

MINUTES OF PLANNING COMMITTEE

Monday, 30 November 2020
(6:00 - 8:02 pm)

Present: Cllr Muhammad Saleem (Chair), Cllr John Dulwich (Deputy Chair), Cllr Sanchia Alasia, Cllr Faruk Choudhury, Cllr Irma Freeborn, Cllr Cameron Geddes, Cllr Olawale Martins, Cllr Foyzur Rahman and Cllr Dominic Twomey

Also Present:

Apologies:

22. Declaration of Members' Interests

There were no declarations of interest.

23. Minutes (19 October 2020)

The minutes of the meeting held on 19 October 2020 were confirmed as correct.

24. Padnall Lake

The Principal Development Management Officer (PDMO), Be First Development Management Team, introduced a report on an application from Be First for a detailed planning permission for Phase 1- erection of buildings ranging between 3 & 6 storeys (Plots 1,2 & 3) comprising 81 residential units (Use Class C3) and 181 sqm (GEA) of non-residential floorspace (Use Class D1), open space and public realm, parking and cycle parking, plant, other associated works, and associated infrastructure (Plot 4); and outline planning permission for Phase 2, comprising outline planning permission (all matters reserved) for the erection of buildings made up of 219 residential units (Use Class C3), up to 300 sqm (GEA) of flexible floorspace for residential use (Use Class C3) or non-residential use (Use Class D1), open space and public realm, means of pedestrian and vehicular access and circulation, car and cycle parking, and associated works, at Padnall Lake, Padnall Road, Romford RM6 5ER.

Following the publication of the agenda an addendum report was subsequently published and presented, and which provided an update to the Heads of Terms in relation to play space contributions and the submission of a monitored travel plan, additional consultation responses from TfL in conjunction with the GLA Stage 1 report, further objector representations, together with updates to the main report to correct formatting errors.

In addition to internal and internal consultations, a total of 1927 letters were sent to neighbouring properties together with the requisite statutory site and press notices. A total of 38 objections were received together with 2 petitions

containing 213 and 301 signatures respectively. The officer comments on the responses to the consultation were contained in the planning assessment detailed in the reports.

A total of four objectors presented representations at the meeting including a Chadwell Heath ward councillor Simon Perry. The principle issues of objection raised were:

- Increased traffic and parking congestion, including a proposal from the ward councillor for the applicant to commit to funding the cost of residential permits for a proposed CPZ in the locality for 12 months,
- Inappropriate design and massing,
- Loss of open space/nature conservation and the protection of biodiversity
- Impact on neighbouring amenity including privacy, outlook, daylight and sunlight,
- Impact on public transport capacity, school places and medical facilities,
- Lack of retail provision to meet the needs of the local community,
- Road access,
- Noise and pollution,
- Air Quality. In this respect one of the objectors presented an independent air quality review as set out in full in the addendum report, and which challenged the validity of the assessment presented as part of the application,
- Environmental considerations including the risk of increased flooding, as well as the future management of Padnall Lake,
- Community involvement, and
- Consultation process

Responding to the objections officers from Be First Planning Consultancy (on behalf of the applicant) supported by architectural, transport and environmental planning consultants, addressed each of the principle points raised by objectors, providing a summary of evidence and supportive documentation which was set out in full in the reports as presented.

Reference was made to the significant consultation that had been ongoing with residents and local stakeholders since December 2019, and which had directly influenced the design of the proposed development including landscaping, play areas, ecological enhancements, pedestrian connectivity, community floorspace and the mix of housing which included a focus on family sized accommodation, and which made up 44% of the total units in Phase 1. Following concerns raised by the ward councillor, clarification was provided as to the increased number of residential units which would be built across the two phases of development. It was noted that the larger proportion of residential units would be built in the second phase, which had been presented as an outline application, and which if approved, would be subject to a future separate reserved matters application, which would involve a further consultation process.

A comprehensive open space assessment concluded that the site did not fall within a site of importance for nature conservation and the loss of designated open space would not result in a deficiency in local park provision. The quality of open space in this location was deemed poor with no formal play provision or seating and little ecological value. Consequently, the development offered significant improvements in these areas. There were also planned biodiversity enhancements and a new landscaping provision, together with measures to improve noise and air quality.

In respect to the latter, whilst acknowledging the findings of an independent assessment, the applicant was satisfied that the methodology and conclusions drawn from its own air quality assessment carried out independently by environmental consultants, were robust and in line with both regional and local policy guidance. That said the applicant had offered, and the local planning authority had accepted, additional measures as detailed to mitigate against any reduction in air quality that might arise as a result of the development.

The applicant then addressed matters of transport including car parking, for which through a condition they were prepared to make a financial contribution to the provision of a CPZ, and enhancements to public transport provision, the latter of which discussions were ongoing with TfL concerning a financial contribution of up to £300,000 towards the cost of additional bus services in the area.

Other matters covered in the applicant's response concerned flooding with the area designated low risk (flood zone 1), and finally in respect to the provision of school places reference was made to the impact to existing education provision as set out in planning report, and specifically the use of Community Infrastructure Levy (CIL) monies directed by the local authority to cater for identifiable infrastructure needs.

Officers concluded that bringing forward a 100% housing scheme on the site was acceptable in principle. This had been carefully balanced against the loss of designated open space which was contrary to policy. However, the applicant had committed to deliver significant landscape and biodiversity works with a commitment to providing off-site contributions to the improvements of two local parks within the catchment area.

In response to a question about whether there was sufficient size within the development to provide for the open space provision set out in the proposals, the applicant explained that the open space provision in Phase 1 has been verified through ordnance survey and would therefore be achieved. In relation to the outline components in Phase 2, there was a control called a perimeter plan which set out the dimensions for the detailed landscaping design and which the applicant was committed to build out through this application

Taking all the above into account, the proposal had been found to be acceptable following careful consideration of the relevant provisions of the National Planning Policy Framework, the Development Plan and all other relevant material considerations.

Members were satisfied that any potential material harm in terms of the impact of the proposal on the surrounding area would reasonably be mitigated through compliance with the listed conditions and associated legal agreement, and therefore,

The Committee **resolved to:**

1. Agree the reasons for approval as set out in this report,
2. Delegate authority to the Director of Inclusive Growth (or other authorised Officer) in consultation with LBB Legal Services to grant planning permission subject to any direction from the Mayor of London, the completion of a Unilateral Undertaking under S106 of the Town and Country Planning Act 1990 (as amended), based on the Heads of Terms identified at Appendix 7 of the report as amended in the addendum report, and the Conditions listed at Appendix 6 of the report; and
3. That, if by 30 May 2021 the legal agreement has not been completed, the Director of Inclusive Growth (or other authorised Officer) had delegated authority to refuse planning permission or extend this timeframe to grant approval.

25. Gascoigne Estate East

The Principal Development Management Officer (PDMO) introduced a report on an application from the Council seeking approval of all reserved matters relating to Phases 2B and 2C at Gascoigne Estate East, King Edward Road, Barking, the proposal for which was a resubmission of a previously approved application for reserved matters (19/00310/FUL), and comprising 526 dwellings, up to 822 sqm of commercial floorspace (Use Classes A1, A2, A3, and B1) a public square, and associated access roads, car parking and landscaping.

In addition to internal and internal consultations, a total of 1154 letters were sent to neighbouring properties together with the requisite site and press notices. No objections were received.

By way of background the report outlined the previous planning approvals relating to the wider development including the recent outline approval to reserved matters granted for Phase 3 in September 2020.

Whilst the overall number of units remained the same, the proposal was for an increase in the number of 3 and 4 bed units whilst maintaining the 65:35 split between affordable and private tenures. An officer presentation accompanied the report and outlined the proposed site plan including the various

development blocks, a breakdown of the building phases, details of the outline masterplan including building heights and proposed massing, typical floor plans, building materials, landscaping, examples of street elevations and various illustrative images of the development.

The officer conclusion was that the scale, siting and design of the development was considered appropriate to the site's context and would result in a high-quality finish, whilst respecting the amenity of neighbouring occupiers. Subject to a number of conditions, one of which (condition 14) was updated as detailed in an addendum reported as presented, the proposal was therefore considered acceptable, and in those circumstances,

The Committee resolved to:

1. Agree the reasons for approval as set out in this report,
2. Delegate authority to the Director of Inclusive Growth (or other authorised officer) in consultation with LBB Legal Services to grant planning permission subject the completion of a Deed of Variation under S106 of the Town and Country Planning Act 1990 (as amended) based on the Heads of Terms identified at Appendix 6 and the Conditions listed at Appendix 5 of the report, and
3. That, if by 1 March 2021 the legal agreement has not been completed, the Director of Inclusive Growth has delegated authority to refuse planning permission or extend this timeframe to grant approval.

26. Gascoigne Estate West - Phase 2

The Principal Development Management Officer (PDMO) introduced a report on an application from the Council seeking planning permission at Gascoigne West Phase 2, IG11 for the demolition of all existing buildings and structures; and, construction of buildings ranging from 3 to 20 storeys, to provide 386 residential units (Class C3), flexible ancillary 'residents hub' (Class D1, A1, A3, B1) (202 sqm GEA), associated means of access, ancillary plant, servicing, car parking, landscape and associated works. This application would affect the setting of a conservation area, a grade 2 listed building and an ancient monument.

In addition to internal and internal consultations, a total of 2418 letters were sent to neighbouring properties together with the requisite site and press notices. A total of 6 objections were received. Officer comments on the responses to the consultation were contained in the planning assessment detailed in the report.

The officer assessment of the application was that following careful consideration of the relevant provisions of the National Planning Policy Framework, the Development Plan and all other relevant material considerations, it was concluded that the proposal was acceptable. In reaching that view the officer was satisfied that any potential material harm in

terms of the impact of the proposal on the surrounding area would reasonably be mitigated through compliance with the listed conditions and associated legal agreement. Accordingly,

The Committee **resolved to:**

1. Agree the reasons for approval as set out in the report, and
2. delegate authority to the Director of Inclusive Growth (or other authorised Officer) in consultation with LBBB Legal Services to grant planning permission subject to any direction from the Mayor of London, the completion of a Unilateral Undertaking under S106 of the Town and Country Planning Act 1990 (as amended) based on the Heads of Terms identified at Appendix 7 of the report, as amended in an addendum report circulated after the publication of the agenda, and the Conditions listed at Appendix 6 of the report; and
3. That, if by 30 May 2021 the legal agreement has not been completed, the Director of Inclusive Growth (or other authorised Officer) had delegated authority to refuse planning permission or extend this timeframe to grant approval.

27. 7 Legon Avenue

The Graduate Planner (GP), Be First Development Management Team introduced a report on an application from V&C Property Developments seeking planning permission for the construction of a two storey two-bedroom dwelling attached to an existing property with private amenity space at 7 Legon Avenue, Rush Green, Romford RM7 0UJ.

In addition to internal and internal consultations, a total of 9 letters were sent to neighbouring properties together with the requisite site and press notices, and which resulted in 7 objections which in summary related to inadequate off-street parking provision, loss of day light and sunlight and overlooking and health and safety concerns from associated construction works. Officer comments on the response to the objections were contained in the planning assessment detailed in the report. There were no registered speakers.

The officer assessment of the application was that following careful consideration of the relevant provisions of the National Planning Policy Framework, the Development Plan and all other relevant material considerations, it was concluded that the proposal would have an acceptable impact on the character and appearance of the street scene and wider local area without negatively impacting the amenity of neighbouring properties. The new dwelling was considered acceptable in promoting the use of sustainable transport through appropriate cycle parking, removing off-street parking, returning the area to grass and providing adequate waste and recycling provisions.

As such, the proposal was considered acceptable and in keeping with the development policies and would be a welcome addition to the Borough's housing stock. Therefore,

The Committee **resolved to:**

Agree the reasons for approval as set out in the report, and have delegate authority to the Director of Inclusive Growth (or other authorised Officer) to grant planning permission based on the Conditions & Informatives listed in Appendix 5 of the report.

28. House for Artists

The Development Management Officer (MO) introduced a report on an application from Be First seeking approval for a S.73 non-material amendment to vary a condition (No.2- Approved Drawings) of planning permission 18/00555/FUL related to the erection of a 5-storey building to provide ground floor community space and artists workspace and 12 dwellings above dedicated for artists at 36-40 Linton Road, Barking IG11 8HR.

In addition to internal and internal consultations, a total of 184 letters were sent to neighbouring properties together with the requisite site and press notices. One objection was received which was noted on the basis that the development already has a permission, the officer comments on which were contained in the planning assessment detailed in the report.

The officer assessment of the application was that following careful consideration of the relevant provisions of the National Planning Policy Framework, the Development Plan and all other relevant material considerations, the proposed s.73 minor material amendments application to vary condition 2 (Approved Drawings) attached to permission reference 18/00555/FUL is considered to have an acceptable impact on the character and appearance of the approved development, street scene and the surrounding local area, without having an unacceptable impact on neighbouring amenity, given the developments commitment to reducing carbon emissions. Accordingly,

The Committee **resolved to:**

1. Agree the reasons for approval as set out in the report,
2. Delegate authority to the Director of Inclusive Growth (or other authorised Officer) in consultation with LBB Legal Services to grant planning permission subject to the completion of a Deed of Variation to a S106 agreement based on the Heads of Terms identified at Appendix 6 of the report and the Conditions listed in Appendix 5 of the report, and

3. That, if by 30 May 2021 the Deed of Variation has not been completed, the Director of Inclusive Growth (or other authorised Officer) had delegated authority to refuse planning permission or extend this timeframe to grant approval.

29. Barking Riverside - Section 96A Non-Material Amendment

The Principal Development Management Officer (PDMO), Be First Development Management Team, introduced a report on an application from LBBD for a Section 96A Non-Material Amendment following a grant of planning permission on 24 October 2018 (18/00940/FUL) at Barking Riverside Area, Renwick Road, Barking. The application sought an amendment to Condition 1 (Submission of Reserved Matters) and the insertion of a new Condition 54 (Sub Framework Plans).

In relation to the application the PDMO presented legal opinions sought by both Be First on behalf of LBBD and Barking Riverside Ltd ('the applicant') as to the statutory definition of what would constitute non-material, given the local planning authority must be satisfied that the amendment sought is non-material in order to grant an application under Section 96A of the Town and Country Planning Act 1990 (as amended).

Officers concluded that having regard to the effect of the proposed changes in the context of the overall scheme as originally granted, and in the light of the legal opinion, it was considered that for the reasons set out in the report the proposed changes constituted a non-material amendment, and in those circumstances,

The Committee **resolved** to:

1. Agree the reasons for approval as set out in the report; and
2. Delegate authority to the Director of Inclusive Growth in consultation with LBBD Legal Services to approve the Non-Material Amendment subject to the completion of a Deed of Variation under S106 of the Town and Country Planning Act 1990 (as amended) based on the Heads of Terms identified in the report along with the listed conditions, and
3. That, if by 28 February 2021 the legal agreement had not been completed, the Director of Inclusive Growth had delegated authority to refuse planning permission or extend this timeframe to grant approval.