full details of the representations are noted in Appendix 4 and Appendix 5 which also includes the location of the representation addresses.
- 4.1.5 Notwithstanding the above, the applicant has submitted a Statement of Community Involvement. An invitation to the public consultation event was distributed to members of the community who were most affected by the redevelopment of the site. The leaflet was distributed on the 11th February and the distribution area is illustrated with the red line boundary below:



- 4.1.6 A total of 31 people attended the public consultation on Wednesday 26th February between 2.30pm and 7.30pm. The event was held at Vicarage Road Community Hall, which is within 50m of the site boundary. The aim of the event was to invite local residents who may be affected by the development to view the proposals and have the opportunity to have questions answered by the project team. All attendees were supplied with a feedback form to either fill in at home or were directed to the online feedback form. Of the 31 attendees, 22 returned feedback forms.
- 4.1.7 The feedback is summarised in the Statement of Community Involvement and it appears that the feedback was mostly positive though it is acknowledged by officers that the parking issue was the main area of concern.

4.2 Privacy, Outlook, Noise and Disturbance

- 4.2.1 Proposed Blocks A and C specifically replicate the same orientation and similar scale and massing of the adjacent residential properties along Rectory and Vicarage Road. Officers consider that there are no significant concerns with regards to privacy, outlook, noise or disturbance.
- 4.2.2 Block B is acknowledged by officers as being taller and larger in scale and massing than the existing building of Jervis Court. Block B benefits from greater separation distances to adjacent neighbours across highway thoroughfares of Vicarage Road, Rectory Road and Church Elm Lane. Block B will be serviced from Rectory Road as does the current building of Jervis Court. Officers are therefore comfortable that Block B will not result in significant or detrimental amenity issues with regards to privacy, noise or disturbance.
- 4.2.3 Representations have been received with regards to loss of outlook and views. The loss of potential views is not a material planning consideration. However in terms of outlook, it is inevitable that the redevelopment of the site will result in scale and massing that was not

previously experienced by adjacent occupiers. The applicant has sought to minimise impacts of reduced outlook by proposing intermittent blocks of massing. The applicant has also proposed articulation in the external facades to break up the massing along with public realm planting.

- 4.2.4 The separation distances to adjacent neighbours and the break in the massing between the higher elements specifically within Block B by a podium level, officers consider that there will be no loss of detrimental outlook. Officers consider that the proposed design is high quality and improves the streetscene in terms of urban design. This has been supported by those residents who attended and made comment at the public consultation community event. To ensure the proposed high design is met, officers will secure the submission of further details of external materials and the management and maintenance of soft and hard landscaping around the site.
- 4.2.5 The application site is situated within an urban environment with an existing degree of mutual overlooking between residential properties. Therefore, on balance, the proposed 100% affordable housing scheme, given the relative siting of neighbouring properties, it is considered that the development would maintain adequate separation to safeguard the outlook and privacy of their occupiers.
- 4.2.6 Officers are also satisfied that the activity and noise associated with the residential use and replacement Class F1 use of the proposed development would be consistent with existing and surrounding uses and would not result in detrimental impacts to surrounding occupiers.
- 4.2.7 A noise impact assessment has been submitted which sets out the perimeters for acoustics, ventilation, and overheating. The Council's Environmental Health department has no objection to the document and has recommended the following conditions:
- Acoustic protection
 - Details of Any Commercial Kitchen Extract Ventilation System
 - Noise from Non-Residential Uses and Plant and Structure Borne Noise Emissions
- 4.2.8 Representations have been received with regards to concerns of crime and anti-social behaviour generated by the scheme.
- 4.2.9 Officers consider that the new development will improve the security to the area. Currently, the rear of the site can be openly accessed. The proposed development would close off this 'open' access and the proposed scheme seeks to maximise the site and results in outward and inward facing natural surveillance. The scheme reduces any risk of loitering through the design at ground floor level specifically.
- 4.2.10 Notwithstanding this, a Crime Prevention Scheme is to be secured by condition for the proposed development which would secure a good standard of security to future occupants and visitors to the site and to reduce the risk of crime.
- 4.3 **Daylight, Sunlight and Overshadowing**
- 4.3.1 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.
- 4.3.2 Officers note neighbour representations have been received with regards to the concern of loss of sunlight/daylight and overshadowing of adjacent properties in the locality. These concerns are addressed below.
- 4.3.3 The Daylight and Sunlight Assessment submitted with the application (**Appendix 9**) demonstrates that the new buildings will have a relatively low impact on the light receivable by the majority of the neighbouring properties. The vast majority of windows in existing surrounding properties will meet or exceed the recommendations in the BRE guidelines.
- 4.3.4 The following properties will experience no impact:
- 101-115 (odds) Church Elm Lane

- 12-14 Vicarage Road;
- 16-18 Vicarage Road;
- 5-10 Rectory Road; and
- 15 Rectory Road.

4.3.5 However, the following existing properties will experience some/negligible impact:

- **117-129 (odds) Church Elm Lane**- the assessment acknowledges that these windows and rooms within these properties receive high levels of existing light (generally well in excess of the 27% ideal BRE target) due to the relatively low density of surrounding obstruction and the fact that the existing buildings on the Site are set some distance away from Church Elm Lane.

A total of 19 windows serving 16 rooms have been considered for daylight, which are understood to relate to a mixture of living and bedrooms.

In terms of Daylight the detailed analysis shows that five (26%) of 19 windows tested will satisfy the BRE Guidelines for the VSC test. The remaining 14 windows will experience alterations beyond the BRE's suggested criteria, with reductions in existing VSC ranging between 22% and 47%. However, of these most are relatively minor deviations (i.e. up to circa 30% loss) and around half appear to serve bedrooms, where there is a lower expectation for light compared to other room uses. As acknowledged in the BRE Guidelines "Bedrooms should be analysed although they are less important". Closer examination of the VSC results shows that the vast majority of the affected windows will retain around 20% or higher still – up to 26.92% i.e. effectively meeting the BRE optimal target of 27%. This is considered reasonable in this context.

However, the exception is no. 125 Church Elm Lane (8% VSC retained for the principal window at ground floor, ref.W3/30), but this only arises due to an overhanging porch roof. This design has a significant effect on the light that may be received from above, making them unduly sensitive to changes in massing on the Site. In such situations, the BRE recognise that "even a modest obstruction opposite may result in a large relative impact". Were it not for this design constraint, the retained VSC for this window would be as high as the adjacent neighbours. Nevertheless, the room served by the window/s in question will satisfy the NSL assessment and retain a good level of daylight distribution in the proposed condition. It should be noted that a representation from 125 Church Elm Lane has not been received with regards to the proposed development.

With regard to sunlight, the APSH analysis has shown that 12 out of 15 windows (80%) meet the criteria for annual sunlight, while 15 (100%) will meet the criteria for winter sunlight. The retained sunlight levels will generally be very high – from 2-3 times the suggested targets for the most part. The only windows that do meet the suggested annual levels relate to the aforementioned ground floor within no. 125 Church Elm Lane, made unduly sensitive by the overhanging porch. Without the presence of this design obstruction, the targets would be fully satisfied as per the windows within the properties immediately adjacent. The winter targets will nonetheless be comfortably met and the main window will continue to receive 16% APSH for the year.

- **Bartletts House, Vicarage Road**- The detailed analysis shows that the vast majority of windows tested for this property will meet the BRE Guidelines for VSC, with 81 of 87 windows (93%) satisfying its initial numerical targets. There are six remaining windows (window refs. W1 to W4/50 and W11 & W12/50) with relative reductions beyond the suggested 20% guideline; however, these are only minor deviations (22%-25% relative loss) and all will retain VSCs in excess of 25% and up to 26.75% i.e. effectively satisfying the optimal target of 27%, which characterises a more suburban setting. With regard to the NSL test, all rooms (100%) meet the BRE Guidelines. The results show there will generally be little or no change in the proposed condition and very high levels of daylight distribution retained. In terms of sunlight, all windows facing the Site, and within 90° of due south, will fully satisfy the BRE Guidelines and retain very high levels of APSH in both the winter and annual periods – generally 2-5 times the suggested targets, or better still.

- **8-10 Vicarage Road-** The detailed sunlight analysis shows that 7 of 8 windows (88%) will meet the BRE Guidelines for VSC. The one window remaining (ref. W1/60) falls below the suggested criteria; however, this is a fractional deviation (21.61% loss) and the retained value remains high at 26.51%. Moreover, the window relates to a room served by an additional window that will satisfy the VSC guidance, and where the NSL test will also be met. The NSL assessment, the results show that all rooms tested (100%) will satisfy the BRE Guidelines, with virtually no change to the existing levels. In terms of Sunlight- All windows facing the Site, and within 90° of due south, will fully satisfy the BRE Guidelines.
- **Park Active Age Centre-** The VSC analysis shows that the vast majority of windows tested for this property will meet the BRE Guidelines, with 21 of 22 windows (95%) satisfying the suggested criteria. The one window remaining (ref. W5/90) will receive a relative VSC loss of over 50%; however, this is an imperceptible alteration of just 1% in absolute terms, where there is only fractional sky visibility due to its location within a very deep recess. Therefore, there will not be a noticeable alteration in reality. The room it serves is also assumed to be served by multiple windows, all of which would fully satisfy the BRE Guidelines. With regard to the NSL test, all of the assumed rooms analysed (100%) will meet the BRE Guidelines, with no change in existing NSL recorded. For sunlight, the Proposed Development is wholly north of this property and therefore, in accordance with BRE Guidelines, its windows are not relevant for the APSH analysis
- **35-49 Rectory Road-** The VSC analysis shows that 45 of 49 windows tested (92%) will meet the BRE Guidelines for VSC. There are four remaining windows (window refs. W5, W12/100 and W5, W12/101) below BRE levels, with relative reductions of between 44% and 70%. These are glazed doors in the flank wall of recessed balconies, which greatly exaggerates their sensitivity to changes in massing on the Site. As noted above, such features make larger relative changes unavoidable; however the alteration in light is likely to be imperceptible, with losses of around 1.5% VSC in real terms. More importantly, the glazed doors in question are secondary to rooms with large main windows on the rear elevations, unimpeded by recesses and all of which fully satisfy the BRE. Moving to the NSL assessment as a whole, the results show that all rooms tested (100%) will satisfy the BRE Guidelines, with very little or no change in daylight whatsoever. For sunlight, the results show that all of the windows will satisfy the BRE Guidelines i.e. either meet the APSH targets for the annual/winter periods or retain at least 0.8 times their former values, or otherwise will see no absolute alterations beyond 4% for the whole year.
- **130-132 Church Elm Lane-** The VSC assessment indicates that all (100%) of the 8 windows tested will satisfy the BRE Guidelines. For the NSL test, 4 of 5 rooms tested (80%) will meet the guidance criteria. There is one room with an alteration beyond the suggested BRE levels (ref. R1/111), where we record a relative change of 40% in the existing daylight. However, external inspection indicates that this is non-habitable space – it is located within the flank wall, above the ground floor entrance door, and looks very likely to serve the stairs to the flats above. That being the case, this can be discounted. Nevertheless, the window serving this room meets the VSC test. In terms of sunlight all windows facing the Site within this property, and within 90° of due south, will fully satisfy the BRE Guidelines.

Overshadowing

- 4.3.6 For the overshadowing assessment, the analysis of the potential amenity areas within the Site indicates that the BRE Guidelines' 2hrs of sun on ground test will be entirely satisfied. In relation to existing neighbouring amenity space the BRE guidance will also be fully met, with no noticeable overshadowing effects recorded. Therefore, both existing and new local residents will therefore have access to amenity spaces that receive a good quantum of direct sunlight.

Internal Assessment

- 4.3.7 The submitted internal daylight analysis of the accommodation within the Proposed Development shows a very high level of compliance, with 96% of the proposed rooms tested meeting the recommended ADF daylight targets for the applied use. Furthermore, around all (100%) of the living areas will achieve daylight distribution (NSL) to over 80%+ of their room areas. For internal sunlight, the assessment results show that the majority of windows tested (77%-78%) relate to

rooms with at least one window that meets or exceeds the annual targets. A relatively small minority of windows fall below BRE guidance levels. However, these either represent minor deviations only or relate to less important bedrooms; or arise due to the presence of balconies, providing value amenity space in a trade-off for sunlight availability at the window, coupled with orientation (where the BRE acknowledge that low levels of sunlight are not unusual). All of the associated rooms will also be very well daylight relative to the BRE recommendations. Therefore, overall this illustrates that the Proposed Development should provide entirely reasonable daylight and sunlight amenity for future occupants.

- 4.3.8 Whilst officers acknowledge that in some adjacent cases there will be losses in the level of sunlight and daylight, these losses are considered to be acceptable in terms of the assessment criteria as noted above. It is also acknowledged that some properties especially that of 117-129 (odds) Church Elm Lane experience exceptional high levels of sunlight and daylight due to the low density level of development and that Jervis Court is set a considerable distance away from Church Elm Lane.
- 4.3.9 It is therefore considered on balance that the proposed development would have an overall acceptable impact on daylight and sunlight received by neighbouring and future occupiers and generally achieves a satisfactory level of compliance.

5.0 Sustainable Transport:			
<i>Net gain/loss in car parking spaces:</i>	Loss of 17	<i>PTAL Rating</i>	3
<i>Proposed number of cycle parking spaces:</i>	113	<i>Closest Underground Station / Distance (m)</i>	650m
<i>Restricted Parking Zone:</i>	Part	<i>Parking stress survey submitted?</i>	Yes

- 5.1 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.
- 5.2 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.
- 5.3 This is also echoed by Policies BR9, BR10 and BR11 of the Borough Wide policies and Policy DMT1 of the emerging local plan (Reg 19 stage), 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.
- 5.4 Officers have received numerous neighbour representations regarding the proposed development's level of parking and the culminative impact that could potentially have on the local amenity.
- 5.5 The ward councillors have also made representations with parking issues as the main concern. Ward councillors have also queried the parking survey that was conducted by the applicant to which the applicant has responded directly through two addendums and individual correspondence. Officers are satisfied that the technical details of the parking survey raised by the ward councillors has been addressed.
- 5.6 As a consequence the applicant has made changes to the scheme to address the representations received with regards to parking. This section of the report discusses the revised scheme and seeks to address the concerns.
- 5.6 Officers acknowledge that with car-lite housing developments as proposed the potential impact on on-street car parking must be mitigated to minimise the impact of overspill parking, maintain street safety and avoid inconvenience to pedestrians and cyclists.
- 5.7 In considering connectivity and accessibility the site is conveniently positioned to access local services, facilities, and amenities to encourage a modal shift to carbon-free travel and away from

private car ownership. The site is also complemented by public transport links in the form of a frequent local bus service as well as being situated in the vicinity of 650m to Dagenham Heathway underground station hence, a PTAL rating of 3, indicating average accessibility, on a scale of 1 to 6 where 6 is excellent.

- 5.6 Proposed delivery and waste and servicing arrangements are to take place from two conveniently located loading zones, one on Vicarage Road and one on Rectory Road. A swept path analysis has been undertaken for cars and refuse vehicles to inform the design and demonstrating safe access and egress with kerbside collections.
- 5.7 It is understood that the site boundary will remain as it is, and all building works will be undertaken within the red line boundary. The exception is the alterations to the highway layout to implement the proposed vehicle parking and delivery and collection arrangements which will go beyond the extent of the red line of the application. This work will be secured with the applicant separately in a section 278 agreement with the Highway Authority. Officers will also in the interest of highway safety, ask the applicant to enter into a section 278 agreement (Highways Act 1980) prior to construction taking place on site.
- 5.8 The existing parking and loading restrictions on the three streets adjacent to the site consist of a controlled parking zone (CPZ) where residents' permits are required to park within the marked bays Monday – Friday, 5pm – 9pm (Church Elm Lane), and Monday – Friday, 8.30am – 5.30pm (Rectory Road). However, Vicarage Road is currently not in a controlled parking zone and provides unrestricted parking for residents and visitors to the area. There is also an existing 18m long loading bay on Rectory Road. It should be noted that LBBDD have just finished consultation on a formal residents parking only scheme with operational times between 8.00am – 9.00pm Mon - Sun within a wider area that will include Vicarage Road and if approved will be implemented early next year.
- 5.9 As required by LBBDD an independent impartial parking beat survey of the parking stress around the site using the standard industry Lambeth methodology was carried out to observe the overnight residential car parking occupancy. The survey results demonstrated that there is some availability for on street parking along the surrounding roads of the development if needed. This is mainly due to limited parking restrictions in the surrounding streets. The parking beat area and survey results can be seen in the submitted Transport Assessment. In addition to the TA the applicant has submitted a Technical Note Transport Addendum that proposes a parking management and strategy and can be summarised as follows.
- The onsite car park provision is for 11 space including two blue badge spaces. Nine parking spaces will be provided for 3 and 4-bed units, with priority given to London Affordable Rent units followed by Affordable Rent accommodation.
 - Any resident at this address would not qualify to apply for a CPZ on-street parking permit from the Council. There will also be a permit free requirement included in the legal agreement and in future occupiers / tenants' lease agreements to ensure that if the development was approved no overspill parking does not prejudice the free flow of the traffic or conditions of general safety along the highway, or the safety of existing and future occupiers within the surrounding streets.
 - The reconfiguration of parking and loading restrictions around the site will deliver an additional two parking bays, one on Rectory Road providing additional parking for the residents of neighbouring properties and the other on Vicarage Road, providing additional parking for the residents of neighbouring properties.
 - Parking on the Church Elm Lane frontage between Rectory Road and Vicarage Road is proposed to be converted from "Residents Permit Holders Only" parking (5.00pm – 9.00pm Mon-Fri) to "Residents Permit Holders Only" parking (8.30am – 9.00pm Mon-Sun) as part of the separate CPZ consultation being undertaken by LBBDD.
 - The applicant proposes that 36m of the 60m bay on the Church Elm Lane frontage of the property should be converted to Pay by Phone parking with 30 minutes Free Parking (7.00am

– 9.00pm Monday to Friday and 8.30am to 9.00pm Saturday and Sunday) – subject to the standard Traffic Management order (TMO) consultation process.

- The proposed configuration of parking and loading restrictions around the site frontage is shown in Velocity Transport Planning's drawing 2360-1150-T-003-H.
- No parking is to be provided for employees of the Class F1 units.

- 5.10 Council policy in terms of parking states that parking standards for new developments are to coincide with the intended to publish London Plan with reduced vehicle dominance and car dependency which should encourage more trips to be made by foot, cycle, or public transport with the aim to increase active, efficient, and sustainable travel.
- 5.11 Having taken into consideration the development type, accessibility of the site, existing and planned public transport provision and on-street parking availability a car-lite development is considered acceptable. Overspill on-street parking is a recognised concern and therefore, its essential the implementation and enforcement of parking controls and appropriate permit free agreements are required to allow existing residents to make efficient and safe use of their streets. However, whilst it is accepted an absence of current local on-street parking controls is not desirable, but this should not be a barrier to development. Notwithstanding this, officers do acknowledge that the proposed extension of the CPZ to Vicarage is potentially close to fruition and could be in place prior to the occupation of the proposed units.
- 5.12 Based on the information that has been provided it appears that there are no apparent adverse highway implications to suggest the development will give rise to significant numbers of new trips or any substantial safety reasons that this should not be approved as a result of issues relating to the highway and transport networks. The proposal is considered sustainable by achieving the appropriate principle policy objectives and consequently policy compliant.
- 5.13 To realise this proposal as submitted it will require a robust set of mitigation measures to be secured via condition or a legal agreement as set out below.
- Prior to above ground works of the development the developer shall submit to the council a detailed parking design that is TSRGD compliant both in term of the bays and the accompanying signage and a management plan reflecting the highways marking and restrictions agreed in principle as shown in Velocity Transport Planning's drawing 2360-1150-T-003-H as an obligation as defined in the unilateral undertaking to cover the Council's costs in relation to the Traffic Management Order (TMO) consultation process and implementation of the proposed works." This will be secured by a planning condition.
 - Prior to above ground works of the development the developer shall submit to the council a detailed highway design and enter into a s278 agreement to undertake highway improvements seeking to ensure a detailed design to accord with the relevant road safety audit and cover new Traffic Management Orders, kerb alignment and adjustment, footway resurfacing / recon, to ensure parking and loading and service arrangements. The detailed design works to be in accordance with the Design Manual for Roads and Bridges and Manual Contract for Highway Works specifications. This will be secured in the Unilateral Undertaking / legal agreement.
 - Submission and implementation of a Travel Plan prior to occupation and secured by condition.
 - free car club membership for a calendar year on application to the nearest car club operating in the Borough and is to be provided to each future resident/household so that they can have access to a car for infrequent journeys. This is to be secured in the Unilateral Undertaking / legal agreement.
 - EVCP provision will be in accordance with the Draft New London Plan this equates to twenty percent of the onsite parking provision will be active Electric Vehicle Charging Parking bays and the applicant has agreed the remaining 80% will be equipped as passive bays and secured by condition.

- Submission and implementation of a Construction Logistics Plan and Delivery and Servicing Plan prior to commencement of any works and to be in accordance with Transport for London guidance and secured by condition.

- 5.14 Secure, internal cycle parking will be provided in accordance with the requirements of the London Plan. Based on the residential mix of units and commercial space this equates to 110 long stay spaces and 3 short stay spaces. For the family units (3 houses and 3 maisonettes), cycle store for maisonette is located to south of block A provided in communal block A cycle store and for houses will be provided within the rear gardens of each homes' curtilage.
- 5.15 The site will be serviced on street. Secure refuse storage is provided with level to the carriageway. Deliveries and other servicing activity will also take place on street from the quieter thoroughfares of Vicarage Road and Rectory Road. A Delivery and Servicing Plan is to be secured by condition.
- 5.16 Officers are overall satisfied that the proposed development adopts a sustainable approach to transport, to promote walking and cycling, whilst minimising its impact on local road infrastructure and parking amenity, in accordance with relevant policy.

6.0 Meeting the needs of local residents:

- 6.1 Officers have acknowledged that neighbouring representations have been received with concerns about the affordability of the proposed units specifically for local residents.
- 6.2 The comments specifically reference the Affordable Rent Units (which are up to 80% of market rent) and the true affordability of these.
- 6.3 To summarise the following tenure and mix of units are proposed

Unit Size	London Affordable Rent	Affordable Rent (up to 80% of market rent)	Total
1-bedroom unit	5	16	21 (33%)
2-bedroom unit	10	16	26 (41%)
3-bedroom unit	5	9	14 (22%)
4 bedroom unit	3	0	3(5%)
Total units	23 (29%)	41 (71%)	64 (100%)
Total habitable rooms	75(39%)	116(61%)	191(100%)

- 6.4 The existing site accommodates the 18 units comprising 6x 1 beds and 12x 3beds. It is understood 14 are occupied by LBBB tenants and the remaining 4 units are occupied by private leaseholders.
- 6.5 The development proposes 64 affordable housing units. This is an increase of 50 units that potential LBBB residents can occupy. The proposed development would also increase the amount of family units by 5 from the existing situation.
- 6.6 Officers welcome the increase of affordable housing units in terms of tenure and mix on this site to support the housing need within the borough.
- 6.7 In terms of an affordability the applicant has submitted an affordability report (Appendix 1 of the planning statement). It clearly shows that the rents for the proposed rents are well below the market rent based on the GLA Rent Map for this area. See table below.

	Market (taken from GLA rent map)	Affordable Rent (80%)	London Affordable Rent

1-bedroom	£237	£189	£159
2- bedroom	£255	£204	£168
3-bedroom	£311	£250	£178
4-bedroom	£380	£305	£187

6.8 The GLA accepts that people can comfortably afford rent where the rent is 28% of their gross income. The following gross household salaries would be required to afford each of the products:

	Affordable Rent 80% rent	LAR (2020/2021)
1-bedroom	£35,211	£23,623
2-bedroom	£37,886	£24,960
3-bedroom	£46,206	£26,446
4-bedroom	£56,457	£27,783

Proposed Rents based on local market rental values

6.9 The following rents are proposed for the scheme, which reflect local market rent comparable information:

	Market Rent	Affordable Rent 80% rent	London Affordable Rent
1-bedroom	£242	£193.60	£159
2-bedroom	£265	£212.00	£168
3-bedroom	£300	£240.00	£178
4-bedroom	£369	£295.38	£187

6.10 LAR represents a lower percentage cost of market rent in comparison with the GLA Rent Map figures, summarised as follows:

- 67% of market rent for the 1-bedroom units;
- 65% of market rent for the 2-bedroom units;
- 57% of market rent for the 3-bedroom units;
- 49% of market rent for the 4-bedroom units;

6.11 This is significantly below the NPPF definition of affordable rent, which is up to 80 per cent of market rent.

6.12 Assuming the rent is 28% of gross income, the following gross household salaries would be required to afford each of the products:

	Affordable Rent 80% rent	LLR (2019/2020)
1-bedroom	£36,000	£30,150
2-bedroom	£39,429	£32,036
3-bedroom	£44,571	£31,757
4-bedroom	£54,857	£33,600

Average Household income

- 6.13 The recent SHMA reports that 33% of the Borough population have a household income of under £19,000, 36% between £19,500 and £39,000 and 31% over £40,000. Therefore, the LAR (low cost) rented tenure will be affordable to a significant proportion of Barking residents. Furthermore, the LLR and AR rents proposed for the scheme are below the GLA's salary threshold of £60,000 per annum for intermediate rented products stipulated in the GLA AMR (2019).
- 6.14 The rents are also inclusive of service costs which officers accept as being additionally more affordable for this particular development.
- 6.15 It is therefore concluded that the proposed development is affordable for the those in the criteria above. The increase of 50 additional affordable units to the Borough's housing supply is welcomed and will move people from the housing list and allows allow to move up the list. The range of tenure for this scheme allows for a range of salaries of occupiers to be accommodated within these units. It provides flexibility which is welcomed by officers.
- 6.16 Officers are satisfied that the applicant has justified the true affordability of the units in response to representation objections.

Social Infrastructure

- 6.17 Representations have been made with regards an existing lack of social infrastructure to support the new development, more notably space on GP lists.
- 6.18 The proposed scheme will provide accommodation for existing residents in the borough. The potential residents may already live in the local area to which there would be no movement from their existing access to social infrastructure services. Where occupiers will be moving to access services closer to the application site then this would in turn free up services elsewhere in the borough. Officers acknowledge that there may be a shift of access to existing social infrastructure within the borough but not necessary from an uplift of potential residents from outside the borough.
- 6.19 The development will also be subject to a Community Infrastructure Payment (CIL) which is a charge that local authorities can set on new development in order to raise funds to help fund the infrastructure, facilities and services - such as schools or transport improvements - needed to support new homes and businesses.

Employment and Skills

- 6.20 The proposed development will also contribute to employment for residents within the borough. Officer will secure an Employment, Skills and Suppliers Plan ensuring that a minimum of 25% of labour and suppliers required for the construction of the development are drawn from within the Borough, to maximise opportunities for local residents and businesses.
- 6.21 It is therefore considered by officers that on balance that the proposal will be provide far reaching benefits beyond the description of development.
- 6.22 It is therefore considered that the proposal accords with London Plan Policies 3.1, 3.3, 3.4, 3.8, 3.9, 3.10, Draft London Plan policies GG1, GG4, H4 and Emerging Local Plan Policies SPDG1 and Policy SP4 with regards to affordable housing and building inclusive communities.

7.0 Waste Management and Refuse Collection

- 7.1 Policies CR3 and BR15 of the Core Strategy and Borough Wide policy document 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 the emerging Local plan (Reg 19 stage) through Strategic Policy SP7 and Policy DMSI9. Policy 5.17 of the London Plan seeks a wider goal for all development proposals in London.
- 7.2 Refuse storage will be accommodated internally with secure refuse storage provided. It is designed that the adjacent facing streets (Vicarage and Rectory Road) will allow servicing activity to take place in a lightly trafficked environment, remote from any primary thoroughfares. A waste

management plan accompanied the formal submission and a condition to secure a servicing and delivery plan will be placed on the permission.

- 7.3 The proposed refuse and recycling stores shown shall be provided before the first occupation of the development and thereafter permanently retained will also be secured by condition.

8.0 Delivering Sustainable Development (Energy / CO2 reduction / Water efficiency):	
<i>Renewable Energy Source / %</i>	49%
<i>Proposed CO₂ Reduction</i>	60%

Energy and CO2 Reduction

- 8.1 Chapter 5 (London’s response to climate change) of the London Plan and Chapter 9 (Sustainable infrastructure) 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 S12 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 DMSI of the emerging local plan (Reg 19 stage).
- 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 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 Energy Statement confirms how the proposed development implements the sequential energy hierarchy set out in the London Plan and Draft London Plan: sustainable design principles and optimum design of the building fabric and form (‘Be Lean’) and provision of air source heat pumps (‘Be Green’). A condition is recommended to ensure the renewable energy infrastructure (Air Source Heat Pumps and PVs), delivering a 49% reduction in site wide CO2 emissions, is implemented prior to first occupation of the dwellings.
- 8.5 Collectively, these measures achieve a total 60% reduction in carbon emissions site-wide over Part L of the Building Regulations 2013 which significantly exceeds the 35% on-site requirement set out in London Plan policy. To achieve zero-carbon on the residential element, 30 tonnes per annum of regulated CO2 (equivalent to 899 tonnes over 30 years) must be offset through a cash in-lieu contribution, which is used to secure CO2 savings elsewhere. The carbon offset fund payment for the development will be secured as part of the S106 Agreement.

Air Quality

- 8.6 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 also states that all development should be air quality neutral as a minimum.

- 8.7 The Air Quality Report states that the proposed development is not expected to meet the Air Quality Neutral Standards, a marginal abatement cost of £29,000 per tonne of NO_x over the established benchmark figure shall be paid to the Local Planning Authority. The scheme is 110.0kg over the benchmark and equates to a payment of £3,190. This payment shall be used for air quality improvement projects in the area and will be secured by the legal agreement.

9.0 Biodiversity & Sustainable drainage:

Biodiversity, Arboriculture 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 Core Strategy and Borough Wide policies 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 SP6 of the emerging local plan (Reg 19 stage).
- 9.2 A representation has been received with regards to the loss of ecology on the site. This section of the report aims to address this concern.
- 9.3 A Preliminary Ecological Assessment (PEA) was submitted and assessed the ecological value of this site and its potential to support notable and/or legally protected species. The following key ecological issues have been identified:
- habitat suitable for breeding birds is present – measures must be taken to avoid killing birds or destroying their nests;
 - early-trees on site have intrinsic value and therefore they should be retained – best environmental practice measures should be implemented to protect retained trees;
 - a range of measures should be undertaken to satisfy the requirement for ecological enhancement included in planning policy.
- 9.4 The PEA recommends a bird nest check however if vegetation clearance/ demolition is carried out between September and the end of February, no survey is required. Otherwise, individual surveys are required up to 48 hours prior to vegetation clearance.
- 9.5 The report has also suggested enhancement measures for the following:
- Wildlife planting
 - Biodiverse/ biosolar roof
 - Sustainable urban drainage storage
 - Provision of bird nesting opportunities
 - Provision of invertebrate nesting opportunities.
- 9.6 The applicant has also submitted a Biodiversity Net Gain Assessment. This document confirms that there will be a significant improvement of 83% more ecology against the 10% target.
- 9.7 Officers consider that key actions should be included within a Landscape and Ecological Management Plan (LEMP) for the site which will be secured through planning condition.
- 9.8 In terms of trees, the proposed development would result in the removal of three trees. They are categorised as follows:
- Common lime x 1 (Category C)
 - Norway maple x 2 (Category B and Category C)
- 9.9 Based on the design proposal, a total of three individual trees will require removal to facilitate development works. Of the trees to be removed, two were attributed Category B status and one was attributed Category C.

- 9.10 It is recommended that a scheme of soft landscaping is submitted, including tree planting details which address the potential loss of visual public amenity where tree removal is unavoidable. The tree selection should be appropriate to the site and chosen from a species palette in accordance with local tree planting policies and in accordance with any recommendations provided in the PEA and any subsequent ecology reports.
- 9.11 The positioning of mitigation planting in relation to new or existing buildings should take full account of the final canopy height and spread of all trees included in the planting scheme. Buildings should ideally be located a sufficient distance from the predicted canopy line and RPA to avoid future pressure to undertake remedial pruning or tree removal. It is recommended that specifications on aftercare and maintenance, including irrigation, as well as protection and formative pruning during establishment are included as part of the finalised tree planting strategy which will be secured via condition.
- 9.12 The redevelopment of the site will also resolve the poor quality of existing landscaped and hardstanding areas through rationalised, good quality shared and public spaces. The resulting improvement to the street scene and overall public realm of the area is supported. Officers consider that the level of ecology on the site will be improved in terms of amount and variety. Officers consider that this addresses the representation of concern as noted above.
- 9.13 Overall, it is considered that the proposed development will positively contribute to the increase of biodiversity, arboricultural and environmental value of the site and complies with relevant policy.

Sustainable Drainage

- 9.14 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 S113 of the Draft London Plan and at local level by Policies CR4 and BR4 of the Core Strategy and Borough Wide Policies and Policy DMSI6 of the emerging Local plan (Reg 19 stage).
- 9.15 Officers note neighbour representations have been received with regards to insufficient drainage in the area to accommodate any further development. This section of the report will address this concern.
- 9.16 The application site is located within Flood Zone 1 and was assessed as having a low risk of flooding from fluvial, tidal, groundwater, sewer or surface water flooding.
- 9.17 In the applicant's drainage strategy report it is proposed to limit the volume of surface water leaving the site and limit the flow of any surface water that does need to connect to the public sewer. The report states that site investigation work has confirmed the ground may be suitable for use as a surface water soakaway although results from the investigation work gave low infiltration rates. Two indicative options have been proposed. The final design of the surface water strategy will be dependent on further detailed testing within the proposed locations and at the proposed depths.
- 9.18 A drainage strategy/flood risk assessment has been submitted as part of the application. The main design principals and proposals as set out in this document have been accepted by officers. Officers however would like to approve the detailed drainage design prior to commencement of construction work on site and this will be secured by condition. Also, an additional condition to secure that the surface water drainage works shall be carried out and the sustainable urban drainage system shall thereafter be managed and maintained in accordance with the agreed management and maintenance plan shall be added.
- 9.19 Thames Water has also responded to the proposal and have no objection to the proposal subject to advisory comments.
- 9.20 Officers therefore consider that the proposed development can be successfully accommodated on the site without impacting on existing residential amenity.

Conclusions:

The redevelopment of the site for new and improved community space within Class F1 and residential use is acceptable in principle and would contribute to the Borough's housing stock through the provision of 64 good quality units compliant with relevant standards. The proposal would comprise 100% affordable units which is considered to meet an identified need in the Borough.

The scale, siting and design of the development is considered appropriate to the site's context and will result in a high-quality finish, whilst respecting the amenity of neighbouring occupiers. The proposed landscaping strategy will positively contribute to the appearance and public realm of the area and enhance the arboricultural, biodiversity and environmental value of the site.

The development adopts a sustainable approach to transport whilst ensuring an acceptable impact on local highways and infrastructure. The proposal is also considered acceptable in terms of sustainability and air quality, with a financial contribution secured to mitigate any shortfall in carbon reduction.

It is therefore recommended that planning permission be granted subject to the conditions and Heads of Terms of the unilateral undertaking, as listed in **Appendix 6 and Appendix 7**.

Appendix 1:

<p>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:</p>	
<p><i>National Planning Policy Framework (NPPF) (MHCLG, Feb 2019)</i></p>	
<p><i>The London Plan: Spatial Development Strategy for London (GLA, consolidated with alterations since 2011, published March 2016)</i></p>	<p>Policy 1.1 - Delivering the strategic vision and objectives for London Policy 3.1 - Ensuring equal life chances for all 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 3.9 - Mixed and balanced communities Policy 3.10 - Definition of affordable housing Policy 3.16- Protection and enhancement of social infrastructure Policy 5.3 - Sustainable design and construction Policy 5.10 - Urban greening Policy 5.17 - Waste capacity Policy 6.1 - Strategic approach 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 7.14 - Improving air quality Policy 7.15 - Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate townscapes Policy 7.19 - Biodiversity and access to nature</p>
<p><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></p>	
<p><i>Draft London Plan - Intend to Publish version December 2019</i></p>	<p>Policy GG1 - Building strong and inclusive communities Policy GG2 - Making the best use of land Policy GG3 - Creating a healthy city Policy GG4 - Delivering the homes Londoners need Policy D1 - London's form, character and capacity for growth Policy D2 – Infrastructure requirements for sustainable densities Policy D3 – Optimising site capacity through the design-led approach Policy D4 – Delivering good design Policy D5 – Inclusive design Policy D6 – Housing Quality Standards Policy D7 – Accessible Housing Policy D8 – Public Realm</p>

	<p>Policy D11 – Safety, security and resilience to emergency</p> <p>Policy D12 – Fire Safety</p> <p>Policy D14 - Noise</p> <p>Policy H1 - Increasing housing supply</p> <p>Policy H2 - Small sites</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 – Redevelopment of existing housing and estate regeneration</p> <p>Policy H12 - Housing size mix</p> <p>Policy S1 -Developing London’s social infrastructure</p> <p>Policy S3 – Education and childcare facilities</p> <p>Policy G1 - Green infrastructure</p> <p>Policy G5 - Urban greening</p> <p>Policy G6 - Biodiversity and access to nature</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 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>
<p><i>Local Development Framework (LDF) Core Strategy (July 2010)</i></p>	<p>Policy CM1 - General Principles for Development</p> <p>Policy CR2 - Preserving and Enhancing the Natural Environment</p> <p>Policy CR3 - Sustainable Waste Management</p> <p>Policy CP3 - High Quality Built Environment</p> <p>Policy CC2: Social Infrastructure to Meet Community Needs</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 BR3 - Greening the Urban Environment</p> <p>Policy BR4 - Water Resource Management</p> <p>Policy BR9 - Parking</p> <p>Policy BR10 - Sustainable Transport</p> <p>Policy BR11 - Walking and Cycling</p> <p>Policy BR15 - Sustainable Waste Management</p> <p>Policy BP8 - Protecting Residential Amenity</p> <p>Policy BP11 - Urban Design</p> <p>Policy BC6- Loss of Community Facilities</p> <p>Policy BP4 Tall buildings</p>
<p><i>The London Borough of Barking and Dagenham’s Draft Local Plan: (Regulation 19 Consultation Version, October 2020) is at a “mid” stage of preparation. Having regard to NPPF paragraph 216 the emerging document is now a material consideration and considerable 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 19 Consultation Version, October 2020).</i></p>	<p>Policy SPDG1 - Delivering Growth</p> <p>Policy SP4 - Delivering Homes that Meet People’s Needs</p> <p>Policy SP2 - Delivering High Quality Design in the Borough</p> <p>Policy SP6 – Green and Blue Infrastructure</p>

	<p>Policy SP7 - Securing a Sustainable and Clean Borough</p> <p>Policy SP4- Delivering social infrastructure in the right locations</p> <p>Policy DMH1 - Affordable Housing</p> <p>Policy DM2 - Housing Size and Mix</p> <p>Policy DMD1 - Responding to Place</p> <p>Policy DMNE1 - Protecting and Improving Parks and Open Spaces</p> <p>Policy DMNE2 Urban greening</p> <p>Policy DMNE3- Nature Conservation and Biodiversity</p> <p>Policy DMNE5 - Trees</p> <p>Policy DMSI 2 - Energy, Heat and Carbon Emissions</p> <p>Policy DMSI4 - Improving Air Quality</p> <p>Policy DMSI6 - Managing Flood Risk, including Surface Water Management</p> <p>Policy DMSI9 - Managing our Waste</p> <p>Policy DMT1 - Making Better Connected Neighbourhoods</p> <p>Policy SP4: Planning for social infrastructure</p> <p>Policy DMS1- Protecting or enhancing facilities</p>
<p><i>Supplementary Planning Documents</i></p>	<p>DCLG Technical Housing Standards (nationally described space standard) (DCLG, March 2015) (as amended)</p> <p>Housing Supplementary Planning Guidance (GLA, March 2016, Updated August 2017)</p> <p>the London Borough of Barking & Dagenham 'Interim Habitats Funding Statement'</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, the BeFirst on behalf of the London Borough of Barking & Dagenham has 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.

Appendix 2:

Relevant Planning History:			
<i>Application Number:</i>	00/00420/ADV	<i>Status:</i>	Approved
<i>Description:</i>	Installation of internally illuminated fascia sign, externally illuminated club crest and retention of 2 flag poles		
<i>Enforcement Case:</i>	N/A	<i>Status:</i>	
<i>Alleged breach:</i>			

Appendix 3:

The following consultations have been undertaken:

Summary of Consultation responses:		
Consultee and date received	Summary of Comments	Officer Comments
Met Police Dated 14 th July 2020	No objection advisory comments with regards to the following: <ul style="list-style-type: none"> Residential Block A- Communal ground floor entrance. Fire Bin and cycle storage CCTV standards and preferred locations. All unit – flat door-sets. Block A car park. 	Condition will secure the submission of proposed crime prevention measures, and the delivery of a safe and secure scheme
Archaeology Dated 3rd August 2020	<ul style="list-style-type: none"> No comment 	No further action required
Drainage Dated 29 th July 2020	No objection subject to conditions relating to: <ul style="list-style-type: none"> Detailed drainage scheme Implementation and maintenance plan of drainage scheme 	The relevant conditions have been added
Thames Water Dated 24 th August 2020	No objection subject to conditions relating to: <ul style="list-style-type: none"> Piling method statement Petrol and oil interceptors 	The relevant conditions have been added.
LBBB Environmental Health Dated 7 th August 2020	No objection subject to conditions relating to: <ul style="list-style-type: none"> Contaminated Land Construction Management Scheme of Acoustic Protection External Lighting Noise from Non-Residential Uses and Plant and Structure Borne Noise Emissions CHP or Biomass Installation of Boilers Details of Any Commercial Kitchen Extract Ventilation System Emissions from Non-road mobile machinery (NRMM). 	The relevant conditions have been added.
BeFirst Highways Dated	No objection subject to the following conditions: <ul style="list-style-type: none"> Submission of a detailed parking design and a management plan 	

	<p>reflecting the highways marking and restrictions</p> <ul style="list-style-type: none"> • Prior to above ground works of the development the developer shall submit to the council a detailed highway design and enter into a s278 agreement to undertake highway improvements seeking to ensure a detailed design to accord with the relevant road safety audit and cover new Traffic Management Orders, kerb alignment and adjustment, footway resurfacing / recon, to ensure parking and loading and service arrangements. • Submission and implementation of a Travel Plan prior to occupation and secured by condition. • recommend that the applicant provides free car club membership for a calendar year on application to the nearest car club operating in the Borough and is to be provided to each future resident/household so that they can have access to a car for infrequent journeys. This should be secured in the Unilateral Undertaking / legal agreement. • EVCP provision will be in accordance with the Draft New London Plan this equates to twenty percent of the onsite parking provision will be active Electric Vehicle Charging Parking bays and the applicant has agreed the remaining 80% will be equipped as passive bays and this should be secured by condition. • Submission and implementation of a Construction Logistics Plan and Delivery and Servicing Plan prior to commencement of any works and to be in accordance with Transport for London guidance and this should be secured by condition. • that the applicant makes the necessary provisions for cycle parking provision in accordance with the London Plan to be secured by condition. 	
London Fire Brigade	No objection provided the applicant meets Building Regulations with regards	No further action required

Dated 3 rd September 2020 And 7 th September 2020	to access to fire appliances for firefighting purposes	
Access Dated 11 th August 2020	No objection but advisory general comments on the residential unit layouts and commercial space.	The applicant has noted and responded to the advisory comments and are aware of the relevant regulations.
Ecology dated 1 st October 2020	No objection subject to condition relating to the submission of a Landscape and Ecological Management Plan (LEMP)	The relevant condition has been included
LBBD Trees dated 28 th September 2020	No objection but advisory comments on species and replanting.	Relevant conditions to the submission of an Arboricultural Method Statement and Tree Protection Plan are submitted to and approved in writing by the Local Planning Authority.

Appendix 4:

Neighbour Notification:	
Date Site Notice Erected:	28 th July 2020
Date of Press Advertisement:	10 th September 2020
Number of neighbouring properties consulted:	737
Number of responses:	25
Address:	Summary of response:
<p>7 Bartletts House 15 Harrison Road 117 ChurchElm Lane 30 Vicarage Road 35 Rectory Road 37 Rectory Road 45 Rectory Road 49 Rectory Road 39 Rectory Road 4 Jervis Court 37 Bartletts House 4 Bartletts House 119 Church Elm Lane 11 Rectory Road 40 Vicarage Road 9 Rectory Road 123 Church Elm Lane 14A Rectory Road</p>	<ul style="list-style-type: none"> • <i>Building too high- will change the character of the area and detrimental views</i> • <i>Lack of parking and impact to the surrounding area</i> • <i>Affordability of the affordable rent units</i>
<p>7 Rectory Road</p>	<ul style="list-style-type: none"> • <i>Concern for new occupiers of the scheme using their dedicated Disability bay</i>
<p>112a Church Elm Lane 109 Church Elm Lane</p>	<ul style="list-style-type: none"> • <i>Building too high- will change the character of the area and detrimental views</i> • <i>Lack of parking and impact to the surrounding area</i> • <i>Affordability of the affordable rent units</i> • <i>The proposed buildings will block the sun from many of the houses and gardens in Church Elm Lane at key points of the day.</i>
<p>12 Rectory Road</p>	<ul style="list-style-type: none"> • <i>Detrimental views</i> • <i>Impact on current parking provision</i> • <i>Land ownership issues.</i>
<p>115 Blackborne Road</p>	<ul style="list-style-type: none"> • <i>Scale, height and massing</i> • <i>Insufficient drainage capacity in the area</i> • <i>Wind turbulence</i> • <i>Affordability of the homes for local residents</i> • <i>Insufficient parking and a loss of on street parking</i> • <i>Lack of community infrastructure to support the proposal</i>

<p>127 Church Elm Lane</p>	<ul style="list-style-type: none"> • <i>Building too high- will change the character of the area and detrimental views</i> • <i>Lack of parking and impact to the surrounding area</i> • <i>Affordability of the affordable rent units</i> • <i>Loss of sunlight and daylight to the garden and windows</i> • <i>Increase in traffic</i>
<p>61 Rectory Road</p>	<ul style="list-style-type: none"> • <i>Scale, height and massing</i> • <i>Insufficient drainage capacity in the area</i> • <i>Affordability of the affordable rent units for local residents</i> • <i>Insufficient parking and a loss of on street parking</i> • <i>Lack of community infrastructure to support the proposal</i>



Map to show location of neighbour representations

Appendix 5:

Ward Councillor Representations:	
Councillor M. Mullane received 18 th September 2020 (dated 14 th September 2020)	<ul style="list-style-type: none">• Loss of Parking and culminative impact• Query relating to the details of the parking survey results.
Councillor L. Waker dated 14 th August 2020	<ul style="list-style-type: none">• Scale and massing• Overdevelopment• Loss of sunlight and daylight to adjacent properties at Church Elm Lane• Loss of ecology• Crime and anti-social behaviour• Impact on Parking• Affordability of units• Quality of play area at Dagenham Park
Councillor P. Waker dated 8 th August 2020	<ul style="list-style-type: none">• Loss of Sunlight and daylight to adjacent properties at Church Elm Lane• Loss of outlook and views• Flatted design out of keeping• Lack of parking and cumulative impact• Decanted residents taking precedence on the system• Affordability of the units• Taxpayer burden of funding decanted residents and leaseholder buy outs.

Officer Summary:

Officers note receipt of the objections listed above. The material planning considerations are addressed within the planning assessment.

Appendix 6:

Conditions

Conditions:

Mandatory Conditions

1. Statutory Time Limit - Planning Permission

The development hereby permitted shall be commenced before the expiration of THREE YEARS from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. Development in Accordance with Approved Plans

The development hereby approved shall only be carried out in accordance with the approved plans listed below:

- Block A Ground Floor Plan 15/05/20 BF0059-KCA-A1-00-DR-A-1100 P00
- Block A First Floor Plan.pdf 15/05/20 BF0059-KCA-A1-01-DR-A-1101 P00
- Unit Type A-04 BF0059-KCA-A1-01-DR-A-5003 P00 15/05/20
- Unit Type A-05 & A-06 BF0059-KCA-A1-02-DR-A-5004 P00 15/05/20
- Unit Type A-07 & A-08 BF0059-KCA-A1-02-DR-A-5005 P00 15/05/20
- Block A Roof Plan 15/05/20 BF0059-KCA-A1-RF-DR-A-1103 P00
- Block A Second and Third Floor Plan BF0059-KCA-A1-XX-DR-A-1102 P00 15/05/20
- Block A Section AA & BB 12/06/20 BF0059-KCA-A1-XX-DR-A-2100 P01
- Block A Section CC & DD 12/06/20 BF0059-KCA-A1-XX-DR-A-2101 P01
- Block A West and South Elevation 12/06/20 BF0059-KCA-A1-XX-DR-A-3100 P01
- Block A East and North Elevation 12/06/20 BF0059-KCA-A1-XX-DR-A-3101 P01
- Block A Detailed Bay Study 01 BF0059-KCA-A1-XX-DR-A-4000 P01 12/06/20
- Unit Type A-01 Maisonette 15/05/20 BF0059-KCA-A1-XX-DR-A-5000 P00
- Unit Type A-02 Maisonette 15/05/20 BF0059-KCA-A1-XX-DR-A-5001 P00
- Unit Type A-03 Maisonette 15/05/20 BF0059-KCA-A1-XX-DR-A-5002 P00
- Unit Type B1-01 BF0059-KCA-B1-XX-DR-A-5000 P00 15/05/20
- Unit Type B1-02 M4(3) BF0059-KCA-B1-XX-DR-A-5001 P00 15/05/20
- Unit Type B1-03 & B1-04 15/05/20 BF0059-KCA-B1-XX-DR-A-5002 P00
- Unit Type B2-01 BF0059-KCA-B2-XX-DR-A-5003 P00 15/05/20
- Unit Type B2-02 M4(3) BF0059-KCA-B2-XX-DR-A-5004 P00 15/05/20
- Block B Ground Floor Plan 15/05/20 BF0059-KCA-BX-00-DR-A-1100 P00
- Block B Roof Plan 15/05/20 BF0059-KCA-BX-RF-DR-A-1111 P00
- Block B Typical Floor Plan 15/05/20 BF0059-KCA-BX-XX-DR-A-1101 P00

- Block B Section AA
15/05/20 BF0059-KCA-BX-XX-DR-A-2100 P00
- Block B Section BB
15/05/20 BF0059-KCA-BX-XX-DR-A-2101 P00
- Block B Section CC & DD
15/05/20 BF0059-KCA-BX-XX-DR-A-2102 P00
- Block B North Elevation BF0059-KCA-BX-XX-DR-A-3100 P01 01/07/20
- Block B South Elevation
01/07/20 BF0059-KCA-BX-XX-DR-A-3101 P01
- Block B East Elevation BF0059-KCA-BX-XX-DR-A-3102 P02 01/07/20
- Block B West Elevation BF0059-KCA-BX-XX-DR-A-3103 P01 01/07/20
- Block B Detailed Bay Study 01 BF0059-KCA-BX-XX-DR-A-4000 P01 01/07/20
- Block C Ground Floor to Roof Plan
05/06/20 BF0059-KCA-C1-XX-DR-A-1100 P01
- Block C Section AA BB BF0059-KCA-C1-XX-DR-A-2100 P01 05/06/20
- Block C North and East Elevations
01/07/20 BF0059-KCA-C1-XX-DR-A-3100 P02
- Block C South & West Elevations
01/07/20 BF0059-KCA-C1-XX-DR-A-3101 P02
- Block C Detailed Bay Study 01 BF0059-KCA-C1-XX-DR-A-4000 P02 01/07/20
- Unit Type C-01 BF0059-KCA-C1-XX-DR-A-5000 P00 15/05/20
- Site Location Plan
15/05/20 BF0059-KCA-XX-00-DR-A-0001 P00
- Existing Site Plan
15/05/20 BF0059-KCA-XX-00-DR-A-0002 P00
- Existing Roof Plan
15/05/20 BF0059-KCA-XX-00-DR-A-0003 P00
- Site Layout - Ground Floor Plan
29/09/20 BF0059-KCA-XX-00-DR-A-1000 P01
- Site Layout - First Floor Plan
29/09/20 BF0059-KCA-XX-01-DR-A-1001 P01
- Site Layout - Second Floor Plan
29/09/20 BF0059-KCA-XX-02-DR-A-1002 P01
- Site Layout - Third Floor Plan
29/09/20 BF0059-KCA-XX-03-DR-A-1003 P01
- Site Layout - Fourth and Fifth Floor
29/09/20 BF0059-KCA-XX-04-DR-A-1004 P01
- Site Layout - Sixth and Seventh
29/09/20 BF0059-KCA-XX-06-DR-A-1005 P01
- Site Layout - Roof Plan BF0059-KCA-XX-RF-DR-A-1006 P01 29/09/20

- Existing Site Sections 29/09/20 BF0059-KCA-XX-XX-DR-A-2000 P01
 - Proposed Site Sections 29/09/20 BF0059-KCA-XX-XX-DR-A-2001 P01
 - Existing East and West Site Elevations 29/09/20 BF0059-KCA-XX-XX-DR-A-3000 P01
 - Existing North and South Site Elevations 05/06/20 BF0059-KCA-XX-XX-DR-A-3001 P01
 - Proposed East and West Site Elevations 05/06/20 BF0059-KCA-XX-XX-DR-A-3002 P01
 - Proposed North and South Site Elevations 05/06/20 BF0059-KCA-XX-XX-DR-A-3003 P01
 - Wheelchair Adaptable Units 29/09/20 BF0059-KCA-XX-XX-DR-A-1020 P00
 - Proposed Highways General Arrangement 2360-1150-T-003 rev H March 2020
-
- The Phase 2 Ground Investigation report prepared by SAS, ref: 20/31775-1, dated April 2020
 - Civil engineering drainage strategy by Momentum dated May 2020
 - Noise Impact Statement by KP Acoustics dated 12/05/2020
 - Design and Access Statement by KCA Architects dated 12/06/2020
 - Design and Access Statement Addendum by KCA Architects
 - Energy Statement by Max Fordham dated 24th April 2020
 - Sustainability Statement by Max Fordham dated 24th April 2020
 - Arboricultural Impact Assessment and Method Statement by Arbeco dated 20th May 2020
 - Daylight/Sunlight and Overshadowing Assessment by Avison Young dated April 2020
 - Preliminary Ecological Report by The Ecology Consultancy dated 17th April 2020
 - Biodiversity Net Gain Assessment by The Ecology Consultancy dated 24th September 2020
 - Air quality Assessment by REC dated April 2020
 - Phase 1 – Risk Assessment report prepared by SAS dated April 2020
 - Transport Assessment by Velocity dated May 2020
 - Transport Assessment Addendum by Velocity dated October 2020
 - Waste Management Plan by Velocity dated May 2020
 - Planning Statement by BeFirst dated May 2020
 - Planning Statement Addendum by BeFirst dated 02 October 2020
 -

No other drawings or documents apply.

Reason: To ensure that the development is undertaken in accordance with the approved drawing(s) and document(s) to ensure that the finished appearance of the development will enhance the character and visual amenities of the area and to satisfactorily protect the residential amenities of nearby occupiers.

Prior to Commencement Conditions

3. Site Contamination

No development (with the exception of demolition works above ground level only) shall commence until:

(b) 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, has been prepared and submitted to the Local Planning Authority for approval in writing. 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.

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

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority. The report shall include results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met.

(d) 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 (a), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of (b), which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: 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.

4. Construction Management

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

- a) construction traffic management;
- b) the parking of vehicles of site operatives and visitors;
- c) loading and unloading of plant and materials;
- d) storage of plant and materials used in constructing the development;
- e) the erection and maintenance of security hoarding(s) including decorative displays and facilities for public viewing, where appropriate;
- f) wheel washing facilities;
- g) measures to control the emission of dust, dirt and emissions to air during construction; such measures to accord with the guidance provided in the document "The Control of

Dust and Emissions during Construction and Demolition”, Mayor of London, July 2014; including but not confined to, non-road mobile machinery (NRMM) requirements;

- h) noise and vibration control;
- i) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- j) the use of efficient construction materials;
- k) methods to minimise waste, to encourage re-use, recovery and recycling, and sourcing of materials; and
- l) a nominated 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.

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

Demolition and construction work and associated activities, other than internal works not audible outside the site boundary, are only to be carried out between the hours of 08:00 and 18:00 Monday to Friday and 08:00 and 13:00 Saturday, with no work on Sundays or public 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.

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

Reason: In order to reduce the environmental impact of the construction and the impact on the amenities of neighbouring residents.

5. Drainage Strategy

No development shall commence until a detailed drainage scheme (to include the disposal of surface water by means of sustainable methods of urban drainage systems) has been submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with such approved details.

Reason: To prevent an increased risk of flooding and to prevent pollution of the water environment.

6. A Landscape and Ecological Management Plan (LEMP)

A Landscape and Ecological Management Plan (LEMP) shall be submitted to and be approved in writing by the local planning authority prior to the commencement of the development. The approved plan will be implemented in accordance with the approved details. The content of the LEMP shall include the following:

Standard LEMP information, including:

- I. Description and evaluation of features to be managed.
- II. Ecological trends and constraints on site that might influence management.
- III. Aims and objectives of management.
- IV. Appropriate management options for achieving aims and objectives.

V. Prescriptions for management actions.

VI. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).

VII. Details of the body or organization responsible for implementation of the plan.

VIII. Ongoing monitoring and remedial measures.

IX. The funding mechanism by which the long-term implementation of the plan will be secured.

Reason: To preserve and enhance the Borough's natural environment.

7. Piling Method Statement

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

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility Infrastructure.

8. CHP or Biomass

Should the development have CHP or biomass, the CHP and or biomass boilers must not exceed the Band B Emission Standards for Solid Biomass Boilers and CHP Plant as listed in Appendix 7 of the London Plan's Sustainable Design and Construction SPG document. Prior to the development commencing, evidence to demonstrate compliance with these emission limits will be submitted to the Local Planning Authority for approval.

Reason: To comply with the London Plan's SPG on Sustainable Design and Construction and Policy 7.14 of the London Plan in relation to air quality.

9. Construction Logistics Plan and Delivery and Servicing Plan

Prior to commencement of any works and to be in accordance with Transport for London guidance the submission of a Construction Logistics Plan and Delivery and Servicing Plan shall be submitted and approved in writing by the Local Planning Authority. Upon approval the Construction Logistics Plan and Delivery and Servicing Plan shall be implemented before commencement of works.

Reason: In the interests of highway safety.

Prior to Above Ground Works Conditions

10. Parking Design

Prior to above ground works of the development the developer shall submit to the council a detailed parking design that is TSRGD compliant both in term of the bays and the accompanying signage and a management plan reflecting the highways marking and restrictions agreed in principle as shown in Velocity Transport Planning's drawing 2360-1150-T-003-H as an obligation as defined in the unilateral undertaking to cover the Council's costs in relation to the Traffic Management Order (TMO) consultation process.

Reason: In the interest of highway safety.

11. Detailed Highway Design

Prior to above ground works of the development the developer shall submit to the council a detailed highway design and enter into a s278 agreement to undertake highway improvements seeking to ensure a detailed design to accord with the relevant road safety audit and cover new Traffic Management Orders, kerb alignment and adjustment, footway resurfacing / recon, to ensure parking and loading and service arrangements. The detailed design works to be in accordance with the Design Manual for Roads and Bridges and Manual Contract for Highway Works specifications.

Reason: In the interest of highway safety.

12. Acoustic Protection

Prior to commencement of residential units, full details of a scheme of acoustic protection of habitable rooms against noise shall be submitted to and approved in writing by the Local Planning Authority. The scheme of acoustic protection shall be sufficient to secure internal noise levels no greater than:

- a. 35 dB LAeq in living rooms and bedrooms (07:00 hours to 23:00 hours) with windows closed; and
- b. 30 dB LAeq in bedrooms (23:00 hours to 07:00 hours) with windows closed.

The approved scheme shall be fully implemented before the first occupation of the residential unit to which it relates and shall be maintained at all times thereafter.

Reason: To ensure that the proposed residential units are adequately protected from noise

13. Materials and Balcony Details

No above ground new development shall take place until details of balconies and 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 and balcony details. Minor amendments may be agreed in writing from time to time by the Local Planning Authority.

Reason: To protect or enhance the character and amenity of the area.

14. Fire Safety Scheme

No above ground new development shall commence until a Fire Statement has been submitted to and approved in writing by the Local Planning Authority. The Fire Statement shall be produced by an independent third party suitably qualified assessor which shall detail the building's construction, methods, products and materials used; the means of escape for all building users including those who are disabled or require level access together with the associated management plan; access for fire service personnel and equipment; ongoing maintenance and monitoring and how provision will be made within the site to enable fire appliances to gain access to the building. The Fire Safety Scheme shall be implemented in accordance with the approved detailed prior to first occupation of the development and permanently maintained thereafter.

Reason: In order to provide a safe and secure development.

15. Electric Vehicle Charging Points Details

No above ground new development shall take place until details of Electric Vehicle Charging Points have been submitted to and approved in writing by the Local Planning Authority. The

scheme shall demonstrate how active electric charging points will be provided for 20% of the car parking spaces, with passive provision for the remaining 80% of the spaces. The spaces shall be constructed and marked out and the charging points installed prior to the occupation of the development and thereafter retained permanently for the accommodation of vehicles of occupiers and visitors to the premises and not used for any other purpose.

Reason: To encourage the use of electric cars in order to reduce carbon emissions.

16. Trees

No above ground new development shall commence until a Tree Planting Strategy is submitted to and approved in writing by the Local Planning Authority.

Reason: To secure the provision of landscaping in the interests of the visual amenity of the area, to preserve and enhance the Borough's natural environment and to ensure a high-quality built environment.

17. Hard/Soft Landscaping Details

No above ground new development shall commence until detailed soft and hardlandscaping strategies are submitted and approved in writing by the Local Planning Authority.

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 secure the provision and retention of landscaping in the interests of the visual amenity of the area, to preserve and enhance the Borough's natural environment and to ensure a high-quality built environment.

Prior to First Occupation / Use Conditions

18. Travel Plan

Prior to first occupation of the development, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. On approval the Travel Plan shall be implemented prior to occupation.

Reason: In the interests of sustainable transport.

19. Children's Playspace Implementation

Prior to the first occupation of the development, details of child play associated equipment shall be submitted to and approved in writing by the Local Planning Authority. The children's play space and approved associated equipment shall be permanently retained thereafter.

Reason: To ensure suitable provision for children's play.

20. Car Parking Implementation

The car parking areas shown on drawing BF0059-KCA-XX-00-DR-A-1000 P01 shall be constructed and marked out prior to the first occupation of the development and thereafter retained permanently for the accommodation of vehicles of occupiers and visitors to the premises and not used for any other purpose. The parking spaces should be clearly delineated with raised kerbs to avoid encroachment on surrounding footpaths and damage to trees.

The three proposed blue badge car parking spaces shall be constructed and marked out prior to the first occupation of the development as accessible parking bays (to be clearly marked with a British Standard disabled symbol).

Reason: To ensure that sufficient off-street parking areas are provided and not to prejudice the free flow of traffic or conditions of general safety along the adjoining highway, to ensure and promote easier access for disabled persons.

21. Cycle Parking Implementation

Prior to the first occupation of the development the applicant makes the necessary provisions for cycle parking provision in accordance with the London Plan to determine an appropriate levels of cycle parking which should be to the minimum standards set out, secure and well-located. The cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards.

Reason: In the interests of promoting cycling as a sustainable and non-polluting mode of transport.

22. Refuse and Recycling Strategy Implementation

The refuse and recycling stores shown on drawing BF0059-KCA-XX-00-DR-A-1000 P01 shall be provided before the first occupation of the development and thereafter permanently retained.

Reason: To provide satisfactory refuse and recycling storage provision in the interests of the appearance of the site and locality.

23. Sustainable Drainage Implementation

Prior to the occupation of the buildings hereby approved the surface water drainage works shall be carried out and the sustainable urban drainage system shall thereafter be managed and maintained in accordance with the agreed management and maintenance plan.

Reason: To prevent an increased risk of flooding and to prevent pollution of the water environment.

24. Crime Prevention Scheme

The proposed development shall achieve a Certificate of Compliance in respect of the Secured by Design scheme (silver), or alternatively achieve security standards (based on Secured by Design principles) to the satisfaction of the Metropolitan Police, details of which shall be provided to the Local Planning Authority for its written approval prior to the first occupation of the approved development. All security measures applied to the approved development shall be permanently retained thereafter.

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.

25. Communal Television and Satellite System

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

Reason: To safeguard the external appearance of the building.

26. External lighting

The development hereby permitted shall not be occupied until details showing the provisions to be made for external lighting has been submitted to and approved in writing by the Local Planning Authority. The lighting 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, page 25 of the guide, relating to Environmental Zone E2 Low district brightness areas-Rural, small village or relatively dark urban locations. 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 lighting and security to future occupants and visitors to the site and to reduce the risk of crime.

27. Renewable Energy Infrastructure

The development hereby permitted will ensure the renewable energy infrastructure will be carried out in accordance to document Energy Statement by Max Fordham dated 24th April 2020 delivering a 49% reduction in site wide CO2 emissions, is implemented prior to first occupation of the dwellings.

Reason: To ensure measures are implemented to reduce carbon emissions.

28. Details of Any Commercial Kitchen Extract Ventilation System

Prior to occupation of any non-residential unit hereby permitted with a commercial kitchen, details of any ventilation system for the removal and treatment of cooking odours from any commercial catering, including its appearance and measures to mitigate system noise, are to be submitted to and approved in writing by the Local Planning Authority. The measures shall have regard to and be commensurate with guidance and recommendations in:

- The current edition of publication "Specification for Kitchen Ventilation Systems", DW/172, Heating and Ventilating Contractors Association, or other relevant and authoritative guidance; and
- Publication, "Control of Odour and Noise from Commercial Kitchen Exhaust Systems – Update to the 2004 report prepared by NETCEN for the Department for Environment, Food and Rural Affairs", Ricardo.com, 2018.

The approved details shall be fully implemented before the first use of the relevant non-residential unit and shall thereafter be permanently retained in an efficient manner.

Reason: To safeguard the appearance of the premises and minimise the impact of cooking smells, odours and noise.

29. CHP or Biomass Implementation

Prior to installation, details of the boilers shall be forwarded to the Local Planning Authority for approval. The boilers shall have dry NOx emissions not exceeding 40 mg/kWh (0%).

Reason: To comply with the London Plan's SPG on Sustainable Design and Construction and Policy 7.14 of the London Plan in relation to air quality.

30. CHP Discharge Details

The CHP must have a discharge stack which is at least 3m above any openable windows or ventilation air inlets within a distance of 5Um. Details to demonstrate compliance with this condition must be submitted to the local authority for approval prior to works commencing.

Reason: To protect the future occupiers and neighbouring residents from exposure to pollutant emissions from the energy centre.

Monitoring and Management Conditions

31. Accessible Housing

All new build dwellings shall be constructed to comply with Building Regulations Optional Requirement Approved Document M4(2) Category 2: Accessible and adaptable dwellings (2015 edition) as a minimum.

Seven (11%) dwellings, identified as Units B1-01-02; B2-01-04; B2-01-03; B1-02-02; B2-02-04; B2-02-03 and B1-03-02 or any subsequent plan to be agreed in writing with the Local Planning Authority shall be constructed to, or capable of easy adaptation to, Building Regulations Optional Requirement Approved Document M4(3) Category 3: Wheelchair user dwellings (2015 edition).

Reason: To ensure that sufficient accessible housing is provided.

32. Water Efficiency

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.

Reason: To minimise the use of mains water.

33. Noise from Non-Residential Uses and Plant and Structure Borne Noise Emissions

Noise from the non-residential uses hereby permitted, including, but not limited to, live and amplified music shall be controlled so as to be inaudible inside adjoining and other noise-sensitive premises in the vicinity of those uses. The initial test for compliance with the 'inaudibility' criterion will be that noise should be no more than barely audible outside those noise-sensitive premises. In the event there is disagreement as to whether such noise is or is not audible the following numerical limits shall be used to determine compliance with this condition:

- the LAeq (CUAN) shall not exceed LA90 (WCUAN); and
- the L10 (CUAN) shall not exceed L90 (WCUAN) in any 1/3 octave band between 40Hz and 160Hz.

CUAN = Commercial/Community Use Activity Noise Level, WCUAN = representative background noise level without commercial/community use activity noise, both measured 1 metre from the façade of the noise-sensitive premises.

The combined rating level of the noise from any plant installed pursuant to this permission (other than plant which is only to be operated in emergency circumstances) shall not exceed the existing background noise level outside the window to any noise-sensitive room. Any assessment of compliance in this regard shall be made according to the methodology and procedures presented in BS4142:2014.

Any machinery and equipment installed pursuant to this permission shall be designed and installed to ensure that structure borne (re-radiated) noise emissions shall not exceed 35 LAeq dB (5 min) when measured in any habitable room in adjoining residential premises.

Reason: To ensure that the proposed and surrounding residential properties and other noise-sensitive premises in the vicinity of site are adequately protected from noise.

34. Carbon Reduction

The development hereby permitted shall be carried out in accordance with the submitted Energy Statement prepared by Max Fordham dated 24/04/2020 to achieve a minimum 49% reduction in carbon dioxide emissions over Part L of the Building Regulations (2013) (when applying updated SAP 10 emission factors).

Reason: To ensure measures are implemented to reduce carbon emissions.

35. Hours for community floorspace

The Community floorspace hereby approved shall not be operational outside the hours of 7am to 11pm Sunday to Friday, and 8am to 12.30 Saturday

Reason: To protect the amenity of the surrounding residential buildings

36. Emissions from Non-road mobile machinery (NRMM)

Any major development within the London Borough of Barking and Dagenham is required to have non-road mobile machinery (NRMM) condition.

No NRMM shall be used on the site unless it is compliant with the NRMM Low Emission Zone requirements (or any superseding requirements) and until it has been registered for use on the site on the NRMM register (or any superseding register).

Reason: To ensure that air quality is not adversely affected by the development in line with London Plan policy 7.14 and the Mayor's SPG: The Control of Dust and Emissions during Construction and Demolition.

Appendix 7:

Legal Agreement Proposed Heads of Terms:

The proposed heads of terms to be secured through a Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 (as amended) and Section 16 GLC (General Powers) Act 1974 (as amended) (agreed between the Council and the Applicant) are set out below:

Administrative

1. Pay the Council's professional and legal costs, whether or not the deed completes.
2. Pay the Council's reasonable fees in monitoring and implementing the Section 106, payable on completion of the deed.
3. Indexing – all payments are to be index linked from the date of the decision to grant planning permission to the date on which payment is made, using BCIS index.

Affordable Housing

4. Secure 100% affordable housing on site comprising.

23 no. units provided at London Affordable Rent: Unit numbers:

B1-01-01; B1-01-02; B1-01-03; B1-01-04; B1-02-01; B1-02-02; B1-02-03; B1-02-04; B1-03-01; B1-03-02;
B1-03-03; B1-03-04; B1-04-01; B1-04-02; B1-04-03; B1-04-04; B1-05-01; B1-05-02; B1-05-03; B1-05-04;
C-00-01; C-00-02; C-00-03.

41 no. units provided at Affordable Rent (let at up to 80% of market rent). Unit numbers:

A-00-01; A-00-02; A-00-03; A-00-04; A-01-01; A-02-01; A-02-02; A-02-03; A-02-04; A-03-01; A-03-02; A-03-03; A-03-04; B2-01-01; B2-01-02; B2-01-03; B2-01-04; B2-02-01; B2-02-02; B2-02-03; B2-02-04; B2-03-01; B2-03-02; B2-03-03; B2-03-04; B2-04-01; B2-04-02; B2-04-03; B2-04-04; B2-05-01; B2-05-02; B2-05-03; B2-05-04; B2-06-01; B2-06-02; B2-06-03; B2-06-04; B2-07-01; B2-07-02; B2-07-03; B2-07-04.

Transport

5. Secure restrictions preventing future residents from obtaining parking permits for any controlled parking zone (CPZ).

6. Highway works- requiring the applicant to a) agree a scheme of detailed highways works in accordance with the 'in principle' plan of works as shown on Velocity Transport Planning's drawing 2360-1150-T-003-H and b) implement all the off-site highway works as defined in a) prior to construction.

7. This scheme will require new Permanent Traffic Management Orders. The Council, as the highway authority will require an independent highway stage 1/2 road safety audit, and this should be secured with the applicant separately in a section 38/278 agreement. However, we suggest in the interest of highway safety, a section 38/278 (Highways Act 1980) is entered into by the applicant prior to construction taking place on site.

8. Secure free car club membership for a calendar year on application to the nearest car club operating in the Borough and is to be provided to each future resident/household so that they can have access to a car for infrequent journeys.

Employment and Skills

9. Secure an Employment, Skills and Suppliers Plan ensuring that a minimum of 25% of labour and suppliers required for the construction of the development are drawn from within the Borough, to maximise opportunities for local residents and businesses.

Sustainability

10. The development shall achieve a minimum 60% reduction in carbon dioxide emissions over Part L of the Building Regulations 2013 (when applying updated SAP 10 emission factors) through on-site provision, and a monetary contribution shall be made to the Local Authority's carbon offset fund to offset the remaining carbon emissions to net zero-carbon.

11. Air Quality off-setting contribution. The off-setting contribution rate is £29k per tonne of NOx over the benchmark. The scheme is 1.1kgs over the benchmark (contribution of £3,190.00).

Operation of the Community Facilities

12. Secure the submission, implementation and monitoring of a Management and Travel Plan for the use of the ground floor for community use, including an event management plan for events which will exceed 40 attendees to demonstrate how sustainable modes of transport will be promoted and car parking managed

Playspace Contribution

13. Secure a play space contribution of £30k to offset the shortfall of 160sqm for dedicated play space for children who are aged 12 years and above.

Appendix 8

Councillor and Neighbour Representations:

Appendix 9

Sunlight/Daylight and Overshadowing Report: