



LONDON BOROUGH OF BARKING & DAGENHAM PLANNING COMMITTEE

22nd March 2021

Application for Full Planning Permission

Case Officer:	Nasser Farooq	Valid Date:	05/01/2021
Applicant:	London Borough of Barking and Dagenham	Expiry Date:	06/04/2021
Application Number:	20/02517/FULL	Ward:	Thames Ward
Address:	Barking Riverside Area, Renwick Road, Barking, Essex Properties at: 54-110 & 63 - 113 Galleons Drive; 1-21 Mallards Road; 1-18 Drake Close; 2-10 Harlequin Close; 1-75 & 2-38 Lawes Way; 1-11 Middleton Grove; 1-9 Gatward Place; 15-31 Crossness Road; 1-11 Davey Gardens; 1-16 Chilworth Place; 1-19 De Pass Gardens; 1-12 McAllister Grove; 1-7 Sedge Gardens, Barking, IG11		

The purpose of this report is to set out the Officer recommendations to Planning Committee regarding an application for Replacement of the existing external timber cladding with fibre cement boards to 231 existing properties within stage 1 of Barking Riverside at Barking Riverside Area, Renwick Road, Barking, Essex

Proposal:

Replacement of the existing external timber cladding with fibre cement boards to 231 existing properties within stage 1 of Barking Riverside.

Officer Recommendations:

Planning Committee is asked to resolve to:

1. agree the reasons for approval as set out in this report; and
2. delegate authority to the London Borough of Barking & Dagenham's Director of Inclusive Growth to approve the planning application subject to the Conditions listed below of this report.

Conditions Summary:

1. Three-year time limit
2. Development in accordance with the approved plans and documents
3. Materials and Balcony Details

OFFICER REPORT

Site, Situation and Relevant Planning History:

Barking Riverside comprises some 179.3 hectares located on the north bank of the Thames. It lies at the centre of the London Riverside Opportunity Area.

Barking Riverside falls in the south of the Borough, approximately 2 miles to the south east of Barking Town Centre and 800 metres to the south of the A13. The wider site is irregular in shape and has maximum dimensions east to west of 2.2 km and north to south of 1.1 km. The site occupies a large area of brownfield land which was previously used for power generation, with associated ash lagoons representing the spoil from the now demolished coal fired power stations.

It has received planning permission for a residential led development comprising up to 10,800 new homes, of which a number of dwellings have been built out and occupied within stage 1. It is the properties within stage 1 to which this application relates.

The surrounding area is mixed in character. To the north west of the site is an established residential area comprising predominantly 2- storey semi-detached dwellings built circa 1990, known as Great Fleete. The north of the site is bounded by the A13 and the southern boundary comprises a 2 km frontage to the River Thames. Industrial estates adjoin the east and western boundaries of the site.

The application site has an extensive planning history, of which the most relevant are listed below. These are the outline planning permissions and the specific reserve matters for stage 1.

Relevant Planning History

The outline planning permissions are listed chronologically below:

04/01230/OUT granted planning permission on 07/08/2007 for the development comprising or to provide a mixed use development of up to 10,800 residential dwellings and in addition up to 65,600 sq.m. of built floorspace for retail uses (Classes A1 to A3), business premises (Class B1), hotel (Class C1), communal care home and other residential institutions (Class C2), sui generis live work units, community and social facilities (Classes D1 and D2) (for uses such as libraries, primary health care facilities, places of worship and assembly, community facilities, creche and pre-school facilities, care facilities for the young, old and/or infirm, sport and leisure development).

08/00887/FUL granted planning permission under s73 on 10.06.2009 for the variation of condition no. 4 (general layout and framework) no. 5 (average density) no. 8 (ground levels) no. 11 (building scale), no. 17 (Riverside and wetland buffer zones) and no. 38 (footpaths/cycleways) on planning application 04/01230/OUT.

16/00131/OUT granted planning permission under s73 on 06.12.2017 for the variation of all conditions following grant of planning permission 08/00887/FUL for the redevelopment of the site known as Barking Riverside.

18/00940/FUL This application granted planning permission on 24/10/2018, for the variation of conditions 2 (drawing numbers), 14 (transport strategy), 15 (road adoption), 16 (strategic infrastructure scheme), 12 and 33 (nature conservation and landscape), following grant of planning permission 16/00131/OUT for the redevelopment of the site known as Barking Riverside.

Applications relevant to phase 1 are listed below.

08/00895/CDN - Application for approval of details reserved by condition no. 7 (partial discharge) no. 33 (sub-framework plan) and 34 (sub-framework plan) for planning application 04/01230/OUT approved 20/06/2009

08/00896/REM - Application for approval of reserved matters pursuant to Condition 45 (zone details) of planning permission DC/08/00887/FUL for the neighbourhood centre within Stage 1. The proposed development comprises a local community campus which includes adult services and health provision, a cafe and foyer, a place of worship, offices, primary school with sport, recreational and play areas, nursery, a landscaped public square, CHP building, retail units (Use Class A1-A3), of up to 820 sq.m, a home delivery store, a Metropolitan Police Safer Neighbourhoods team base, 93 residential units and associated landscaping, car parking and ancillary engineering and other operations.. Approved 11/02/2010.

09/00963/REM Application for approval of reserved matters pursuant to Condition 45 (zone details) of planning permission DC/08/00887/FUL for the neighbourhood centre within Stage 1. The proposed development comprises a local community campus which includes adult services and health provision, a cafe and foyer, a place of worship, offices, primary school with sport, recreational and play areas, nursery, a landscaped public square, CHP building, retail units (Use Class A1-A3), of up to 820 sq.m, a home delivery store, a Metropolitan Police Safer Neighbourhoods team base, 93 residential units and Stage 1 Plot 2.22.2 Approved 15 Feb 2010

11/00530/CDN- Application for approval of details reserved by conditions 7 (partial discharge statement), 13 (remediation), 34(b) (tenure), 45(b) (material samples), 49 (landscaping), 51 (archaeology), 52 (london city airport), 55 and 56 (plot level access statements) in respect of planning permission 08/00887/FUL and condition 2 (acoustic report) in respect of planning permission 10/01050/FUL (08/00896/REM). Approved 21/10/2011.

13/00171/REM Application for approval of reserved matters following grant of planning permission 08/00887/FUL (Outline permission: 04/01230/OUT) - Erection of 83 dwellings and commercial space. Stage 1 Plot 2.22.2 Approved 13 Jun 2013

In addition to the above, a similar application was received at Samuel Garside House and Ernest Websdale House, both also located within Stage 1 of Barking Riverside.

19/01571/FUL at Samuel Garside House and Ernest Websdale House. For the removal of all the timber balustrading, screening, decking, soffits and fascias from the balconies and their replacement with a metal alternatives. Approved 17/12/2019.

Background information:

On 9 June 2019, a fire took hold at Samuel Garside House, a residential building within stage 1 of the Barking Riverside Development.

Following the fire, a decision was made to replace the timber cladding on Samuel Garside House and Ernest Websdale House (planning reference 19/01571/FUL. Approved on 17th December 2019)

A number of homes across Stage 1 of the Barking Riverside Site also have timber on their exterior, which was originally designed to provide continuity across this part of the site for the various house types and tenures.

BRL in partnership with the GLA, Southern Housing Group and Bellway Homes have undertaken a joint review of the fire safety of homes across the Estate, supported by independent advice on fire safety, the organisations have agreed to further improve the fire safety of homes with exterior timber. Leaseholders in detached, semi-detached or terraced properties with exterior timber have therefore been offered the opportunity to replace the existing timber with a non-combustible material called HardiePlank. It is also proposed to replace the decking on balconies with an extruded Ali-deck Aluminium decking system.

Key issues:

1. Design
2. Amenity
3. Fire Safety

Planning Assessment:

1. Design

- 1.1. The NPPF, policies D1, D4 and D6 of the London Plan expect all development to be of high-quality design. This is echoed at local level through policy BP11 of the Local Plan and policy SP4 of the Draft Local Plan. Policy DMD1 of the emerging Local Plan seeks to ensure high-quality design and policy DMS11 seeks to ensure sustainable design and construction.
- 1.2. The design of the development has been previously approved at reserved matters stage, been implemented, and occupied. The original design for the development consists of a limited material palette applied to all homes on the estate, to produce a homogeneous aesthetic across the various house types, with subtle variety. The timber cladding is a feature on all the homes which are designed to be tenure blind.

1.3. The resulting design has been shortlisted several times including:

- Housebuilder Awards - Shortlisted
- New London Architecture Awards - Shortlisted
- RICS - Shortlisted
- Sustainable Housing Awards - Shortlisted
- Sunday Times British Homes – Winner

1.4. The submitted design and access statement, notes that the timber cladding is an important feature around the Barking Riverside estate, as it is one of a limited palette of materials used on all the homes to provide a coherent appearance on all street elevations. The statement also notes the timber cladding is used as a highlight, to express repetitive elements such as the projecting upper floors, recesses formed to provide balconies and terraces and the differentiation between the base and upper floors on several of the house types.

1.5. In relation to the replacement materials the proposed replacement cladding to all homes has been selected to replicate the horizontal and vertical rhythm, which is an important feature of the existing 'hit and miss' timber batten cladding. It is proposed to replace all houses with the same cladding and a singular colour choice is selected. The proposed cladding colour selected complements the colour palette on all house types and imitates the existing weathered timber.

1.6. In terms of appearance, the proposed material is similar in colour and will closely resemble the existing building. However, it would also be markedly different to the hit and miss panels, which are an important and unique feature within the area. The existing hit and miss design adds character to the property, especially the areas exposed to direct sunlight.

1.7. For the proposed design to be acceptable, the proposed change needs to be applied to as many if not all the properties. This would retain the cohesive design and character of the estate. There is a strong concern that given the properties are in different ownership it may be highly unlikely all 231 properties good place to timber with the material proposed. This could result in a situation hey wait a cohesive design and integrity of the proposed buildings is broken.

1.8. The planning statement notes *“Whilst the tenanted properties can be altered by the relevant landlord, subject to the terms of the tenancy agreements, BRL and the parties responsible cannot compel all private occupiers to accept the proposed alterations.”*. Officers note the applicant has carried out consultation with the community and the take-up appears to be significant. However, these are not binding and as such, limited weight can be given to this.

1.9. In relation to the proposed material, this is considered acceptable and if the entire development would have come forward with the proposed material today it would likely be supported. However, the context on an existing site is very different.

1.10. Furthermore, it is noted the existing timber cladding has a lifespan of approximately 30 years and as such, could be required to be changed in the distant future. This may mean the cohesive character is lost; however, this is largely pre-empting future events. In terms of planning, there is no guarantee that the proposed cladding will be changed on all properties and on that basis, the proposal could have a detrimental visual appearance on the character and appearance of the award-winning estate.

- 1.11. Therefore, on that basis officers are not satisfied the proposal complies with the above-mentioned design policies.
- 1.12. Should planning permission be granted a condition is recommended requiring samples of the materials to be used to be submitted. However, it is noted the applicant intends to implement the works to two properties as examples prior to the presentation of the application to planning committee. Should this occur before planning committee and officers are satisfied with the materials, this condition will be revised as a compliance condition.

2. Amenity

- 2.1. The proposed development will have some impact on the amenity of existing occupiers during the implementation of the development. The application is accompanied with a detailed method statement of the works.
- 2.2. Overall, officers consider any impact to be temporary and therefore acceptable in accordance with policies DMD1 of the draft Local Plan Reg 19 submission version and policies SD7 and D3 of the London Plan (2021).

3. Fire Safety

- 3.1. Policy D12 of the London Plan seeks to ensure the safety of all building users, requiring all development proposals must achieve the highest standards of fire safety.
- 3.2. It is proposed to remove the existing Thermowood battens and replace with HardiePlank®, a smooth factory finished fibre cement tongue and grooved plank. The manufacture advises This product has the highest non-combustible rating in the UK for a coloured cladding product, has been extensively fire tested under the 13501-1 suite of fire tests for CE compliance, and is proven to not contribute to the spread of fire.
- 3.3. The application has been accompanied with individual summary building façade reports for each property type. The reports are authored by a chartered engineer and a partner at Malcolm Hollis and Partners LLP.
- 3.4. The reports assess each building type and note “It must be recognised that the Building Regulations are intended only to provide a reasonable level of health and safety to people in and around the building. It is not possible to provide an absolute level of safety and therefore it must be accepted that some level of risk to people in the building will remain, in the event of a fire.”. The reports are in agreement with the change in material and that it would overall reduce the risk of fire.
- 3.5. Overall, the proposed development is considered to ensure the fire safety and performance of the proposed building and therefore according with the aims and objectives of policy D12 of the London plan.

4. Other matters

- 4.1. The application is accompanied with details on Access (not proposed to change), sustainability (change will have a negligible impact) and the intention of the timber to be reused and recycled. These matters are noted and welcomed.

Conclusions:

The proposed change in material is considered acceptable in principle and officers are satisfied there is sufficient justification in removing the timber. However, in terms of design given there is not any guarantee all the properties will be changed there remains strong concerns over the resulting design impact on the award-winning estate.

This is however, balanced against the reduced fire risk as a result of the change in material and therefore, officers consider the balance in considering the reduced fire risk with the impact on design to fall in favour of the application.

In deciding to recommend planning permission be granted, officers found the proposal 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.

Appendix 1:**Development Plan Context:**

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

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

The 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>London Plan</i>	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 D4 – Delivering good design Policy D5 – Inclusive design Policy D12 – Fire Safety
<i>Local Development Framework (LDF) Core Strategy (July 2010)</i>	Policy CM1 - General Principles for Development Policy CR2 - Preserving and Enhancing the Natural Environment Policy CR3 - Sustainable Waste Management Policy CP2 - Protecting and Promoting our Historic Environment Policy CP3 - High Quality Built Environment Policy CC2: Social Infrastructure to Meet Community Needs
<i>Local Development Framework (LDF) Borough Wide Development Plan Document (DPD) (March 2011)</i>	Policy BR1 - Environmental Building Standards Policy BR3 - Greening the Urban Environment Policy BR4 - Water Resource Management Policy BR9 - Parking Policy BR10 - Sustainable Transport Policy BR11 - Walking and Cycling Policy BR15 - Sustainable Waste Management Policy BP2 - Conservation Areas and Listed Buildings Policy BP8 - Protecting Residential Amenity Policy BP11 - Urban Design

The London Borough of Barking and Dagenham's Draft Local Plan: (Regulation 19 Consultation Version, October 2020) is at an "advanced" stage of preparation. Having regard to NPPF paragraph 216 the emerging document is now a material consideration and substantial 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.

<p><i>The London Borough of Barking and Dagenham's Draft Local Plan: (Regulation 19 Consultation Version, October 2020)</i></p>	<p>Policy SP2 - Delivering High Quality Design in the Borough Policy SP4- Delivering social infrastructure in the right locations Policy DMD1 - Responding to Place Policy DMT1 - Making Better Connected Neighbourhoods</p>
<p><i>Supplementary Planning Documents</i></p>	<p>Character and Context (2014) Housing (2016) Sustainable Design and Construction (2014)</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:

- No consultation responses have been received.

Appendix 3:

Neighbour Notification:	
Date of Press Advertisement:	20 th January 2021
Number of neighbouring properties consulted:	570
Number of responses:	1 in objection
Address:	Summary of response:
Resident at Barking Riverside	<ul style="list-style-type: none">-object to the proposed method of applying this material to the scheme-Private leaseholders have not been subject to the 'extensive consultation-The proposed smooth finish of the cladding product will devoid the facades of any texture, depth or interest.-The proposal lacks the visual qualities offered by the current façade design-very concerned how the quality of the street scape will be reduced if this planning application is granted on the basis of the current proposals.-no offering of how the quality of residents' private spaces will change.

Officer Summary:

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

Appendix 4:

Conditions & Informatives:

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 and documents listed below:

List of Drawings

Drawings:

6411 – Proposed Planning Elevation Drawings Plot A 2.12

All 641 00-101 Site Layout GA Plan

6411 – Proposed Planning Elevation Drawings Plot A 2.12

A 6411 02-291A BL House type Units 17-27 Terrace Elevations

A 6411 02-292A TR House types Units 46-50 Terrace Elevations

A 6411 02-293A BBF House type Units 28-45 (Straight) Terrace Elevations

A 6411 02-294A BBF House type Units 1-16 (Curved) Terrace Elevations

6411 – Proposed Planning Elevation Drawings Plot D 2.11.1 East

B 6411 02-251A TR House type Units 125-135 Terrace Elevations

B 6411 02-252A BB House type Units 98-102 Terrace Elevations

B 6411 02-253A BB House type Units 136-146 Terrace Elevations

B 6411 02-254A CF House type Units 147-164 Terrace Elevations

B 6411 02-255A CR House type Units 118-124 Terrace Elevations

B 6411 02-256A TO House type Units 104-117 Terrace Elevations

6411 – Proposed Planning Elevation Drawings Plot B 2.11.1 West

C 6411 02-260A BBF House type Units 189-204 (Straight) Street Elevations

C 6411 02-261A BBF House type Units 165-177 (Curved) Street Elevations

C 6411 02-262A BL House type Units 178-188 Street Elevations

C 6411 02-263A TR House type Units 205-214 Street Elevations

6411 – Proposed Planning Elevation Drawings Plot C 2.11.2 East

D 6411 02-230A Street Elevations BB Straight

D 6411 02-231A Street Elevations TO

D 6411 02-232A Street Elevations CF East

D 6411 02-233A Street Elevations CF West

D 6411 02-234A Street Elevations BB Curved

D 6411 02-235A Street Elevations TR

D 6411 02-236A Street Elevations CR

List of Documents

- Design and Access Statement including: Fire safety and prevention measures prepared by Sheppard Robson dated 04/12/2020 revision A

- Planning Statement prepared by Barton Willmore December 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.

3. Materials and Balcony Details

Prior to the commencement of works of the development hereby approved, samples of all materials to be used in the construction of the external surfaces of the development must be 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.