


LONDON BOROUGH OF BARKING & DAGENHAM
PLANNING COMMITTEE
20th December 2021
Application for Planning Permission

Case Officer:	Kathryn McAllister	Valid Date:	20 July 2021
Applicant:	Livability and Kingsley Hall Church and Community Centre	Expiry Date:	20 December 2021
Application Number:	21/01377/FULL	Ward:	Parsloes
Address:	Kingsley Hall, Parsloes Avenue, Dagenham, RM9 5NB		

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 Kingsley Hall, Parsloes Avenue

Proposal:

Demolition of all buildings on site and redevelopment of the site for 36 residential units (Class C3), comprising 3 x one bed units, 32 x two bed units and 1 x three bed unit in a part three and part four storey building, together with ancillary accommodation, landscaping, service infrastructure, car parking, means of access and other 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 & Dagenham's Director of Inclusive Growth in consultation with the Head of Legal Services to grant planning permission subject to the completion of a legal agreement under s106 of the Town and Country Planning Act 1990 (as amended) based on the Heads of Terms identified at Appendix 6 of this report and the Conditions listed in Appendix 5 of this report; and
3. that, if by 20th June 2022 the legal agreement has not been completed, the London Borough of Barking & Dagenham's Director of Inclusive Growth is delegated authority to refuse planning permission or extend this timeframe to grant approval.

Conditions Summary:
Mandatory conditions

- Time
- Approved Drawings & Documents

Prior to all works/commencement Conditions

- Programme of Archaeological Works
- Programme of Building Recording
- Land Contamination
- Construction Environmental management and Site Waste Management

- Construction Logistics Plan
- Bat Survey
- Traffic and Parking Management Measures

Prior to above ground works Conditions

- Lighting
- Materials
- Hard and Soft Landscaping
- Fire Safety Strategy/Statement
- Overheating

Prior to first occupation and/or use Conditions

- Electric Vehicle Charging Point Details
- Scheme of Acoustic Protection
- Sustainable Drainage
- Waste and Refuse Storage
- Cycle Storage
- Boundary Treatment
- Energy and Sustainability
- Play Space Implementation
- M4(3) Accessible Units

Monitoring & Management Conditions

- Design Out Crime
- Pilling Method Statement
- Nesting Bird Survey
- Water Efficiency
- Disabled Car Parking
- Renewable Energy
- Air Quality

S106 – Summary of Heads of Terms:

Administrative:

1. Payment of the Council's professional and legal costs, whether or not the deed completes;
2. Payment of the Council's fees of £7,500 in monitoring and implementing the Section 106 and payable on completion of the deed; and,
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. An early-stage affordable housing review is to occur in the event that the development is not implemented within two years of approval. This will include payment of the Council's reasonable costs associated with scrutiny of the viability submission.
5. A late-stage affordable housing review is to occur when 75% of the units in the scheme are sold or let.

Transport

6. With the exception of occupiers who qualify for blue badge/disabled parking, the developer will ensure the development is a car parking permit free development and future residents of the

development will be restricted from obtaining parking permits for any Controlled Parking Zone (CPZ)

7. The applicant must enter into a section 278 (Highways Act 1980) agreement prior to first commencement of the development to undertake improvements to the surface treatments in the vicinity of the site and as shown on the 'in principle' drawing number 9021/30 Proposed Highway Works [Revision P5] dated October 2021. The developer must cover the cost of any works carried out to the public highway and changes to any transport management orders around the site.

Sustainability

8. On practical completion of the development, the Developer shall submit to the Council an assessment of the carbon reduction measures implemented within the Development demonstrating it achieves a minimum of 35.05% reduction over Part L of the Building Regulations 2013 through on-site provisions.
9. On practical completion of the development, the Developer shall pay in full to the Council, the figure for any Carbon Offset Contribution payable for the Development (as per 8) to meet zero carbon (contribution of £42,489).
10. Air Quality off-setting contribution. The off-setting contribution rate is £29k per tonne of NOx over the benchmark. The scheme is 88.04kg over the benchmark (contribution of £2,553.16). This is linked to meeting the requirements of condition 32.

Employment and Skills

11. Local employment, training and supply chain plans

Plans must be submitted prior to the commencement of development, providing a forecast of the estimated FTE workforce, the number of vacancies, paid work placements and short courses that will be created over the lifetime of the development. This must be accompanied by a method statement setting out how this will be delivered, including who in the organisation will be responsible for managing recruitment and training, how they will ensure compliance by trade contractors and how this will be managed, how health and safety issues will be managed, and how they will engage with the local community and contribute to educational engagement with local schools.

The Construction Team in the council's job brokerage service offers support for developers to understand their commitments and build an effective plan where desired.

Trigger: the plans must be submitted at least three months prior to commencement of development.

12. Employment during Construction

The Owner will use reasonable endeavours to ensure that jobs are provided to LBBD residents, during the construction and remediation phases of the delivery of applications 21/01377/FULL.

The Owner will use reasonable endeavours to:

- ensure 25% of the total jobs (calculated on an FTE basis) created are new jobs filled by LBBD residents, either with the contractor or through the supply chain.
- Advertise all vacancies through the council's job brokerage services, with notification of job vacancies exclusively available to residents for a minimum of 10 days before being advertised more widely.
- Provide a skill forecast for the development and highlight any shortages to the council's job brokerage service at least three months before commencement of the development.

13. Training during Construction

The Owner will use reasonable endeavours to ensure the following:

- Deliver one training opportunity for every 10 construction workers – at least half of which (or 5% of the FTE workforce) must be apprenticeships leading to a full recognised qualification.

- Provide 10 weeks of work experience for every 6 months of the construction phase – with each placement lasting a minimum of 2 weeks.
- Provide at least one educational workshop / visit per educational term for the duration of the construction phase to support local schools and careers services.

14. Supply chain development during Construction

The Owner will use reasonable endeavours to:

- Submit a Tender Event Schedule detailing the list of work packages being offered to competitive tender for the developer and all sub-contractors, including timeframes, values of packages and framework agreements;
- Source good and services from the borough wherever possible, with an aim that this will represent at least 25% of the value of all goods and services required for the development;
- to ensure companies based in LBBB will be given a genuine opportunity to tender for all contracts and sub-contracts arising from the development;
- Provide details each time a package is awarded including information about any local contractors that have tendered for work (both successful and unsuccessful, with the reasons why);
- Participate in at least two events in each year of the development to promote opportunities to local suppliers and build their capacity and/or contribute financially to the delivery of such activity to ensure local suppliers are able to access opportunities arising from the development.

15. Monitoring

- Once the development has commenced monitoring forms must be submitted to the Council by the designated coordinator responsible for managing recruitment and training monthly for the first three months and quarterly thereafter.
- This designated employment coordinator will attend with the Council regular site visits or meetings to ensure compliance with this schedule and discuss how the obligations contained in this schedule are progressing. These site visits and meetings will take place quarterly in cases where the Council has concerns that the Owner or its contractors/sub-contractors have not been adequately complying with their obligations contained in this schedule. Where the Owner can demonstrate to the Council that they are complying with their obligations in this schedule, such site visits and meetings will be held on a less regular basis at the Council's discretion.
- Confirmation that all obligations have been met – or appropriate employment and training compensation agreed – must be provided before the Council will approve a developer's application for discharge of the obligations in this Agreement.
- Employment and training compensation will be calculated based on: the shortfall against the target number of jobs for LBBB residents X £5,000 (average cost of supporting an unemployed borough resident into work) and the shortfall against the target number of apprenticeship starts X £8,000 (approximate wage costs of a one-year apprenticeship at the minimum apprenticeship rate);
- Subject to the findings of evidence collected through the agreed employment and training processes, the Owner will pay employment and training compensation to the Council within 30 days of the Council's written request if it is found that the shortfall in the delivery of any employment or training specified in this schedule can be attributed to the Owner having not used all reasonable endeavours to follow the agreed processes.
- The Owner shall be responsible for all legal costs incurred by the Council in enforcing or ensuring compliance with this schedule.

OFFICER REPORT

Planning Constraints:

The application site is located within the Becontree Estate

Site, Situation and relevant background information:

The application site is located on the junction of Parsloes Avenue, Cornwallis Road and Hobart Road. The site is currently occupied by a church and forms part of the wider Kingsley Hall Site.

16/01518/OUT

In 2016 a hybrid (part full/part outline) application was submitted for the phased comprehensive redevelopment of the site for a new church and community centre, nursery school facilities, and workshop/life skills centre within a floor area of approximately 1656 sqm (Use Class D1)/D2) incorporating the retention and restoration of the main part of the locally listed Sunshine Building; provision of 38 residential units comprising 6 x 2 bedroom keyworker accommodation and 32 x 1 and 2 bedroom units (Use Class C3); car parking and associated means of access; landscaping, service infrastructure and other associated works and improvements', Full planning permission is sought under Phase 1 for the demolition of all buildings on the site, apart from the main element of the Sunshine Building; erection of a 2/3 storey building comprising replacement church, community centre and nursery (Use Class D1/D2), and 6 x 2 bedroom keyworker units (Use Class C3); restoration of and extension to the Sunshine Building for continued nursery school provision (Use Class D1) resulting in a total non-residential floor area of 1521 sqm; and provision of car park and associated means of access; provision of temporary car park and access pending completion of works; landscaping and provision of art screed., Outline planning permission (with all matters reserved apart from access) is sought for 32 x 1 and 2 bedroom dwellings within part 3 and part 4 storey buildings (Use Class C3) and provision of a workshop/life skills training centre (Use Class D1/D2) with a floor area of approximately 135 sqm, with means of access, car parking, landscaping and associated works. (16/1518/OUT).

The Full Planning Application related to Phase 1 which sought permission for the construction of a 2/3 storey building to provide a replacement church, community centre, nursery and 6 x 2-bedroom key worker units along with the restoration and extension to the Sunshine Building.

The Outline Application related to Phase 2 which sought permission for 32 x 1- and 2-bedroom units

17/01291/NMA

A nonmaterial amendment was submitted in 2017 following the grant of planning permission 16/001518/OUT. This application sought amendments to various conditions in order to enable Phase 1 of the development to be implemented in two sub-phases, and minor alterations to elevations (17/01291/NMA).

This application split Phase 1 into 2 parts

Phase 1A- The restoration and extension to the Sunshine Building and construction of nursery block with key worker flats above

Phase 1B- Construction of 2/3 storey building to provide a replacement church and community centre

Phase 2- Residential Scheme (32 units)

19/01660/FUL

This application was a slot in application which sought permission for the Refurbishment of the existing community centre and erection of a two-storey building to provide additional community facilities (Use Class D1/D2); retention of refurbished Sunshine Building, 4 no. keyworker flats and additional nursery facilities as provided under Phase 1A of planning permission 16/01518/OUT (as amended under non-material amendment 17/01291/NMA); and associated works and landscaping. (19/01660/FUL)

This application sought to retain the existing community centre as part of Phase 1B and construct a smaller 2 storey building to provide additional community facilities. It is noted that a church will be provided within the community centre.

Phase 1A and Phase 2 remained unchanged.

The construction of Phase 1A is complete. Phase 1B is currently under construction.

This application (21/01377/FULL)

This application is a residential scheme which sits within the area of land designated under application 16/01518/OUT as phase 2. Nevertheless, this application has now expired, as such, this residential scheme has been submitted as a standalone full planning application. This application seeks permission for the construction of demolition of all buildings on site and redevelopment of the site for 36 residential units (Class C3), comprising 3 x one bed units, 32 x two bed units and 1 x 3 bed unit in a part three and part four storey building, together with ancillary accommodation, landscaping, service infrastructure, car parking, means of access and other associated works.

It is different from the residential scheme proposed in application 16/01518/OUT as the number of units has increased from 32 to 36.

Key issues:

- Principle of the proposed development
- Dwelling mix and Quality of accommodation
- Design and quality of materials
- Impacts to neighbouring amenity
- Sustainable Transport
- Meeting the needs of local residents
- Employment
- Impact to existing Education Provision
- Waste management
- Delivering Sustainable Development (Energy / CO₂ reduction / Water efficiency)
- Biodiversity & Sustainable drainage

Planning Assessment:

1.0 Principle of the development:

<i>Existing use(s) of the site</i>	Church
<i>Proposed use(s) of the site</i>	36 x dwellinghouses

1.1 Loss of Church/ Place of worship

1.2 Objective 92 of the NPPF outlines that policies and decisions should aim to achieve health, inclusive and safe places which promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other. Objective 93 expands on this stating that to provide social, recreational and cultural facilities and services the community needs, developments which plan positively for the provision and use of shared spaces, community facilities such as places of worship and other local services to enhance the sustainability of communities and residential environments.

1.3 Policy GG1 outlines that developments' should seek to build on the city's tradition of openness, diversity and equality, and help deliver strong and inclusive communities. In particular policy S1 states that policies should ensure that social infrastructure needs of London's diverse communities are met. Therefore, proposals which will result in the loss of social infrastructure will only be permitted where there are realistic proposals for re-provision that continue to serve the needs of the neighbourhood and wider community, or; the loss is part of a wider public service transformation plan which requires

investment in modern, fit for purpose infrastructure and facilities to meet future population needs or to sustain and improve services

- 1.4 Policy CC2 of the Core Strategy DPD outlines that developments' should maintain and improve community wellbeing, 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. The loss of community facilities will only be allowed in exceptional circumstance. Policy BC6 of the Borough Wide DPD further supports this stating that the loss of a community facility will only be permitted where the facility is replaced within the new development, the facility is relocated or a better facility is provided in a more appropriate building or location on another site which improves its accessibility for its users or the Council is satisfied that the facility is no longer needed and there are no reasonable prospects of reuse by an alternative community use despite attempts to market it.
- 1.5 Policy SP4 of the Draft Local Plan (regulation 19) outlines that the Council will seek to ensure that a range of high-quality social and cultural infrastructure facilities for existing and new residents, visitors and workers are provided by protecting existing social and cultural infrastructure facilities in accordance with policy DMS1 of the Draft Local Plan. Policy DMS1 states developments involving the net loss of existing social and community facilities unless the existing facility is being re-provided, whether on site or in a nearby location, that would continue and enhance the needs of existing local users or there is no longer an identified need or demand for the existing use of the facility or use which has been robustly evidenced.
- 1.6 The application site is located within the Kingsley Hall site and is currently occupied by a community church. The proposal seeks permission for the demolition of the existing community church and the construction of a new 36-unit residential scheme. As noted above policies seek to resist the loss of community facilities unless the facility will be provided or there is robust evidence to show that there is no longer an identified need or demand for the facility.
- 1.7 The applicant states "the application site is a brownfield site, which soon will be become surplus to the requirements of the applicants. Making efficient use of this brownfield site for housing is entirely consistent with all strands of planning policy, including the Barking and Dagenham Local Plan". Nevertheless, as shown on google street view photographed in August 2021 the church building currently remains in place, hence, officers are not convinced that the site is a brownfield site. Instead, officers will need to assess the impact of the loss of the community church.
- 1.8 Officers note the site planning history. The application site was granted a hybrid full/ outline planning application for the redevelopment of Kingsley Hall in January 2107 (16/01518/OUT). Under this application full planning permission was granted known as Phase 1 for the demolition of all buildings on the site, apart from the main element of the Sunshine Building; erection of a 2/3 storey building comprising replacement church, community centre and nursery (Use Class D1/D2), and 6 x 2 bedroom keyworker units (Use Class C3); restoration of and extension to the Sunshine Building for continued nursery school provision (Use Class D1) resulting in a total non-residential floor area of 1521 sqm; and provision of car park and associated means of access; provision of temporary car park and access pending completion of works; landscaping and provision of art screen. Outline planning permission (with all matters reserved apart from access) was granted for 32 x 1- and 2-bedroom dwellings within part 3 and part 4 storey buildings (Use Class C3) and provision of a workshop/life skills training centre (Use Class D1/D2) with a floor area of approximately 135 sqm, with means of access, car parking, landscaping and associated works. Therefore, it is clear from this application that as part of the wider Kingsley Hall redevelopment the existing church/ community hall building would be demolished, however, the facility would be re provided within a new 2/3 storey building which would form part of Phase 1 of the redevelopment.
- 1.9 Following this a non-material amendment to application 16/01518/OUT was granted to allow amendment to various conditions in order to enable Phase 1 of the development to be implemented in two sub-phases, and minor alterations to elevations (17/01291/NMA). The 2/3 storey building comprising of a replacement church, community centre and nursery would fall within Phase 1b. The refurbishment of the Sunshine building and construction of nursery block with key worker flats above would fall within Phase 1a. The residential part of the scheme would remain as Phase 2.

1.10 Subsequently, a slot-in full planning application was submitted seeking changes to Phase 1B (19/01660/FUL). This included the retention of the existing community centre and erection of a smaller two-storey building to provide additional community facilities (Use Class D1/D2). Phase 1A remained unchanged and continue to comprise of the refurbished Sunshine Building, nursery block and key worker flats. In the planning statement submitted with application 19/01660/FUL the applicant stated, "instead of demolishing the existing community centre, the proposal is to retain the building and erect a smaller new building in the same location as the approved scheme... the proposed development will still have the community centre at the heart of the scheme, which will accommodate a variety of activities, including a nursery, a community café, a multipurpose hall (that will also function as a church), a dance hall, sports hall and training rooms". Officers found this application to be acceptable, and, as such, it was granted permission and is now under construction.

1.11 This application is a stand-alone full planning application. However, it essentially makes up Phase 2 as outlined in application 16/01518/OUT, 17/01291/NMA and 19/01660/FUL. It stands alone as the outline application has now expired.

1.12 Notwithstanding, officers note that as part of application 16/01518/OUT the redevelopment of the site sought to demolition Kingsley Community Church and re provide it within the community centre proposed and retained in Phase 1b of the development. This would provide new space for the construction of new dwelling houses. Therefore, in this application whilst the proposal would result in the demolition of Kingsley Hall, officers do not consider the proposal to present a loss of a community facility given the church has been re provided within Phase 1b of the overall Kingsley Hall development. In line with the development polices Officers do not consider the proposal to result in the net loss of an existing social and community facility, as such, the proposal is considered acceptable and in keeping with the development policies.

1.13 Regarding the construction of new dwellinghouses. This will be assessed below.

1.14 New Residential Units

1.15 At a national level the National Planning Policy Framework (NPPF) at Chapter 5 has specific regard to housing stating that 'to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment... [and] within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies '.

1.16 The London Plan Objective GG4 states that to create a housing market that works better for all Londoners, those involved in planning and development must create mixed and inclusive communities, with good quality homes that meet high standards of design and provide for identified needs, including for specialist housing. Policy H1 of the London Plan outlines the Boroughs' 10-year target for net housing completion which highlights the 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. Likewise, this policy requires that Londoners have a genuine choice of homes that they can afford which meets their requirements for different types of high-quality accommodation. The London Strategic Housing Market Assessment (SHMA) which formed the evidence base for policy H1 reinforces the need to increase the housing supply to promote opportunity and provide real choice or all Londoners. In addition, policy H2 supports the use of small sites highlighting that boroughs' should support the construction of well-designed dwellings on small sites. The Housing SPG further supports the London Plan on such matters.

1.17 Policy CM1 and CM2 of the Core Strategy seeks to ensure the borough contributes to meeting its housing targets and supports the delivery of a variety of housing types. Policy CC1 of the Core Strategy DPD further supports this, noting developments should provide a range of accommodation types and sizes. In particular development should provide a minimum of 40% family housing. This is the type of housing which is in high demand throughout the borough. Family sized homes are defined by properties which have 3 or more bedrooms. Officers acknowledge that the London Plan 2021 and NPPF were published after these documents and seek to ensure development provide a range of dwelling types. Therefore, it could be argued that the local policies are outdated and therefore greater weight should be apportioned to the NPPF and London Plan with regard to the type of housing which development should be providing.

1.18 Notwithstanding, the draft local plan reg 19 is in its final stages of examination as such substantial weight should be apportioned to this document. Policy SPDG1 seeks to ensure developments contribute to meeting the Borough's housing targets and supports the delivery of a suitable variety of housing to meet high levels of identified need within the Borough. Policy SP3 emphasising the need to optimise suitable sites to help deliver suitable housing for the Borough's high levels of identified housing need. Nevertheless, the need for more family sized dwellings in the borough is evidence in the SHMA 2019 documents. Therefore, whilst policies set out in the Core Strategy DPD and Borough Wide DPD may be outdated, officers have apportioned substantial weight to the policies found in the Draft Local Plan Reg 19 as these highlight the continued need for more family sized dwellings across the borough based on the most up to date evidence. Therefore, it is clear that whilst policies support the developments which provide a range of accommodation types and sizes, given the high demand for family sized dwellings in the borough it is expected that adequate provision is provided.

1.19 On the 19 January 2021, the Government published the 2020 Housing Delivery Test (HDT) results. The HDT results show that the London Borough of Barking and Dagenham has delivered 57% of its housing requirement over the latest 3-year period. Consequently, the presumption in favour of sustainable development contained within paragraph 11 d) of the National Planning Policy Framework (the Framework) will be engaged.

1.20 This application seeks permission for the construction of a 3/ 4 storey building comprising of 36 units (3x 1 bedroom; 32 x 2 bedroom and 1 x 3-bedroom flats. As noted above policies support developments which seek to increase the provision of housing within the Borough with a particular emphasis on family sized homes- properties with 3 or more bedrooms. The proposal seeks permission for the construction of 3x 1-bedroom flats; 32 x 2-bedroom flats and 1 x 3-bedroom flat. Officers acknowledge that the proposal will contribute to providing a range of accommodation types and sized within the borough. In particular the scheme will provide a net increase of 36 dwellings to the boroughs stock of housing and contribute to the delivery of the boroughs housing requirement. Officers therefore consider the proposal to speak to the development policies, as such the principle of development is supported and considered acceptable.

2.0 Dwelling mix and Quality of accommodation:			
<i>Proposed Density u/ph:</i>	219u/ha	<i>Overall % of Affordable Housing:</i>	0 %
<i>LP Density Range:</i>	N/A	<i>Comply with London Housing SPG?</i>	Yes
<i>Acceptable Density?</i>	Yes	<i>Appropriate Dwelling Mix?</i>	Yes

2.1 Density

2.2 London Plan policy GG2 promotes higher density development, particularly in locations that are well-connected to jobs, services, infrastructure, and amenities. Policy D2 directs that the density of proposals should consider planned levels of infrastructure and be proportionate to the site's connectivity and accessibility. Policy D3 ensures that all development makes the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations.

2.3 Locally, Core Strategy Policy CM1 states that residential development (particularly higher density development) will be focussed in the Key Regeneration Areas, including Barking Town Centre, and on previously developed land in other areas with high PTAL levels. Strategic Policy SP2 of the emerging Local Plan (Regulation 19) promotes high-quality design, optimising a design-led approach to optimising density and site potential by responding positively to local distinctiveness and site context.

2.4 The application proposed has been brought forward through a design-led approach informed by the site constraints. It is noted that the density brought forward in this application is similar to the density previously allowed under application 16/01518/OUT. The application site has an area of 0.164 hectares. The proposal seeks to provide 36 units, as such, the density of the site will be 219u/ha. Noting the sites context in a predominantly residential area yet adjacent to a community centre and shopping parade officers consider the proposed density to be appropriate at this location. Officers therefore consider the proposed density to be acceptable and in keeping with the development policies.

2.5 Dwelling Mix

- 2.6 The NPPF seeks “to deliver a wide choice of high-quality homes”. It recognises “Government attaches great importance to the design of the built environment” and that “good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people”.
- 2.7 London Plan policy H10 sets out all the issues applicants and boroughs should take into account when considering the appropriate mix of unit’s sizes in relation to the number of bedrooms for a scheme. In particular part B of this policy states "boroughs should provide guidance on the size of units required (by number of bedrooms) to ensure affordable housing meets identified needs".
- 2.8 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). Nevertheless, it should be acknowledged that not all sites are suitable for family sized accommodation. Emerging Local Plan (at Regulation 19 stage) SP4 also supports the delivery of family accommodation, Policy DMH2 requires development proposals to provide a range of units in accordance with the Council’s preferred dwelling size mix, which seeks 3-bedroom dwellings at 25% for private, 19% intermediate and 40% social housing; 2-bedroom dwellings at 26% for private, 44% for intermediate and 40% social housing and 1-bedroom dwellings at 39% private, 17% intermediate and 10% social housing. Additionally, this policy outlines that the Council will consider a different housing mix if the proposal meets the tenure split requirements, and the applicant will be expected to provide up-to-date evidence of housing needs by taking account of the latest local evidence identified within the Strategic Housing Market Assessment.
- 2.9 The application is accompanied by a viability statement. This statement concludes that the scheme will only be viable if it provides 100% private housing. The Council carried out an independent review of the development and found the scheme could not viably provide affordable housing and that with 100% private housing the scheme will generate a deficit against the viability benchmark. It was agreed by officers that the proposal will provide 100% private housing. Therefore, in line with policy DMH2 of the Draft Local Plan the preferred dwelling mix is 10% 4+ bed; 25% 3- bedroom; 26% 2-bedroom and 39% 1-bedroom. The applicant proposes the following mix:

Unit Size	Number of Units	Percentage
1 bedroom, 2 person	3	8%
2-bedroom, 3 person	28	78%
2-bedroom, 4 person	4	11%
3-bedroom, 5 person	1	3%
Total	36	100%

- 2.10 The proposal provides 1 family sized home. Whilst officers welcome the inclusion of 1 x 3-bedroom dwelling it is noted that this provision falls short of what would normally be expected for a development of this size. Nevertheless, the applicant states “the proposal provides a number of 2-bedroom units with 4 of them being designed to accommodate four persons. Accordingly, opportunities will be available for family accommodation, in accordance with Policy CC1 of the Core Strategy. In any event it is known that the need locally is for one and two bed units. For example, an up-to-date assessment shows that over 50% of the need for housing in the borough during the emerging Local Plan period is for one and two bed units. This assessment is contained within the March 2020 strategic housing market assessment (SHMA) produced by Cobweb Consulting on behalf of the Borough Council. The overall objective of the policy is to ensure that a good mix of housing is delivered to meet local identified needs and deliver mixed and balanced communities. Much of the area surrounding the application site is characterised by family housing and while there are examples of blocks of flats fronting Parsloes Avenue and above the neighbourhood centre at the junction of and fronting Porters Avenue and Wood Lane, analysis demonstrates that family housing will dominate the local market. The delivery of a significant number of three-bedroom units within the development is likely to suppress values as they

will need to be marketed at a level below the price of three-bedroom houses on surrounding roads. A suppressed value of the three-bedroom units will impact the value of the smaller units within the development. The high proportion of family housing in the surrounding area justifies non-compliance with the three-bedroom target set by Local Plan policy. A focus on one- and two-bedroom units will allow for more efficient use of space within the proposed residential blocks in this location, should enhance the viability position and also vitality of the area”.

- 2.11 Officers believe the applicant has proposed this dwelling mix due to there being a large number of 3-bedroom houses within the surrounding local area and the fact that having more 3-bedroom dwellings within the scheme would drive down the value of the smaller units. Whilst officers appreciate the applicants concerns, they note that the value of the residential units are not a material planning consideration, as such, they do not consider this to be an acceptable justification of the proposed dwelling mix.
- 2.12 Notwithstanding, it is acknowledged that the scheme falls short of the expected number of family sized units as set out in the policies above. Nevertheless, it is noted that the scheme is flatted in design as such owing to its typology officers accept that it would not be suitable for larger size units.
- 2.13 Further, noting the scheme will provide a net increase of 36 units to the borough stock of family housing and provide a range of types and sizes of accommodation and given the scheme will provide 1 x 3-bedroom family sized home and 4 x 2-bedroom 4 person units which have the potential to accommodate a family. Whilst the dwelling mix is not what would usually be considered acceptable for a scheme of this size. Taking into consideration the sites layout, typology, and the fact it will provide new residential units. On balance officers consider the proposed dwelling mix to be acceptable.
- 2.14 Aside, it is noted that in outline application 16/01518/OUT Phase 2 consists of 1- and 2-bedroom units only. Therefore, noting this application will provide 1 x 3-bedroom unit officers consider the dwelling mix proposed to be an improvement to what was previously consented for this site.
- 2.15 Overall, the proposed dwelling mix is considered acceptable and in keeping with the development policies.

2.16 Affordable housing

- 2.17 Chapter 5 of the NPPF requires local authorities to identify affordable housing need and set policies for meeting this need. Paragraph 65 states "Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups". Notwithstanding paragraph 63 states "Where a need for affordable housing is identified, planning policies should specify the type of affordable housing required and expect it to be met on-site unless: a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and b) the agreed approach contributes to the objective of creating mixed and balanced communities".
- 2.18 Policy H4 of the London Plan sets a strategic target for 50% of all new homes delivered across London to be genuinely affordable. In particular this policy ensures that all major developments which trigger affordable housing requirements provide affordable housing through the threshold approach. Policy H5 outlines the threshold approach which applies to all major development proposals which trigger affordable housing requirements. Policy H5B sets threshold level of affordable housing on gross residential development at a minimum of 35%; or 50 per cent for public sector land where there is no portfolio agreement with the Mayor; or 50 per cent for Strategic Industrial Locations, Locally Significant Industrial Sites and Non-Designated Industrial Sites appropriate for residential uses. To follow the fast track route developments must meet or exceed the relevant threshold level of affordable housing on site without public subsidy; be consistent with the relevant tenure split (policy H6); meet other relevant policy requirements and obligations to the satisfaction of the borough and the Mayor where relevant and demonstrate that they have taken account of the strategic 50 per cent target in Policy H4 Delivering affordable housing and have sought grant to increase the level of affordable housing. Should the development not meet the requirements of the Fast-Track Route it must follow the Viability Tested Route. This requires detailed supporting viability evidence to be submitted with the application undertaken in line with the Mayor's Affordable Housing and Viability SPG. Policy H6 sets out the tenure split required to meet the Fast-Track Route, which requires a minimum of 30% low cost rented homes, as either London Affordable Rent or Social Rent, a minimum 30% intermediate products which meet

the definition of genuinely affordable housing, including London Shared Ownership, and the remaining 40% to be determined by the borough as low cost rented homes or intermediate products.

- 2.19 The Draft Local Plan (regulation 19 version) policy DMH1 seeks to meet an overarching 50% onsite affordable housing provision, by applying the London Plan threshold approach. The policy seeks to ensure that new developments contribute to the delivery of a range of housing tenures in accordance with the following tenure split: 50% mix of social housing including London Affordable Rent, 50% mix of intermediate housing including London Shared Ownership. Notwithstanding, this policy noted that if developments are not able to deliver on site affordable housing and if a suitable site for off-site provision cannot be found a financial contribution towards the off-site provision of affordable housing may be accepted.
- 2.20 The applicant states the proposal will provide 100% private housing. The applicant submitted a viability report which suggested that the scheme could not viably provide any affordable housing. This was independently reviewed by BNP Parabis on behalf of the council. The independent review has considered the location, condition, and size of the existing use. This was compared to the evidence provided by the applicant. However, given the site is currently used as a church the capital land value is much higher than what would normally be expected. Therefore, after due consideration BNP Parabis have adopted the same capital value of £235 per square foot as the applicant equating to £1,815,229.
- 2.21 Officers note the applicant have applied a premium before adding purchasers' costs to the existing use value (EUV) plus premium capital value. As such, the viability benchmark in their assessment is much higher at £2,121,033. However, BNP Parabis states that in the first instance purchasers' costs should be deducted from the EUV rather than added to it and secondly the purchasers' costs should be applied prior to the application of a landowner premium. Therefore, BNP Parabis have deducted the purchasers cost of 6.22% resulting in a capital land value of £1,734,968 for the EUV.
- 2.22 Further, using this viability benchmark. BNP Parabis have undertaken an appraisal for the development assuming 100% private housing and 36% affordable housing. The result found that with 100% private housing the scheme would generate a RLV of £1,682,277 providing a deficit of -£52,691 against the viability benchmark. It is clear from this that regardless of the type of housing the scheme is not viable. However, the deficit generated by a 100% private housing scheme is less.
- 2.23 To gain a more comprehensive understanding of the financial performance of the project. BNP Parabis have undertaken a series of sensitive analyses incorporating 100% private housing to explore the impact of changes in values and costs. It was found from this sensitive analysis that should there be a 5% or 10% changes in costs the scheme will remain in deficit. However, if there is a 5%, 10% or 15% increase in value the project will generate a surplus. Therefore, it is recommended that an early and late-stage review mechanism is secured by section 106 agreement.
- 2.24 Officers consider the independent viability review to be accurate and correct, as a result, it is believed that the proposal is not viable with 36% affordable housing or 100% private housing. However, the deficit generated would be less for the 100% private housing. Officers therefore consider a 100% private housing to be appropriate and noting the deficit officers accept that the scheme will not viably be able to provide a financial contribution to off-site provision of affordable housing. Nevertheless, taking into consideration the sensitive analyses carried out for the scheme officers believe an early and late-stage review mechanism to be appropriate. Therefore, should this application be approved it is recommended that this matter is secured by a planning obligation.
- 2.25 Overall, subject to the imposition of a planning obligation officers consider the scheme with 100% private housing to be acceptable and in keeping with the development policies.

2.26 Quality of Accommodation

- 2.27 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

height. London Plan Policy D6 seek for new housing to achieve the space standards in line with those set at national level.

- 2.28 The Local Plan also reiterates the need for housing developments to conform to these requirements. Policy D4 of the 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’. Policy D5 of the 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 DMH3 of the Draft Local Plan Reg 19.
- 2.29 The technical housing standards- nationally described space standards states that 1 bedroom, 2-person, 1 storey dwelling should provide 50sqm of gross internal area and 1.5sqm of storage; 2-bedroom, 4-person, 1 storey dwellings should provide 70sqm of gross internal area; 2- bedroom, 3-person, 1 storey dwellings should provide 61sqm of external amenity space and 2.0sqm of storage and 3-bedroom, 5 person, 1 storey dwellings should provide 86sqm of gross internal area and 2.5sqm storage. In addition, double bedrooms should have a floor area of at least 11.5 sqm and a width of 2.75 metres; single bedrooms should have a floor area of at least 7.5 sqm and a width of 2.15 metres.
- 2.30 All proposed dwellings will meet the minimum required internal space standards as set out by the nationally described space standards. 21 of the flats will be dual aspect with the remaining 15 being single aspect facing northeast, south and southwest. Noting the sites orientation officers are confident that all flats will be well lit by daylight, naturally ventilated by open windows, and appropriately sized for their use. It is noted the floor to ceiling height of 2.5 metres is met.
- 2.31 In terms of daylight/sunlight an internal daylight, sunlight and overshadowing report was submitted with this application. Regarding daylight, all habitable rooms were assessed for daylight quantum (average daylight factor or ADF) and distribution (no skyline or NFL, and Room Depth Criterion or RDC). The BRE Guide provide recommendations for average daylight factor (ADF) and provides additional recommendations for dwellings of 2% for kitchens, 1.5% for living rooms and 1% for bedrooms. This report found that 92 (87%) meet or exceed the recommendations for daylight quantity (ADF). Officers note that all rooms which fail to provide the required ADF are open plan Living/Kitchen/Dining rooms (LKDs). Nevertheless, the report states that 6 of the open plan LKDs seeing less than the recommended 2% for ADF for rooms which include a kitchen, meet or exceed the minimum recommendation for living rooms. Taking this into consideration 98 (93%) of all habitable rooms can be considered to provide an acceptable daylight quality. The remaining 8 LKDs have recessed balconies which reduces the light ingress. Noting the design and layout of the proposed habitable rooms on balance officers consider the daylight quality to be acceptable and in keeping with the development policies.
- 2.32 Further, 105 (99%) meet or exceed the recommendation for sky visibility (NSL). BRE Guidance recommend that the area of a room which does not receive direct skylight should not exceed 20% of the floor area. Officers note the 2 habitable rooms which do not meet the required NSL are located on the ground floor and face into the development. The NSL for these rooms are restricted by the surrounding buildings. Nevertheless, both these rooms exceed the ADF required for bedrooms. Therefore, whilst these rooms fail to provide the required NSL as these rooms will have an acceptable daylight quantity on balance officers consider the quality of accommodation to be acceptable. Additionally, all (100%) have been designed with good proportions for uniform light distribution in accordance with BRE RDC.
- 2.33 In terms of sunlight. Probable sunlight hours (PSH) assessments have been undertaken for all habitable rooms both annually (APSH) and in the winter (WPSH). BRE Guidance sets out that the main requirement for sunlight is in the living room where it is valued at any time of the day. It is viewed as less important in bedrooms and in kitchens where people prefer it in the morning rather than the afternoon. The assessment found that of the 25 living areas facing within 90°, 20(80%) see levels of sunlight significant above the minimum recommended annually, and all (100%) do so during the winter months. The 5 rooms which fall short are a result of a regressed balcony which obstructs access to sunlight, however, sunlight will reach the balcony area.

2.34 Taking into consideration the points raised above it is clear that all units provide acceptable levels of daylight and sunlight. However, where there is a shortfall, this is a result of a regressed balcony which naturally restricts the amount of sunlight and daylight received by these rooms. In all cases these rooms are LKDs. Noting this is a result of the proposals design and given all balconies will receive adequate daylight and sunlight on balance officers consider the proposal to provide units with acceptable internal daylight and sunlight, as such, they are considered to provide a good quality of accommodation and support a high standard of living.

2.35 The Mayor's Housing SPG Standard 12 advises that 'each core should be accessible to generally no more than eight units on each floor'. Limiting units to a core is important to ensure the residential blocks achieve a sense of community and ownership and are also afforded good levels of security. The proposal has two cores both located on Cornwallis Road. The core to the north has 4-6 units per floor while the core to the south has 5 units per core. Officers consider the number of units per core to be appropriate with the policies as such the proposal is considered to be acceptable and in line with the development policies.

2.36 **Crime and Safety**

2.37 The Designing Out Crime Officer has reviewed the application, provided comments, and made a number of recommendations. A Secure By Design condition is recommended to ensure the scheme delivers a safe and secure, inclusive development, in line with the relevant policies. Likewise, the requirement for the applicant to submit a fire safety strategy and statement will be conditioned should this application be approved.

2.38 **External Amenity Space**

2.39 Chapter 8 of the NPPF seeks to promote healthy and safe communities by ensuring planning decisions achieve healthy, inclusive and safe places which enable and support healthy lifestyles and wellbeing needs. Policy D6 of the London Plan supports this by ensuring new housing provides adequate outside space. Policy DMNE1 of the Draft Local Plan Reg 19 seeks to ensure proposals provide adequate external amenity space whereby developments should not rely on upon existing publicly accessible open space to contribute towards onsite amenity space and children play space. This is further supported by Policy BP5 of the Borough Wide Development Plan Document which states that new developments must provide adequate external private and/ or communal amenity space to meet the need generated by development.

2.40 Policy BP5 of the Borough Wide DPD stats 1-bedroom flats should provide 20sqm of external amenity space and 2 + bedroom flats should provide 40sqm. This space should be private, useable accessible and safe. Further, this policy notes that where developments in town centre locations and strategic regeneration sites are not able to provide external amenity space on site the applicant should demonstrate that suitable alternatives such as useable roof terraces, roof gardens and balconies have been considered and incorporated wherever possible. Likewise, the London Plan Housing SPG states "A minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant" . Therefore, in accordance with the Housing SPG the 1-bedroom dwelling should provide 5sqm; 2-bedroom, 3 person dwellings should provide 6sqm; 2-bedroom, 4 person dwellings should provide 7sqm and 3-bedroom dwellings should provide 8sqm.

2.41 All dwellings have external amenity space in the form of balconies. The 1 bedroom, 2-bedroom, 3 person and 3-bedroom, 5 person flats provide adequate provision of external amenity space. Nevertheless, the majority of 2-bedroom, 4 person dwellings fall short of the minimum required external amenity space by less than 1sqm. Officers consider this to be a minor shortfall. Notwithstanding, the application site is located 7 minutes' walk from Parsloes Park and 11 minutes' walk from Valence Park both large green spaces residents can use for recreation. Therefore, noting all units provide some external amenity space which is private, safe, functional, and useable. Whilst it is noted that not all units will meet the minimum requirements, as all dwellings have some provision and given the size of the proposed flats and their proximity to offsite external amenity space. On balance officers do not consider the marginal shortfall of onsite external amenity space to have an unacceptable impact on the quality of accommodation or standard of living of future residents.

2.42 Further, the site proposes 183sqm of child play space on the ground floor. This provision will be covered in the section below. However, with regard to the quality of amenity in particular regarding overshadowing, daylight and sunlight an internal daylight and sunlight report has been submitted. This

report found that on 21st March this area provided 0% sun hours on ground and sun exposure. However, on the 21 June this space would receive high levels of sun exposure ranging between 3 and 6+ hours of sun. It is noted the northern corner of this area receives 6.0+ hours of sunlight. It is acknowledged that the amenity space provides no sun exposure or sun hours on ground during the winter months, however, given it is likely that this space will be used more in the summer where there are high levels of sunlight. On balance officers consider the daylight and sunlight received by the amenity space to be acceptable.

2.43 Overall, officers consider the proposal to provide adequate external amenity spaces, as such, the proposal is considered acceptable and in keeping with the development policies.

2.44 Child Play Space

2.45 London Plan policy S4 requires developments for schemes that are likely to be used by children and young people should increase opportunities for play and informal recreation and incorporate good-quality accessible play provision for all ages for residential development, providing at least 10sqm of play space per child. The GLA Playspace Calculator generates a population yield of 18.7 children for this development. As such there is a requirement of 186.8sqm of play space. As shown on drawing number 9021/10 Proposed Ground Floor/ Site Plan [Revision P5] dated 29.10.2021 the development will provide 183sqm of child play space on the ground floor. Whilst this falls marginally short of the minimum expected child play space. Noting the proposal only underprovides by 3.8sqm officers do not consider this shortfall to have a significant impact on the overall quality of accommodation this scheme provide and is not considered to impinge upon the standard of living of future residents. Therefore, on balance officers consider the child play space provision to be acceptable and in keeping with the development policies. Notwithstanding, it is recommended that should this application is approved the implementation of child play space is conditioned. Similarly, a condition requiring the applicant to submit details of play space equipment will be placed on this application.

2.46 Overall, officers are confident that the scheme provides good quality accessible play provision for the residential development, as such, the proposal is considered acceptable and in keeping with the development policies.

2.47 Accessible Units

2.48 Policy D7 of the London Plan outlines that new developments should provide suitable housing and genuine choice for London's diverse population, including disabled people, older people and families with young children, as such, residential development must ensure that at least 10 per cent of dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(3) 'wheelchair user dwellings' and all other dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.

2.49 The applicant states "all units meet Building Regulations standard M4(2) 'accessible and adaptable dwellings.' Four of the units, i.e. 10%, meet the Building Regulations Requirement M4(3) 'wheelchair user dwellings.'" The plans have demonstrated accordance with these standards however, officers consider it necessary to recommend a compliance condition to ensure that these units are designed to this standard upon occupation of the residential units.

2.50 Noise

1. The application is accompanied by a noise impact assessment technical note dated 03.08.2021 which is an update to the noise impact assessment prepared by Ensafe dated 16.05.2021. This document highlights that the main source of noise affecting the site will be traffic noise from Parsloes Avenue. No other significant noise sources have been identified. The environmental protection officer was consulted who advice a scheme of acoustic protection should be submitted prior to first occupation of the site to ensure the development is adequately protected from noise. It is recommended that this is conditioned. Further, the environmental protection officer advised that a construction environmental management and site waste management plan and Scheme of Acoustic Protection are submitted prior to commencement of the development. This is to ensure that impact on the amenities of neighbouring residents is reduced. It is recommended that this is conditioned.

2.51 Summary

2.52 Overall, taking into consideration the points raised above and subject to the imposition of conditions and an obligation relating to affordable housing officers consider the proposal to provide an adequate quality of accommodation, as such, the proposal is considered acceptable and in keeping with the development policies.

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 **Height, scale and massing**

3.2 Objective 126 of the NPPF outlines that “good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”

3.3 Objective 127 states “plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable”

3.4 Objective 130 outlines that “planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁹; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

3.5 Objective 133 states “local planning authorities should ensure that they have access to, and make appropriate use of, tools and processes for assessing and improving the design of development”.

3.6 Objective 134 further outlines that “Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design⁵², taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to: development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

- 3.7 Policy D1 of the London Plan states that development design should respond to local context by delivering buildings and spaces that are positioned and of a scale, appearance and be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan, through appropriate construction methods and the use of attractive, robust materials which weather and mature well. This is also reiterated in Policy D2 of the London Plan which seeks good design.
- 3.8 Policy D3 outlines the need for development to take a design led approach that optimises the capacity of sites. This accordingly requires consideration of design options to determine the most appropriate forms of development that responds to the site's context and capacity for growth. Proposals should enhance the local context delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape with due regard to existing and emerging street hierarchy, building types, forms and proportions.
- 3.9 Policy D4 has regard to securing sufficient level of detail at application stage to ensure clarity over what design has been approved and to avoid future amendments and value engineering resulting in changes that would be detrimental to the design quality.
- 3.10 Policy D5 of the London Plan seeks to deliver an inclusive environment and meet the needs of all Londoners. Development proposals are required to achieve the highest standards of accessible and inclusive design. Policy D6 considers the importance of achieving and maintaining a high quality of design through the planning process and into delivery stage.
- 3.11 Policy D8 of the London Plan states that development proposals should ensure the public realm is safe, accessible inclusive, attractive, well connected, easy to understand and maintain, and that it relates to the local and historic context. Public realm should be engaging for people of all ages, with opportunities for play and social activities during the daytime, evening and at night as well as maximising the contribution that the public realm makes to encourage active travel. This should include identifying opportunities for the meanwhile use of sites in early phases of development to create temporary public realm
- 3.12 This is further supported by policies SP2 and DMD1 which seek to ensure developments contribute to providing a high-quality built environment which contributes positively to the character of the surrounding area. This is further supported by policy BP11 of the Borough Wide DPD and policy CP3 of the Core Strategy DPD.
- 3.13 The application site is located within the Becontree Estate. The Becontree Estate, of which this site forms part, was built as Homes for Heroes in the period 1921 to 1934 and at the time was the largest municipal estate in the world. As such, it forms part of the rich local history of the area and is referenced in chapter 16 of the NPPF, policy HC1 of the London Plan, policy CP2 of the Core Strategy DPD, policy BP2 of the Borough Wide DPD and policy DMD4 of the draft local plan reg 19 as forming an important symbol of the past. Further this policy references the heritage value of the Estate and although this dwellinghouse is not situated in a conservation area, this policy recognises the distinctive local character and historical importance of the Becontree Estate. The policy is concerned with preserving heritage areas of their instinctive and historically important features and ensuring developments do not detract from the heritage area's significance.
- 3.14 The application site is located on Parsloes Avenue, Cornwallis Road and Hobart Road, each of which have their own characters. Parsloes Avenue is characterised by residential dwellings, commercial and mixed-use units, and community facilities. As such, the street scene is characterised by 2 and 3 storey buildings of varying massing, bulk and size. The junction where Parsloes Avenue and Cornwallis Road is also characterised by a 3-storey building. In contrast Herbert Road and the eastern end of Cornwallis Road is low rise 2 storey residential terrace rows.
- 3.15 The proposal seeks permission for the construction of a 3/ 4 storey building to provide 36 new residential dwellings. The proposal will be a U-shaped building extending across the length of Parsloes Avenue, Cornwallis Road and Hobart Road. The height of the proposal will be 4 storeys along Parsloes Avenue and the western end of Cornwallis Road. Towards the rear of the site along the eastern end of Cornwallis Road and Hobart Road the proposal will be 3 storeys in height with a

4th storey set back. The applicant states “the proposal has an additional storey on the East elevation (4 storeys), along Hobart Road as well as an additional storey on the South elevation (4 storeys), facing Cornwallis Road which is an increase from the previous full planning application (19/01660/FUL), however does have similarities with the original hybrid approved scheme (16/01518/OUT). There is proposed parking underneath the north of the block, accessed off Hobart Road. There is also additional parking in the centre of the site, accessed from Cornwallis Road, accessed underneath the proposed building.... The proposed building has a flat roof which allows space for photovoltaic panels. Access to the roofs is a mixture of an extended stair to the roof as well as an access panel, depending on the access required for maintenance”. Officers note that the addition of the 4th storey along Hobart Road has enabled the scheme to deliver 4 additional units which is an uplift from that previously consented for this site under application 16/01518/OUT.

- 3.16 From the submission officers believe the height, massing and scale of the proposed building does not materially depart from what was previously consented on the site. Noting the size, scale and sitting of the proposal remains similar. Likewise, the height of the proposal remains at 4 storeys along Parsloes Avenue. Notwithstanding, it is noted that the height along Hobart Road and its junction with Cornwallis Road has increase in height so that it is now 3 storeys with a subservient 4th storey.
- 3.17 As noted previously Parsloes Avenue is characterised by two and three storey buildings with varying designs, uses and sitting providing irregularity in the layout and appearance of the street scene. In comparison Cornwallis Road and Hobart Road have very planned regular patterns of development and is made up of low-rise terrace rows. Therefore, noting the character of Parsloes Avenue and its junction with Cornwallis Road officers consider the 4-storey height to be acceptable. Likewise, the proposal will sit adjacent to the already constructed 3 storey key workers building on Parsloes Avenue. Officers consider the relationship between the two buildings to be acceptable.
- 3.18 Regarding the height, scale and massing of the building on Hobart and Cornwallis Road. It would be expected that the proposal is designed sensitively to ensure its height, bulk and massing remains in keeping with the character of the street scene and the surrounding local area. Officers acknowledge that the surrounding area is predominantly low rise 2 storey terrace houses. Nevertheless, whilst it is acknowledged that the height of the proposal will be 4 storey along this road, as this has been designed so that it is set back on the front and side elevations this has significantly reduced its mass and bulk, hence, it appears subservient to the 3rd storey and does not appear overly dominant or out of place at this location. Likewise, given the additionally storey will provide 4 new units within the scheme which will contribute to the borough stock of housing. Officers welcome the addition of a 4th storey at this location and consider it to have an acceptable impact on the character and appearance of the area.
- 3.19 The urban design officers were consulted who agreed with officers that the height of the proposed building would be acceptable. Nevertheless, they held concerns with regard to the bulk and massing of the building. In particular the design officers pointed out that at present the existing church building is set back from the boundary line providing defensible space and reducing the bulk and massing of the building. Nevertheless, in comparison the proposal will sit right up to the boundary line as a result there will be limited defensible space making the building appear very bulky within the street scene. Notwithstanding, as stated previously the mass, bulk and sitting of the proposed scheme does not materially depart from that consented under application 16/01518/OUT which officers considered to be acceptable. Therefore, in the interest of consistent planning officers maintain the position that the sitting, mass, bulk and height of the proposal will respect and reflect the built form of the area and positively enhance the character and appearance of the street scene and surrounding local area.

3.20 Layout

- 3.21 At ground floor level the proposed layout consists of 5 flats (4 x 2-bedroom, 3 person and 1 x 3-bedroom flats), play space, car parking accessed via 3 entrances (2 off Hobart Road and 1 off Cornwallis Road) and 2 access cores. All 2-bedroom flats will have private access through the play space and private external amenity space on street. The 3-bedroom flat will be accessed via a central core with its private amenity space on street. Noting the sitting of the scheme officers consider there to be an opportunity to activate the street frontage by providing on street entrances for the 4 x 2-bedroom flats. Nevertheless, it is noted that the two cores benefit from on street access, however,

the 4 x 2-bedroom flats will be accessed via the rear of the site through the proposed play space. Officers consider the proposal to have the opportunity to activate the street frontage by providing on street private access to the 2-bedroom flats. Nonetheless, noting the primary routes into the scheme which will be used by the majority of residents will be located on street with more secondary/ private route being within the scheme on balance officers consider the proposed layout to be consistent with the surrounding area, as such, it is considered acceptable.

3.22 The first and second floor will consist of 9 x 2-bedroom, 3 person flats, 1 x 1-bedroom flats and 1 x 2-bedroom, 4 person on each floor. There will be 6 units off one core and 5 units off the other per floor. At third floor level the proposal will consist of 6x 2-bedroom, 3 person flats; 2 x 2-bedroom, 4 person flats and 1 x 1 bedroom flat. 4 units off one core and 5 units off the other. This remains in line with standard 12 of the Housing SPG which states that each core should be accessible generally by no more than 8 units on each floor. As such, it is considered acceptable.

3.23 Overall, officers consider the proposed layout to be acceptable and in keeping with the development polices.

3.24 **Architecture**

3.25 The design approach seeks to distinguish the site from its existing context by introducing a flatted development within a predominately low-rise setting made up of terrace rows. Notwithstanding, the proposal will sit adjacent to the existing 3 storey nursery block with key worker flats above developed as part of phase 1A consented under application 17/01291/NMA. As such, officers consider the proposal to knit into the existing fabric of the street scene and remain consistent with the existing developments constructed within the Kingsley Hall site. Officers therefore consider the architecture and design of the proposal to allow the Parsloes Avenue elevation of the site to read as one piece noting the proposal remains consistent in terms of height and design with the development which have been constructed as part of the wider redevelopment of the site.

3.26 Nevertheless, it is recommended that a condition is placed on this application requiring details of all external facing materials, hard and soft landscaping and boundary treatment are submitted prior to any above ground works and implemented prior to first occupation so as to ensure that the scheme remains consistent with the character and appearance of the street scene and the surrounding local area.

3.27 **Archaeology**

3.28 NPPF Section 16 recognise the positive contribution of heritage assets of all kinds and make the conservation of archaeological interest a material planning consideration. NPPF paragraph 194 says applicants should provide an archaeological assessment if their development could affect a heritage asset of archaeological interest. Paragraph 205 of the NPPF says that applicants should record the significance of any heritage assets that the development harms. Applicants should also improve knowledge of assets and make this public. Policy HC1 of the London Plan echo the importance of archaeological contributions, as set out in the NPPF. NPPF paragraphs 194 and 205 and London Plan Policy HC1 emphasise the positive contributions heritage assets can make to sustainable communities and places. Where appropriate, applicants should therefore also expect to identify enhancement opportunities.

3.29 Borough Wide Development Policies DPD Policy BP3 looks to secure the conservation or enhancement of archaeological remains and their settings. This is further supported by policy CP2 of the Core Strategy DPD and policy DMD4 of the draft local plan reg 19.

3.30 Historic England's Greater London Archaeological Advisory Service (GLAAS) were consulted and reviewed the submitted information. Historic England states "the site lies on an archaeologically productive Ilford Silt geology. There was little to no archaeological investigation connected with the construction of the Becontree Estate, but individual Roman and prehistoric finds are attributed to small subsequent investigations at e.g., Bromhall Road. Following the rapid construction of the estate, it became apparent that the new inhabitants had not been provided with amenities and so during the 1920s and 30s there were scattered phases of work to build meeting rooms, religious

halls, libraries and entertainment venues, such as the large cluster at Woodward Road (now mostly demolished). The application site, Kingsley Hall and its neighbour Lester Hall and The Sunshine Building, I suspect were another cluster in the north of the estate. As a part of the estate's social history (and a reminder of the importance of place making in major developments) the interwar church building merits consideration for sympathetic management in a new development. In this case I recommend a programme of building recording along with a programme of archaeological work, both secured by planning conditions". Therefore, in the interest of protecting the sites historic assets officers therefore recommend that 2 conditions are attached to this application securing a programme of building recording and archaeological work.

3.31 **Overheating**

3.32 The application is accompanied with an energy statement dated 30.06.2021. This statement sets out that as part of the developments design process all potential overheating risks should be identified. Nevertheless, an assessment has not been provided.

3.33 Criterion 3 of Part L1A of the Building Regulations (2013) sets out the approach to limiting heat gains within dwellings during the summer months. The assessment indicatively suggests that in principle there are solutions to ensure that the dwellings do not have a high risk of high internal temperatures. This report has been completed against guidance on assessing and mitigating overheating risk in new developments. The guidance and datasets have been used to ensure all new developments are designed for climate change they will experience over its lifetime.

3.34 A condition is to be added to ensure a full overheating analysis report and associated mitigation strategy is required to be submitted prior to above ground works which meets the requirements of CIBSE TM59. Once approved the mitigation initiatives shall be installed prior to occupation and permanently retained thereafter.

3.35 **Summary**

3.36 Taking into consideration the above and imposition of relevant conditions, Officers consider the proposed development in respect of the design and quality of materials to be acceptable and in keeping with the development policies.

4.0 Impacts to neighbouring amenity:

4.1 The NPPF, The London Plan Policies GG1, GG3 and D14, all have relevance to the importance of quality development which addressing neighbouring amenity and avoiding unacceptable impacts.

4.2 Policy DMD1 of the Draft Local Plan Reg 19 seeks to ensure all development proposals consider the impact on neighbouring amenity with regard to significant overlooking (loss of privacy and immediate outlook) and overshadowing (unacceptable loss of daylight/sunlight). Policy DMSI3 further expands on this noting development proposals which generate an unacceptable level of nuisance including noise, waste, comings and goings and general disturbances will be resisted. This is supported by policy BP8 of the Borough Wide DPD.

4.3 In relation to standards for privacy, daylight and sunlight the London Plan Housing SPG states that "An appropriate degree of flexibility needs to be applied when using 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 opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets. This should take into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time. The degree of harm on adjacent properties and the daylight targets within a proposed scheme should be assessed drawing on broadly comparable residential typologies within the area and of a similar nature across London. Decision makers should recognise that fully optimising housing potential on large sites may necessitate standards which depart from those

presently experienced, but which still achieve satisfactory levels of residential amenity and avoid unacceptable harm.”

4.4 **Daylight and Sunlight**

The application is accompanied by a daylight and sunlight impact on neighbouring properties report prepared by GIA chartered surveyors dated 15 October 2021. The BRE Guidelines provides 3 methodologies for daylight assessment, namely the vertical sky component (VSC), the no skyline (NSL); and the average daylight factor (ADF). The applicant has conducted an assessment which has taken into consideration the vertical sky component (VSC) and no sky- line (NSL). Within the assessment the applicant has referenced BRE Guidelines which state ADF should only be used to check adequate daylight is provided in new rooms rather than existing buildings. As the assessment seeks to assess the impact on existing neighbouring residents the applicant did not consider the use of ADF to be necessary. Notwithstanding, it is noted that for daylight to be compliant both the VSC and NSL tests have to be met.

4.5 VSC provides an assessment of the amount of skylight falling on a vertical plane directly from the sky, in the circumstances of an overcast sky. The ideal national numerical value for VSC is 27% or at least 0.8 of its former value. NSL assessed where sky can and cannot be seen from inside a room at the working plane. If the NSL experiences more than a 20% change from its existing situation it is considered the change in daylight would be noticeable to the occupant.

4.6 The submitted daylight and sunlight assessment assess the VSC and NSL on all neighbouring residents, namely 2, 4, 6, 8 and 10 Cornwallis Road; 1-9 Kingsley Mews and 35, 367 and 39 Hobart Road. The summary of the assessment is below:

- 10 Cornwallis Road- The assessment outlines that all 3 windows (100%) tested for VSC would not meet the BRE targets, although all three rooms will retain values exceeding 25%. Whilst it is accepted that all rooms will fall short of the suburban ideal of 27% as set out in the BRE Guidelines it is noted that the VSC of all rooms will only fall marginally short of the ideal national numerical value. Further, it is noted 2 of the windows serve bedrooms which do not carry the same expectation for natural lighting in comparison to living rooms. In respect of NSL rooms meet the NSL targets. Notwithstanding, officers turn to the contour plots located within the appendices of the assessment and note that daylight will be retained in key areas of all rooms by the window and in the middle of the room
- 8 Cornwallis Road- The assessment outlines that 2 out of 2 (100%) windows tested for VSC would not meet the BRE targets, although both windows will retain a VSC value which exceeds 24%. Whilst it is accepted that all rooms will fall short of the suburban ideal of 27% as set out in the BRE Guidelines it is noted that the VSC of all rooms will only fall marginally short of the ideal national numerical value. Further, it is noted 1 of the windows serves a bedroom which do not carry the same expectation for natural lighting in comparison to living rooms. In respect of NSL all rooms meet the NSL targets. Notwithstanding, officers turn to the contour plots located within the appendices of the assessment and note that daylight will be retained in key areas of all rooms by the window and in the middle of the room
- 6 Cornwallis Road- The assessment outlines that 2 out of 2 (100%) windows tested for VSC would not meet the BRE targets, although both windows will retain a VSC value which exceeds 22%. It is noted that 1 of the windows serves a bedroom which does not carry the same expectation for natural lighting in comparison to living rooms. In respect of NSL one of the 2 rooms assessed meets the BRE numerical criteria. The room which falls short of the NDL target is the living room and will experience a percentage change of 24.1%, however, the room will retain almost a 75% view of the sky dome. Notwithstanding, officers turn to the contour plots located within the appendices of the assessment and note that daylight will be retained in key areas of all rooms by the window and in the middle of the room
- 4 Cornwallis Road- The assessment outlines that 2 out of 2 (100%) windows tested for VSC would not meet the BRE targets, although both windows will retain a VSC value which exceeds 22%. It is noted that 1 of the windows serves a bedroom which does not carry the same expectation for natural lighting in comparison to living rooms. In respect of NSL one of the 2 rooms assessed meets the BRE numerical criteria. The room which falls short of the NDL target is a bedroom which has a predominantly nocturnal use as such it does not require the same levels of natural light. Nevertheless, it will experience a percentage change of 22.2%. This room will retain over a 75%

view of the sky dome. Notwithstanding, officers turn to the contour plots located within the appendices of the assessment and note that daylight will be retained in key areas of all rooms by the window and in the middle of the room

- 2 Cornwallis Road- The assessment outlines that 3 out of 3 (100%) windows tested for VSC would not meet the BRE targets, although both windows will retain a VSC value which exceeds 21%. It is noted that 2 of the windows serve bedrooms which does not carry the same expectation for natural lighting in comparison to living rooms. In respect of NSL all 3 rooms fail to meet the BRE numerical criteria. These rooms which experience a percentage change between 25.8% -36.3% and will retain views of the sky dome between 63.4% and 73.8%. Notwithstanding, officers turn to the contour plots located within the appendices of the assessment and note that daylight will be retained in key areas of all rooms by the window and in the middle of the room
 - 1-9 Kingsley Mews- The assessment outlines that 6 out of 12 (50%) windows tested will adhere to BRE Guidelines for VSC. Of the 6 windows which fail 4 windows will retain VSC values which exceed 20% whilst 2 will fall marginally below 20, retaining respective VSC values of 18.9% and 19.3%. In respect of NSL 4 of the 10 rooms (40%) will meet BRE Guidelines. Of the 6 which don't meet the criteria 1 will experience alterations between 20%-30%; 1 will experience alterations between 30% and 40% and 4 will experience changes beyond 40%. Of the 6 which fail to meet the criteria 3 are bedrooms, 1 is a kitchen and 2 are living rooms. Notwithstanding, officers turn to contour plots located within the appendices of the assessment and note it shows that daylight will be retained in key areas of all rooms by the window and in the middle of the room. Areas with loss will be located towards the rear of the room.
 - 39 Hobart Road- The assessment outlines that 2 out of 2 (100%) windows tested for VSC would not meet the BRE targets, although both windows will retain a VSC value which exceeds 22%. It is noted that 1 of the windows serves a bedroom which does not carry the same expectation for natural lighting in comparison to living rooms. In respect of NSL one of the 2 rooms assessed meets the BRE numerical criteria. The room which falls short of the NDL target is a bedroom which has a predominantly nocturnal use as such it does not require the same levels of natural light. Nevertheless, it will experience a percentage change of 24%. This room will retain almost a 75% view of the sky dome. Notwithstanding, officers turn to the contour plots located within the appendices of the assessment and note that daylight will be retained in key areas of all rooms by the window and in the middle of the room.
 - 37 Hobart Road- The assessment outlines that 2 out of 2 (100%) windows tested for VSC would not meet the BRE targets, although both windows will retain a VSC value which exceeds 21.7. It is noted that 1 of the windows serves a bedroom which does not carry the same expectation for natural lighting in comparison to living rooms. In respect of NSL both rooms will fall short of recommended values and experience percentage changes of 22.4% and 26.4%. Notwithstanding, officers turn to the contour plots located within the appendices of the assessment and note that daylight will be retained in key areas of all rooms by the window and in the middle of the room.
 - 35 Hobart Road- The assessment outlines that 2 out of 2 (100%) windows tested for VSC would not meet the BRE targets, although both windows will retain a VSC value which exceeds 21.3. It is noted that 1 of the windows serves a bedroom which does not carry the same expectation for natural lighting in comparison to living rooms. In respect of NSL both rooms will fall short of recommended values and experience percentage changes of 22.5% and 27.1%. Notwithstanding, officers turn to the contour plots located within the appendices of the assessment and note that daylight will be retained in key areas of all rooms by the window and in the middle of the room.
 - Properties along Parsloes Avenue- These properties are not included within the submitted daylight and sunlight assessment. However, Parsloes Avenue separates these properties from the application site, as such they sit approximately 19 metres away. The separation is considered to mitigate any unnecessary impact on daylight or sunlight to these properties.
- 4.7 For sunlight, the results demonstrate that there is not full BRE compliance for all neighbouring properties. In particular it is notes that for the majority of properties VSC values and NSL percentage changes will exceed BRE Guidelines. The proposal will provide 36 new residential units and will contribute to the boroughs stock of housing by providing a variety of different types and sizes of accommodation. Noting the proposal will replace a single storey building and be a 3/4 storey building within a largely low-rise residential area it would be expected that the proposal has

some impact on the daylight and sunlight to neighbouring residents. The Housing SPG states “an appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves”. It is noted that the windows which fail to meet BRE targets for VSC only fall marginally short of what would normally be expected with 93% of all windows (2 windows fall short) retaining VSC values above 20%. The applicant references GLA hearing D&P/3067/03 Daylight and Sunlight Assessment Test dated 18 November 2013 which states “VSC values in excess of 20% should be considered as reasonably good, and that VSC in mid-teens would be acceptable. However, where the VSC falls below 10%, the availability of direct light from the sky will be poor”. Officers therefore believe that with above 20% VSC the availability of direct light from the sky will be acceptable. Taking into consideration the context of the site and noting that 93% of windows will have VSC figures above 20% officers consider the proposal to be acceptable. Regarding NSL from the result it is clear that the percentage change in NSL for most windows will be above 20%. Notwithstanding, as shown in the contour plots all neighbouring residents will still retain daylight in key areas of all rooms. Likewise, most of these impacted rooms are bedrooms which have a nocturnal use, as such they do not have a lesser requirement for daylight. Therefore, on balance noting the wider benefits of the scheme officers consider this to outweigh any substantial harm caused to neighbouring residents.

4.8 Officers also note that the development will sit approximately 15.0 metres away from the front elevation of the properties along Hobart Road and Cornwallis Road. The separation is considered to further mitigate the impact the proposal will have on neighbouring residents.

4.9 Further, it is noted that a scheme of similar size, scale and sitting was previously approved under application 16/01518/OUT for this site. Therefore, in the interest of consistency officers maintain the position that the proposals impact on neighbouring amenity is acceptable. Overall, the proposal is considered acceptable and in keeping with the development policies.

4.10 **Outlook, overbearingness, privacy**

4.11 Given the scale of the development within an urban setting it is reasonable to assume that there will be potential for perception of loss of privacy and outlook to those existing residential occupiers who neighbour the site, particularly as the proposed redevelopment development would replace a single storey low density religious site.

4.12 The proposal will sit right up to the redline boundary. However, as the site sits adjacent to the highways on 3 sides. This means the development will sit approximately 9.6 metres from the boundary lines of the properties along Hobart Road and Cornwallis Road and 15.0 metres away from these properties' front elevations. Likewise, the proposal will sit 19 metres from the boundary line of the properties along Parsloes Avenue. Therefore, officers consider the relationship between the proposal and surrounding neighbouring properties to be acceptable.

4.13 Further, the proposal will sit adjacent to the existing 3 storey building comprising of a nursery and key worker flats which were constructed as part of Phase 1A Kingsley Hall redevelopment. It is noted the depth of the proposal does not exceed the depth of this building. Likewise, the front elevations of both buildings will sit flush with each other. Officers are therefore confident that the proposal will not represent overbearing development or compromise the outlook or privacy of residents of the adjacent building (nursery/key worker flats).

4.14 Overall the proposal maintains a good relationship with neighbouring developments and would not result in an overbearingness to neighbouring properties.

4.15 **Other Matters**

4.16 The proposal seeks to provide 36 new residential units. Therefore, it would be expected that the proposal generates more noise, waste, light, comings and goings and general disturbances than currently produced on site noting the change in use and the presents of residents. Notwithstanding, as part of the scheme new waste facilities will be provided (as discussed in section 8.0 of this report). Taking into consideration the fact that the proposal will contribute to the boroughs net stock of housing and provide a range of size and types of accommodation. The environmental health officer was consulted who recommended that a external lighting condition is placed on the proposal to avoid light pollution and safeguard neighbouring amenity. This will be conditioned should this application be approved. On balance officers consider the benefits arising from the scheme to

outweigh any significant harm caused to neighbouring properties. The proposal is considered acceptable and in keeping with the development policies.

4.17 **Air Quality**

4.18 The NPPF sets out at paragraph 186 that decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants taking into account the presence of AQMAs and the cumulative impacts from individual sites in local areas.

4.19 Policy SI1 of the London Plan also states that all development should be air quality neutral as a minimum. This is supported by Policy DMSI4 of the draft Local Plan (Regulation 19 version). Core Strategy CR1 sets a policy requirement to protect air quality.

4.20 This application was accompanied by an air quality technical note dated October 2021 which provides an update to the air quality assessment carried out for the Kingsley Hall site in September 2016. This note concludes that “annual NO_x and PM10 transport emissions associated with the development are predicted to be above the TEB by 88.04kg/year for NO_x and 15.10kg/year for PM10. As such, the development is not considered to be Air Quality Neutral and further action is required to reduce excess emissions”.

4.21 . Officers are of the view that the developments combined annual NO_x emissions remained above the benchmark level by 88.04 kg/year. Hence, an air quality offset contribution should be made at a rate of £29,000.00 per tonne of NO_x over the benchmark (£2,553.16) to enable the development to meet air quality neutral standards. It is recommended that this is secured by a planning obligation. Likewise, it is recommended that a condition requiring the applicant to submit confirmation that the scheme complies with the submitted air quality technical note following the completion of the development is placed on this application.

4.22 **Contaminated Land**

4.23 The NPPF sets out at paragraph 174 that policies and decisions should contribute to and enhance the natural and local environment by remediation and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate. Policy SI10 of the London Plan seeks to ensure steps are taken to reduce the environmental impact of aggregate sites and facilities by ensuring that potential impacts, in particular to the natural and historic environment and to human health, are assessed and effectively controlled. Policy BR5 of the Borough Wide DPD further supports this states that development on or near land that is known to be contaminated or which may be affected by contamination will only be permitted where appropriate site investigation and risk assessment has been carried out and if contamination is found suitable remediation measures have been carried out. This is supported by policy DMSI5 of the draft local plan reg 19.

4.24 The environmental health officer was consulted they recommended that details of contaminated land are submitted prior to commencement of the development to minimise to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised. Likewise, they advised that details of Construction Environmental Management and Site Waste Management are submitted prior to commencement in order to reduce the environmental impact of the construction and the impact on the amenities of neighbouring residents. It therefore recommended that both these requirements are conditioned.

4.25 **Neighbour Comments**

4.26 Objections have been received from neighbours with regard to the proposal. The concerns raised are as follows:

- Too many residential units are being built in LBBD which are not on suitable sites making areas overcrowded and unsightly. - **officers refer to section 1.14 to 1.20 of this report.**
- The loss of the community hall would have an unacceptable impact on the quality of living of the elderly, disabled, vulnerable etc. With the pandemic it is important these spaces are retained so individuals can continue to meet. - **Officers refer to the ‘Site, Situation and relevant background information’ section of the report which details history of Kingsley Hall. From this history it is evident that a church and community hall will be retained on site as part of Phase 1B of the site’s redevelopment. Officers are therefore confident that the proposal will not result in the loss of a community facility.**

- Traffic, parking and highways safety- more pedestrians and cars using Cornwallis Road- **Officers refer to section 5.0 of this report.**
- Layout and density of building- the proposed development is overbearing and out of scale. – **Officers refer to section 3.0 of this report.**
- Design, appearance, and materials – mass, bulk, detailing and materials not in line with the neighbourhood make up/ history- **Officers refer to section 3.0 of this report**
- Inadequate public services- buses are already crowded when they arrive, lack of doctors, schools, teachers, extra bin collection etc. – **Officers note the scheme will have its own waste and refuse strategy (details in section 8.0), as such, additional bin collections and refuse storage will be provided to accommodate the new dwellings. In terms of other public services noting the number of units proposed officers are satisfied that the proposal will not have an unacceptable impact on health care services or public transport links (See sections 5.0). Similarly, with regard to schools the site is considered to yield approximately 20 school children, however, following consultation with LBD Schools this is not considered to have a material impact on school place provision. (see appendix 3).**
- More rubbish in street, noise, light, air pollution and rowdiness caused by the development. – **officers refer to sections 4.15, 4.16, 4.17 and 8.0 of this report.**
- Overlooking, loss of privacy and overshadowing, loss of light caused by the proposed 4 storey building. – **Officers refer to sections 4.4 to 4.10 of this report**
- Loss of view- **Officers note this matter is not a material planning consideration as such it is not considered within the scope of this application.**

4.27 **Summary**

4.28 Taking into consideration the points raised above and subject to the imposition of conditions and planning obligations, officers consider the proposed development to have an acceptable impact on neighbouring amenity. As such the proposal is considered acceptable and in keeping with the development policies.

5.0 Sustainable Transport:			
<i>Net gain/loss in car parking spaces:</i>	+19	<i>PTAL Rating</i>	2
<i>Proposed number of cycle parking spaces:</i>	+71 (Long Stay) + 2 (Short Stay)	<i>Closest Rail Station / Distance (m)</i>	Becontree Station (1600m) Dagenham Heathway (1600m)
<i>Restricted Parking Zone:</i>	No	<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 offers encouragement to developments which support reductions in greenhouse gas emissions and those which reduce congestion. The NPPF also outlines those developments which generate significant vehicle movements should be located where the need to travel will be minimised and the use of sustainable transport options can be maximised. It is also expected that new development does not give rise to the creation of conflicts between vehicular traffic and pedestrians. However, it also stated that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

5.2 This is echoed by the London Plan (2021) through policies T6.1 and T5 of and further supported by policies DMT 2 and DMT3 of the Draft Local Plan Reg 19 and policies BR9, BR10 and BR11 of the Borough Wide DPD.

5.3 Car Parking

- 5.4 The application site is located within PTAL 2 which represents low to moderate access to public transport. In line with policy T6.1 of the London Plan outer London locations with a PTAL of 2-3 which seek to provide dwellings with 1-2 dwellings should provide no more than 0.75 spaces per dwelling. Dwellings with 3+ beds within the same PTAL location should provide up to 1 space per dwelling. In accordance with policy the maximum number of car parking spaces acceptable is 27. Further, blue badge parking provision should be 3% of the total number of spaces and electric vehicle provision should be at least 20% of the total number of spaces as active spaces with the remainder having passive provision for future use.
- 5.5 The proposal seeks to provide 19 car parking spaces in total, with 4 Blue Badge Spaces and 4 spaces with active charging provision. The applicant states "The Blue Badge parking provision should be 3% of the total number so a minimum of 1space is required based on the number of spaces proposed for the development with a further 4% provision (1 space) for future use, total 2 Blue Badge spaces. However, since there are 4 wheelchair units in the development, 4 Blue Badge spaces will be provided. In terms of electric vehicle parking provision there should be at least 20% of the total as active spaces (4 spaces) with the remainder having passive provision for future use. There will therefore be 4 car spaces with active charging provision". Officers consider the provision of blue badge and active charging provision to be acceptable. Likewise, it is noted all parking spaces are 2.4 metres x 4.8 metres as such they are con
- 5.6 The transport officer was consulted regarding this scheme who noted "the number of proposed spaces falls significantly below the requirements set by policy T6.1 of the London Plan. As the vicinity of the site is not under a CPZ area, we should ensure that the development will not have an overspill of parking on-street. Therefore, an updated parking stress survey should be conducted prior to the number of car parking spaces on site".
- 5.7 The applicant carried out an updated parking stress survey in October 2021 for an extent (200 metres walking distance from the site) and frequency/times to cover the overnight peak parking periods in the locality of the site. The survey concludes that "the parking stress survey over 2 days for comparable times were broadly similar. Overnight at 0100 hours, in terms of unrestricted kerb space, overall parking stress in the whole survey area being 49% for both spaces with approximately 147 car parking spaces available. No vehicles were recorded on double yellow lines sections so no issues of non-compliant parking". Noting the number of available on streetcar parking spaces. Taking into consideration the evidence provided by the parking stress survey as well as the fact the development will provide 19 off-street parking spaces. Officers do not consider the proposal to have a harmful impact on parking amenity or the highway.
- 5.8 Further, it is also noted that the site is largely made up of 1 bedroom and 2-bedroom, 3 person units. Due to the nature of these unit sizes, it is likely they will be occupied by couples or individuals who have less of a reliance on cars. Therefore, it would be expected that a large proportion of these residents and their visitors will access the site by foot or public transport. It is acknowledged that the site is located within PTAL 2, however, it sits approximately 1 minute walk to the bus stop and 20-minute walk/7-minute bus to Tube Station demonstrating there are convenient and accessible public transport links in the close vicinity.
- 5.9 A neighbour objection was received raising concerns with regard to the outdated parking stress survey. Nevertheless, as detailed above the applicant has updated this to demonstrate the parking stress of the vicinity of the area in October 2021. Officers consider this to demonstrate and acceptable overnight on-street parking stress noting over 100 parking spaces remain available in the vicinity of the site across both nights. Moreover, the neighbouring resident provided videos of Cornwallis Road over three days in August showing the parking provision. These videos were taken in the day and show large numbers of cars parking along Cornwallis Road. Notwithstanding, noting Phase 1A and 1B of Kingsley Halls redevelopment consist of a community centre and nursery and taking into consideration the sites close proximity to a district centre, officers accept that there will be higher levels of parking stress in the vicinity of the site during the day due to the activity and nature of businesses in the surrounding area. However, as detailed in section 5.5 and 5.8 of this report the proposed development will provide 19 off-streetcar parking spaces for use by the new residents only. Likewise, given the sites close proximity to public transport links and the unit mix officers are confident that the proposal will not have an unacceptable impact on-street parking amenity in the vicinity of the site. Having taken into consideration neighbour concerns and in light of evidence provided by the applicant and parking provision proposed officers consider the proposal to have an acceptable impact on parking amenity,

5.10 Overall, whilst it is accepted that the development underprovides on on-site parking. Given the proposed unit mix, proximity to public transport links and low overnight parking stress in the vicinity of the site, officers consider the proposed development to have an acceptable impact on on-street parking amenity and the highway. On balance the proposal is considered acceptable and in keeping with the development policies.

5.11 Notwithstanding, an obligation is recommended to car parking permit free to restrict residents from obtaining parking permits for any controlled parking zone (CPZ) should they be introduced in the future. Likewise, it is recommended that 2 conditions are attached to this proposal. 1. Requiring details of all electric vehicle charging points to be submitted and secondly for disabled car parking to be implemented and marked out in accordance with the submitted Ground Floor/ Site Plan [Revision P5] dated 29.10.2021 prior to first occupation.

5.12 Cycle Parking

5.13 Policy T5 of the London plan and policy DTM3 of the draft local plan seeks to ensure proposals help remove barriers to cycling and create a healthy environment in which people choose to cycle. Table 10.2 in policy T5 states that 1 bedroom, 2 person dwellings should provide 1.5 long stay cycle storage spaces per dwelling and 2 + bedroom dwellings are required to provide 2 long stay cycle storage spaces for each dwelling. In addition, development which seek to provide between 5 and 40 dwellings should provide a minimum of 2 short stay cycle storage space. In accordance with these policies the development should provide 70.5 long stay spaces and 2 short stay spaces.

5.14 The applicant states “cycle parking provision will accord with the minimum requirements of Table 10.2 of the London Plan 2021 for each land use, which for residential use is a minimum of 1.5 per 1 bed and 2 per 2 bed and above plus 1 short stay space per 40 units. There will be a minimum requirement of 71 residential cycle parking spaces plus 2 visitor spaces (5 to 40 units minimum 2 spaces), totalling 73 cycle spaces, all provided in secure and covered stores on-site”.

5.15 The proposed parking provision will meet the requirements of policy T5 of the London Plan. Likewise, all spaces will be provided within a covered and secure store which officers consider to be acceptable. The transport officer was consulted who agreed with officer’s position. They noted that the proposed provision would be acceptable, however, the cycle storage provision must be implemented prior to occupation of the development. It is recommended that this is conditioned. Overall, the proposed cycle parking provision is considered acceptable and in keeping with the development policies.

5.16 Trips Generated

5.17 The application is accompanied by a transport statement. The transport officer was consulted who stated, “We are satisfied the overall trip generation for the proposed church, community uses, and residential development presented within the TS document is sufficiently robust and therefore, the traffic impact on the local roads will generate a negligible increase in the total number of trips to and from the site and will have an immaterial impact”. Officers agree with this position as such they consider the proposal to have an acceptable impact on the trips to and from the site. As such, it is considered acceptable and in keeping with the development policies.

5.18 Highways Works

5.19 The transport officer was consulted who stated “highway works will be required to Parsloes Avenue, Cornwallis Road and Hobart Road to achieve the vehicle access and egress strategy. Similarly, all redundant dropped kerbs need to be reinstated to footway and a new cross over implemented. The applicant will therefore have to enter into a s.278 highways agreement prior to first commencement. All costs associated with the highway works shall be paid by the applicant”. An ‘in-principal plan’ drawing number 9021/30 Proposed Highway Works [Revision P5] dated October 2021 was provided by the applicant which details the extent of the proposed works to be carried out. It is recommended this is secured by planning obligation.

5.20 Other Matters

5.21 The transport officer was consulted who recommended that a construction logistics plan is provided prior to commencement of the development to indicate the step taken to limit the impact of construction and demolition on the highway. It is recommended that this is conditioned.

- 5.22 Similarly, the transport officers noted all relevant licences must be obtained prior to commencement of any construction activities. It is recommended that this too is conditioned
- 5.23 No doors, windows, gates or openings shall open out over the highway. This will be included as an informative.
- 5.24 **Summary**
- 5.25 Overall, taking into consideration the points raised above and subject to the imposition of conditions and obligations, officers consider the proposal to have an acceptable impact on the highway, parking amenity and support the use of more sustainable modes of transport. As such, the proposal is considered to be acceptable and in keeping with the development policies.

6.0 Meeting the Needs of Local Residents:

6.1 Employment and Skills

- 6.2 The proposed development will contribute to employment for residents within the borough. Officers 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. This will be secured by legal agreement.
- 6.3 An end user commitment is not being sought as the scheme is residential, hence, there are no employment opportunities for the end user.

6.4 Summary

- 6.5 Taking into consideration the points raised above and subject to the implementation of a planning obligation officers consider the proposal to be acceptable and in keeping with the development policies.

7.0 Impact to existing Education Provision:

- 7.1 The application proposes the delivery of 36 new homes, including 1 family unit. LBBB School Investment Team have provided comments on the application, summarised in Appendix 3 below.

8.0 Waste and Refuse Management:

- 8.1 The NPPF and policy SI7 of the London Plan outlines that waste planning authorities should encourage waste minimisation and waste prevention through the reuse of material and using fewer resources in the production and distribution of products. Likewise, developments should be designed with adequate, flexible, and easily accessible storage space and collection systems that support, as a minimum the separate collection of dry recyclables and food.
- 8.2 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 (Regulation 19) through Strategic Policy SP7 and Policy DMS18.
- 8.3 Two refuse stores have been proposed in close proximity to each building core. The applicant states "for 36 residential units to following are proposed:
- Bin Store 1:
- 4no 1100L euro bins for general refuse
 - 3no 1100L euro bins for mixed recycling
 - 2no 1100L euro bins for cardboard
- Bin Store 2

3no 1100L euro bins for general refuse
 2no 1100L euro bins for mixed recycling
 1no 1100L euro bins for cardboard”

8.4 The refuse and waste officer were consulted who stated, “the refuse provisions of 7 Euro bins for general refuse and 7 for Recycling across 3 bin stores is adequate and acceptable”. In addition, they state “It is recommended to provide data citing details of projected reuse and recycling of materials during the demolition and construction phase. The refuse provisions of 7 Euro bins for general refuse and 7 for Recycling across 3 bin stores is adequate and acceptable. The bin pull path must be step free and have durable surface with 2 metres clearance throughout from the store to the collection point. I understand the bin pull distance from the stores to the RCV collection point to be under 10 metres due to the proximity of the main roads as seen in the drawings. It is recommended to have a receptacle facility for refuse as well as recycling internally in all proposed new dwellings around the kitchen area”. Taking these comments into consideration officers consider the proposed refuse and waste management of the proposal to be acceptable and in keeping with the development policies. Notwithstanding it is recommended that a condition is attached to this application requiring bin stores to be implemented prior to first occupation. Likewise, additional comments provided by the waste officer regarding bin pull distance and receptacle facilities are added as an informative.

8.5 **Summary**

8.6 Taking into consideration the points raised above and subject to the imposition of conditions and informative, officers consider the proposed refuse and waste strategy to be acceptable and in keeping with the development policies.

9.0 Delivering Sustainable Development (Energy / CO2 reduction / Water efficiency):	
<i>BREEAM Rating</i>	N/A
<i>Renewable Energy Source / %</i>	45kWp Solar PV
<i>Proposed CO₂ Reduction</i>	35.05%

9.1 The NPPF emphasises at paragraph 152 that the planning system should support the transition to a low carbon future in a changing climate and should help to shape places that contribute to radical reductions in greenhouse gas emissions, and encourage the reuse of existing resources, including the conversion of existing buildings.

9.2 The Mayor of London has set ambitious targets for London to be net zero-carbon. London Plan Policy SI2 ‘minimising greenhouse gas emissions’ directs that major development should be net zero-carbon, through reducing greenhouse gas emissions in accordance with the be lean, be clean, be green, be seen hierarchy. The policy requires a minimum on-site reduction of at least 35% beyond Building Regulations for major development. Residential development should achieve 10 per cent, and non-residential development should achieve 15 per cent through energy efficiency measures. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough. Policy SI 3 states that major development proposals within Heat Network Priority Areas should have a low-temperature heating system. The heat source for the communal heating system should be selected in accordance with the following heating hierarchy: a) connect to local existing or planned heat networks b) use zero-emission or local secondary heat sources (in conjunction with heat pump, if required) c) use low-emission combined heat and power (CHP) (only where there is a case for CHP to enable the delivery of an area-wide heat network, meet the development’s electricity demand and provide demand response to the local electricity network) d) use ultra-low NOx gas boilers. Policy SI4 sets policies to minimise adverse impacts on the urban heat island and requires major development proposals to demonstrate through an energy strategic how they will reduce potential for internal overheating, following a cooling hierarchy.

9.3 Policy CR1 of the Core Strategy sets out measures to address the causes and potential impacts of climate change, requiring all new development to meet high environmental buildings standards and encourage low and zero carbon developments. Policy BR2 ‘Energy and on-site renewables of the Borough Wide Development Policies DPD outlines the expectations for significant carbon reduction targets to be achieved. Draft Local Plan Policy DMSI2 ‘Energy, heat and carbon emissions’ sets out

the Council's expectations for major development to contribute and where possible exceed the borough's target of becoming carbon neutral by 2050 by maximising potential carbon reduction on-site and demonstrating the achievement of net zero carbon buildings. The policy also prioritises decentralised energy and sets an expectation for development proposals to connect to any existing or planned low carbon district energy networks.

9.4 The application is accompanied by an Energy Statement which confirms how the development implements the sequential energy hierarchy set out in policy SI2 of the London Plan. The development proposes sustainable design principles and optimum design of the buildings fabric and form are proposed ('Be Lean'), Combined Heating Power (CHP) ('Be Clean') and 45 kWp PV Solar panels ('Be Green'). This is considered to provide an on-site carbon reduction of 35.05% which is in keeping with development policies. A condition is recommended to ensure the renewable energy infrastructure (PVs), delivering a minimum 35.05% reduction in CO2 emissions over Part L of the Building Regulations 2013 is implemented prior to first occupation of the dwellings.

9.5 Officers note policy SI3 of the London Plan set out the heating system hierarchy development need to follow (Be Clean). This policy states "major development proposals within Heat Network Priority Areas should have a communal low-temperature heating system: the heat source for the communal heating system should be selected in accordance with the following heating hierarchy- (1) connect to local existing or planned heat networks (2) use zero-emission or local secondary heat sources (in conjunction with heat pump, if required) (3) use low-emission combined heat and power (CHP) (only where there is a case for CHP to enable the delivery of an area-wide heat network, meet the development's electricity demand and provide demand response to the local electricity network) (4) use ultra-low NOx gas boilers".

9.6 The submitted energy statement confirms how the development implements this heating system hierarchy. The assessment details that "there are no district heating schemes nearby the proposed development at present. In addition, there are no plans in the near future for the commissioning of a district heating scheme in the area". As such it is clear the option of connecting to a local existing or planned heat network is not possible. Hence, option 2 has been explored. In exploring option 2 it was found "the development could incorporate Combined Heat and Power (CHP) engines as part of a decentralised energy concept". Therefore, CHP has been proposed for site ('Be Clean') which officers consider to be acceptable.

9.7 The development will achieve a 35.05% on site carbon reduction which marginally exceeds the 35% minimum set out by the London Plan. This will be secured by condition. To achieve zero-carbon on the residential element, 23.6 tonnes per annum of regulated CO2 (equivalent to 708 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 of £42,489 will be secured as part of the S106 Agreement. Likewise, a condition requiring the development to be constructed in accordance with the submitted documents to achieve a 35.05% on site carbon reduction will be placed on the proposal.

9.8 **Summary**

9.9 Taking into consideration the points raised above and subject to the implementation of conditions and obligations officers consider the proposal to deliver sustainable development. As such, the proposal is considered acceptable and in keeping with the development policies.

10.0 Biodiversity & Sustainable drainage:

10.1 Biodiversity and Ecology

10.2 The NPPF states that planning systems should minimise impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Policy G6 of the London Plan requires new developments to make a positive contribution to the protection, enhancement, creation and management of biodiversity wherever possible. Policy D8 encourages the incorporation of green infrastructure to the public realm to support rainwater management. 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 (Regulation 19 stage). Emerging

policy DMNE2 of the draft local plan supports developments that maximise opportunities for urban greening; policy DMNE3 of the draft local plan seeks to enhance nature conservation and biodiversity within scheme.

- 10.3 The application is accompanied by a bat survey prepared by KB Ecology dated 29.06.202. This assessment confirms that there were no active birds nest an no bats or signs of bats found during the internal/external inspection of the building. Hence, officers are confident that the demolition of the exiting building will not result in unacceptable loss of existing ecology. Notwithstanding, it is recommended that should this application be approved a condition is placed on the scheme requiring demolition and hedge clearance to take place outside of the bird breeding season. Likewise, a condition requiring a dusk emergence or dawn re-entry survey to be carried out prior to first commencement to ensure that no bats are present on site.
- 10.4 Further, the site is of low ecological value and its biodiversity will need to be enhanced through proposed tree planting and landscaping to be provided within the development. It is recommended that a condition is placed on this application securing details of hard and soft landscaping to demonstrate how the site will enhance the quality of biodiversity.
- 10.5 **Sustainable Drainage**
- 10.6 The NPPF states that new development should be planned for in ways that avoid increased vulnerability to the impacts arising from climate change, and highlights at paragraph 167 that inappropriate development in areas at risk of flooding should be avoided, and that where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
- 10.7 London Plan policy SI13 states that development proposals should aim to achieve greenfield runoff rates and ensure that surface water run-off is managed as close to the source as possible. Drainage should be designed and implemented to promote benefits including urban greening, improved water quality and water efficiency. Policies CR4 and BR4 of the Core Strategy and Borough Wide Policies and Policy DMSI6 of the emerging Local plan (Regulation 19 stage), set out the local policy position.
- 10.8 The application is accompanied by a SuDs Statement and Drainage Strategy prepared by EAS and dated June 2021. The Councils flood risk manager who stated that “whilst they consider there to be a lack of SuDs GI within the proposal, they acknowledge that there is limited opportunity within the development. Therefore, the design is acceptable subject to conditions requiring the development to be implemented in accordance to the approved details and sustainable drainage works being carried out prior to first occupation and thereafter permanently retained”. It is recommended that these matters are conditioned. Likewise, should this application be recommended for approval it is recommended that a condition securing water efficiency is attached to the application.
- 10.9 Further, Thames Water was consulted who advised a condition relating to piling method statement and informative relating to groundwater risk management plan is attached to this application. Officers note these will be conditioned and added as an informative.
- 10.10 **Summary**
- 10.11 Taking into consideration the points raised above and subject to the implementation of conditions officers consider the proposal to have an acceptable impact on biodiversity and sustainable drainage. The proposal is considered acceptable and in keeping with the development policies.

Conclusions:

The redevelopment of the site to provide a residential development is acceptable in principle and would contribute to the Borough’s housing stock through the provision of 36 high quality units which are compliant with relevant standards.

The scale, sitting 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 existing and future neighbouring occupiers.

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 impact on 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 legal agreement, as listed in Appendix 5 and Appendix 6.

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:	
<i>National Planning Policy Framework (NPPF) (MHCLG, July 2021)</i>	
<i>London Plan (March 2021)</i>	Policy GG1 Building strong and Inclusive Communities Policy GG4 Delivering the homes Londoners Need Policy H1 Increasing Housing Supply Policy H2 Small Sites Policy GG2 Making the best use of land Policy D2 Infrastructure requirements for sustainable densities Policy D3 Optimising site capacity through the design-led approach Policy H10 Housing Size Mix Policy H4 Delivering Affordable housing Policy H5 Threshold Approach to Applications Policy H6 Affordable Housing Tenure Policy D6 Housing Quality and Standards Policy D4 Delivering Good Design Policy D5 Inclusive Design Policy S4 Play and Informal Recreation Policy D7 Accessible Housing Policy D1 London's form, character and capacity for growth Policy D3 Optimising site capacity through the design-led approach Policy D8 Public Realm Policy HC1 Heritage conservation and growth Policy GG3 Creating a healthy city Policy D14 Noise Policy S11 Improving Air Quality Policy SI10 Aggregates Policy T6.1 Residential Parking Policy T5 Cycling Policy SI7 Reducing waste and supporting the circular economy Policy SI12 Flood Risk Management Policy SI13 Sustainable Drainage Policy SI4 Managing Heat Risk Policy SI2 Energy Infrastructure Policy D8 Public Realm Policy G6 Biodiversity and access to nature
<i>Local Development Framework (LDF) Core Strategy (July 2010)</i>	Policy CC2 Social Infrastructure to Meet Community Needs Policy CM1 General Principles for Development Policy CM2 Managing Housing Growth Policy CC1 Family Housing Policy CP3 High Quality Built Environment Policy CP2 Protecting and Promoting our Historic Environment Policy CR1 Climate Change and Environmental Management Policy CR3 Sustainable Waste Management Policy CR2 Preserving and Enhancing the Natural

	Environment Policy CR4 Flood Management
<i>Local Development Framework (LDF) Borough Wide Development Plan Document (DPD) (March 2011)</i>	Policy BC6 Loss of Community Facilities Policy BP5 External Amenity Space Policy BP11 Urban Design Policy BP2 Conservation Areas and Listed Buildings Policy BP3 Archaeology Policy BP8 Protecting Residential Amenity Policy BR5 Contaminated Land Policy BR9 Parking Policy BR10 Sustainable Transport Policy BR11 Walking and Cycling Policy BR15 Sustainable Waste Management Policy BR2 Energy and On-Site Renewables Policy BR3 Greening the Urban Environment Policy BR4 Water Resource Management
<i>The London Borough of Barking and Dagenham's Draft Local Plan: (Regulation 19 Consultation Version, October 2021) 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.</i>	
<i>The London Borough of Barking and Dagenham's Draft Local Plan: (Regulation 19 Consultation Version, October 2021)</i>	Policy DMS1 Protecting and enhancing existing facilities Policy SPDG1 Delivering growth in Barking and Dagenham Policy SP3 Delivering homes that meet peoples' needs Policy SP2 Delivering a high-quality and resilient built environment Policy DMH2 Housing mix Policy DMH1 Affordable housing Policy DMH3 Specialist housing Policy DMNE1 Parks, open spaces and play space Policy DMD1 Securing high-quality design Policy DMD4 Heritage assets and archaeological remains Policy DMSI3 Nuisance Policy DMSI4 Air quality Policy DMSI5 Land contamination Policy DMT2 Car parking Policy DMT3 Cycle parking Policy SP7 Securing a clean, green and sustainable borough Policy DMSI8 Demolition, construction and operational waste Policy DMSI2 Energy, heat and carbon emissions Policy DMNE2 Urban greening Policy DMNE3 : Nature conservation and biodiversity Policy DMSI6 Flood risk and defences
<i>Supplementary Planning Documents</i>	DCLG Technical Housing Standards (nationally described space standard) (DCLG, March 2015) (as amended) Housing Supplementary Planning Guidance (GLA, March 2016, Updated August 2017)

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>	16/01518/OUT	<i>Status:</i>	Application Approved
<i>Description:</i>	<p><i>Hybrid (part full/part outline) application for the phased comprehensive redevelopment of the site for a new church and community centre, nursery school facilities, and workshop/life skills centre within a floor area of approximately 1656 sqm (Use Class D1)/D2) incorporating the retention and restoration of the main part of the locally listed Sunshine Building; provision of 38 residential units comprising 6 x 2 bedroom keyworker accommodation and 32 x 1 and 2 bedroom units (Use Class C3); car parking and associated means of access; landscaping, service infrastructure and other associated works and improvements; Full planning permission is sought under Phase 1 for the demolition of all buildings on the site, apart from the main element of the Sunshine Building; erection of a 2/3 storey building comprising replacement church, community centre and nursery (Use Class D1/D2), and 6 x 2 bedroom keyworker units (Use Class C3); restoration of and extension to the Sunshine Building for continued nursery school provision (Use Class D1) resulting in a total non-residential floor area of 1521 sqm; and provision of car park and associated means of access; provision of temporary car park and access pending completion of works; landscaping and provision of art screen. Outline planning permission (with all matters reserved apart from access) is sought for 32 x 1- and 2-bedroom dwellings within part 3 and part 4 storey buildings (Use Class C3) and provision of a workshop/life skills training centre (Use Class D1/D2) with a floor area of approximately 135 sqm, with means of access, car parking, landscaping and associated works.</i></p>		
<i>Application Number:</i>	17/01291/NMA	<i>Status:</i>	Application Approved
<i>Description:</i>	<p><i>Application for non-material amendment following grant of planning permission 16/001518/OUT (amendment to various conditions in order to enable Phase 1 of the development to be implemented in two sub-phases, and minor alterations to elevations).</i></p>		
<i>Application Number:</i>	19/01660/FUL	<i>Status:</i>	Application Approved
<i>Description:</i>	<p><i>Refurbishment of the existing community centre and erection of a two-storey building to provide additional community facilities (Use Class D1/D2); retention of refurbished Sunshine Building, 4 no. keyworker flats and additional nursery facilities as provided under Phase 1A of planning permission 16/01518/OUT (as amended under non-material amendment 17/01291/NMA); and associated works and landscaping.</i></p>		

Appendix 3:

The following consultations have been undertaken:

- Environmental Health Officer
- Access Officer
- LBBB Highways
- Design Out Crime
- Transport Development Officer
- Historic England (Archaeology)
- Thames Water
- London Fire Brigade (Water Team)
- London Fire Brigade (LFEPA Fire Safety)
- Essex and Suffolk Waster Company
- LBBB Flood Risk Manager
- LBBB Refuse Services
- LBBB Safety, Community and Public Protection
- LBBB Trees
- LBBB Parks, Allotments and Cemeteries
- LBBB Leisure, Parks and Heritage
- LBBB Housing Strategy
- LBBB Employment and Skills
- LBBB Public Health
- LBBB Social Care
- LBBB Heritage and Culture
- LBBB Schools and Education
- Cllr Akwaboah (Parsloes)
- Cllr Kangethe (Parsloes)
- Cllr Rice (Parsloes)

Summary of Consultation responses:		
Consultee and date received	Summary of Comments	Officer Comments
LBBB Waste and Refuse Dated 14.09.2021	<p>It is recommended to provide data citing details of projected reuse and recycling of materials during the demolition and construction phase.</p> <p>The refuse provisions of 7 Euro bins for General refuse and 7 for Recycling across 3 bin stores is adequate and acceptable.</p> <p>The bin pull path must be step free and have durable surface with 2 metres clearance throughout from the store to the collection point.</p> <p>I understand the bin pull distance from the stores to the RCV collection point to be under 10 metres due to the proximity of the main roads as seen in the drawings.</p> <p>It is recommended to have a receptacle facility for refuse as well as recycling internally in all proposed new dwellings around the kitchen area.</p>	<p>Issues relating to waste and refuse are assessed in section 8.0 of this report.</p> <p>A condition has been attached requiring refuse provision to be implemented prior to first occupation. All other observations have been added as an informative.</p>

LBBB School Investment Dated 13.09.2021	I note the intention to create new homes in the locality and this will have an impact on the local schools. It would be beneficial if the Council collected some CIL funding and part of that could be directed to support improvements at local schools to create improved learning opportunities. We would estimate that once fully mature such development could generate 20 pupils of school age and would wish to provide improved learning opportunities at the local primary school in particular, but also some opportunity for children who have additional educational needs.	The comments are noted. Officers advise that CIL funding will be collected as part of the proposal as the development will result in the creation of more than 100sqm of new floor space and creates new dwellings.
LBBB Flood Risk Manager dated 09.09.2021	We are disappointed by the lack of SuDS GI within the proposal however we acknowledge that there is limited opportunity within the development. The design is acceptable subject to the following conditions: Conditions: <ol style="list-style-type: none"> 1. <i>'The development shall only be implemented in accordance with the approved details.'</i> 2. <i>'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.'</i> We have no further comments to make.	Issues relating to flood risk are assessed in section 10.5-10.8 of this report. The two conditions recommended have been attached to this proposal.
LBBB Employment and Skills Dated 03.09.2021	As this is predominantly a housing development, I would ask for the standard Employment and Skills targets to be set. I would expect the developer to create an Employment and Skills plan in line with policy and would be happy to discuss or amend if absolutely necessary.	Issues related to employment and skills are assessed in section 6.0 of this report. Employment skills plan has been secured by planning obligation.
LBBB Access Officer Dated 07.10.2021	I'm happy with the proposed.	Issues related to access are assessed in section 1.47 of this report.
Historic England (GLAAS)	The application is acceptable subject to the following conditions:	Issues relating to Archaeology are assessed in section 3.27 of this report.

<p>Dated 13.08.2021</p>	<ul style="list-style-type: none"> • Written Scheme of Investigation • Building Recording 	<p>Both recommended conditions have been attached to this application.</p>
<p>Design Out Crime Officer</p> <p>Dated 11.08.2021</p>	<p>The proposed development is acceptable subject to the imposition of a security condition</p>	<p>Issues relating to design out crime are assessed in section 1.36 of this report.</p> <p>The recommended condition has been attached to this application.</p>
<p>Thames Water</p> <p>Dated 11.08.2021</p>	<p>The following condition is recommended:</p> <ul style="list-style-type: none"> • Piling Method Statement <p>The following informative is recommended:</p> <ul style="list-style-type: none"> • Ground Water Risk Management Permit 	<p>Issues relating to water and drainage are assessed in section 10.5-10.9 of this report.</p> <p>The recommended condition and informative have been attached to this application.</p>
<p>Transport Development Officer</p> <p>Dated 16.09.2021</p>	<p>Car Parking and Access</p> <p>It is recommended that the following obligations are placed on the development:</p> <ul style="list-style-type: none"> • Parking permit free development • Applicant must enter into a s.278 Highways Agreement <p>As the roads here (especially Hobart Road) are extremely narrow with cars parked on either side of the road, there isn't much room for two cars to pass each other safely.</p> <p>We have asked the developers to provide us with swept path analysis of cars entering and exiting the new crossover from their development, however they have not considered cars which are allowed to park on opposite side of Hobart Road in their tracking images attached. Having had a discussion with our highways inspector, he mentioned there might not be much we can do and discussion with PED to improve the situation might be the only option.</p> <p>Crossover</p> <p>The dropped kerb serving the development from Hobart Road and Parsloes Avenue will become redundant with the proposal and will therefore need to be reinstated to footway.</p> <p>New crossover is also proposed within the proposal. Applicant should arrange a highways agreement with the council to do any works on the public highway (s278) and all the costs associated with the highway works shall be paid by the applicant.</p>	<p>Issues relating to transport are assessed in section 5.0 of this report.</p> <p>The recommended cycle parking and construction condition and informative have been attached to this application.</p> <p>The recommended planning obligations have been attached to this application. Regarding comments made about access to the site and highway safety. Officers consider these to fall outside the red line boundary of the site and therefore these can be addressed latterly as part of the s.278 highways agreement.</p>

Cycle Parking

According to the Local Plan POLICY DMT 3 and The London plan 2021, this development requires a minimum of 68 cycle parking spaces. The cycle parking space must be safe and easily accessible.

The cycle parking spaces should be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards, this means;

- access for residents only, and with stands/racks allowing both the frame and at least one wheel to be secured
- Well located close to the entrance of the property and avoiding obstacles such as stairs, multiple doors, narrow doorways (less than 1.2 metres wide) and tight corners
- Covered
- Fully accessible, for parking all types of cycle
- Managed, where possible, in order for access to be administered and to provide ongoing maintenance

Applicant has proposed that there will be a minimum requirement of 68 residential cycle parking spaces plus 2 visitor spaces, totalling 70 cycle spaces, all provided in secure and covered stores on-site. In fact, 80 cycle spaces will be provided.

This is acceptable and must be conditioned so that it will be implemented prior to the occupation of the development.

In order to promote alternative, sustainable forms of transport, in accordance with The Local Plan POLICY DMT 3 and The London Plan 2021 policy T5.

Trip Generation and impact

We are satisfied the overall trip generation for the proposed church,

community uses, and residential development presented within the TS document is sufficiently robust and therefore, the traffic impact on the local roads will generate a negligible increase in the total number of trips to and from the site and will have an immaterial impact.

Construction

Prior to commencement of the development, a CLP in line with the TfL guidelines shall be submitted to and approved in writing by the Council. The details shall include the numbers, size and routes of construction vehicles, provisions within/around the site to ensure that all vehicles associated with the construction works are properly managed to prevent any unwanted disruption to other highway users, and other matters relating to traffic management to be agreed with the licencing officers of the council. Approved details shall be implemented throughout the project period and any changes to the document must be reported back to the council's planning and highways department.

Reason: To ensure that appropriate steps are taken to limit the impact of the proposed demolition and construction works on the operation of the public highway, the amenities of local residents and the area generally in accordance with Policy DMT 4 of The Local Plan.

Applicant must obtain all the relevant licences prior to the commencement of any construction activities. This includes skip permits, material licences, scaffolding and hoarding licences etc. There may need to be an agreement between the Council and developer to cover any incidental damages to the highway, as a result of the passage of demolition and construction lorries and plant along these public roads. Applicant should apply for relevant licences through the link below.

Licence to place objects or structures on a highway | LBBD

Door and Gates

The applicant should ensure that no doors, windows, gates or other openings

	open out over the public highway contrary to section 153 of the Highways Act 1980.	
London Fire Brigade Dated 14.09.2021	I can confirm no additional hydrants are required and no further action is required by our office. We are happy for the works at this site to go ahead as planned	The comments are noted

Appendix 4:

Neighbour Notification:	
Date Site Notice Erected:	08.09.2021
Date of Press Advertisement:	11.08.2021
Number of neighbouring properties consulted:	722
Number of responses:	3
Address:	Summary of response:
<i>4 Cornwallis Road</i>	<ul style="list-style-type: none"> • Loss of privacy • Parking • Highway safety • Traffic • Noise/Light Pollution • Layout and density of building • Design, appearance and materials • Proposals in the Borough's Development Plan, Government and local Policies
<i>8 Cornwallis Road</i>	I'm saying I'm against it we already struggle for parking on Cornwallis Road and with more flats there will be less parking from new homeowners and builders.
<i>Anonymous Objection</i>	<p>Kingsley Hall should not be replaced by residential units of which there are already too many being built in Barking & Dagenham on sites that are not suitable & making an already overcrowded area which has become unsightly even more so. This building was meant to be a community hall for people to improve the standard of living for them such as the elderly, disabled and others who are otherwise neglected to be able to meet and give them a place to go to.</p> <p>The hall was meant to give a meaning to their lives, looking forward to seeing friends they have made there and it is important that it remains as such. Don't take this away from these people and other needy users in the future. I know it all comes down to money to be made again, but we should have learnt a lesson in the past of almost 20 months on lockdown to be more benevolent and look after the more vulnerable. That means not taking places away like Kingsley where it is a meeting place for various clubs, coffee mornings, sports ,Christmas dinners & many other purposes. I do believe that peoples ashes are buried there often by partners who met there in their younger days. It is cruelty to destroy this place. Leave it be please. There is</p>

also great problems with traffic, not enough parking for tenants & visitors, buses (standing room only when they arrive with the area already so crowded) lack of doctors, schools, teachers, extra bin collections, more rubbish in streets, noise, rowdiness - the list is endless. This is definitely not a suitable place for more houses. Kingsley was owned by the Church = perhaps a more Christian thought for neighbours is needed.

Officer Summary:

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

Appendix 5:

Conditions & Informatives:

Conditions:

1. Time Limit

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. Approved Drawings

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

- 9021/22 Proposed Elevations Sheet 1 of 2 [Revision P3] dated 27.10.2021
- 9021/23 Proposed Elevations Sheet 2 of 2 [Revision P2] dated 30.09.2021
- 9021/13 Proposed Roof Plan [Revision P2] dated 30.09.2021
- 9021/12 Proposed Third Floor Plan [Revision P2] dated 30.09.2021
- 9021/11 Proposed First and Second Floor Plan [Revision P2] dated 30.09.2021
- 9021/10 Proposed Ground Floor/ Site Plan [Revision P5] dated 29.10.2021
- 9021/01 Site Location Plan [Revision P1] Dated 29.06.2021
- Transport Statement dated June 2021
- Energy Statement [Revision 01] dated 30.06.2021
- SuDs Statement and Drainage Strategy [Revision A] dated 01.07.2021
- Noise Impact Assessment Technical Note dated 03.08.2021
- Transport Statement Addendum dated 01.10.2021
- Design and Access Statement [Issue 2] dated September 2021
-

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. Programme of Archaeological Works

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

- A) The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- B) The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. this part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Reason: To safeguard the archaeological interest on this site in accordance with paragraph 205 of the NPPF

4. Programme of Building Recording

No demolition shall take place until a written scheme of historic building investigation (WSI) has been submitted to and approved by the local planning authority in writing. For buildings that are included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

- A) The programme and methodology of historic building investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- B) The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: Built heritage assets on this site will be affected by the development. The planning authority wishes to secure building recording in line with NPPF, and publication of results, in accordance with Section 12 of the NPPF.

5. Land Contamination

No development shall commence until:

(a) an investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to human health; property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments; and
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

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

(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 in accordance with policy BR5 of the Borough Wide Development Policies Development Plan Document and policy SI10 of the London Plan

6. Construction Environmental Management and Site Waste Management (details to be submitted)

No development shall commence, including any works of demolition, 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.

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.

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

Reason: The CEMP and SWMP are required prior to commencement of development in order to reduce the environmental impact of the construction and the impact on the amenities of neighbouring residents, and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

7. Construction Logistics Plan

Prior to commencement of the development, a CLP in line with the TfL guidelines shall be submitted to and approved in writing by the Council. The details shall include the numbers, size and routes of construction vehicles, provisions within/around the site to ensure that all vehicles associated with the construction works are properly managed to prevent any unwanted disruption to other highway users, and other matters relating to traffic management to be agreed with the licencing officers of the council. Approved details shall be implemented throughout the project period and any changes to the document must be reported back to the council's planning and highways department.

Reason: To ensure that appropriate steps are taken to limit the impact of the proposed demolition and construction works on the operation of the public highway, the amenities of local residents and the area generally in accordance with Policy DMT 4 of The Local Plan.

8. Bat Survey

Prior to commencement of the development:

- (a) a dusk emergence (or dawn re-entry) bat survey shall be submitted to and approved in writing by the local planning authority. The survey shall identify if bats are present on site.
- (b) Should bats be present, a mitigation strategy including details of roost replacement and working methodology to ensure no bats are injured shall be prepared and submitted to the local planning authority for written approval.
- (c) A bat licence will need to be acquired prior to the demolition commencing.

Reason: The survey is required prior to commencement of the development to protect the ecology of the area as bats may be present on the site.

9. Traffic and Parking Management Measures

Prior to commencement of the development a vehicle access and egress strategy including details on how the proposed layout can accommodate each vehicle type expected at the site, traffic and parking management measures that may be necessary, detailed design for access to and from the car parking and swept path analysis and turning circles shall be submitted to and approved in writing by the Local Planning Authority. The approved strategy shall be implemented prior to first occupation and retained for the lifetime of the development.

Reason: In the interest of highway safety

10. Lighting

No above ground development shall commence until a scheme 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 the interests of security and safety, to avoid light pollution and safeguard neighbouring amenity and in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document.

11. Materials

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.

Reason: To protect and enhance the character and amenity of the area in accordance with policies D1, D4 and D8 of the London Plan and policy and BP11 of the Borough Wide Development Policies Development Plan Document.

12. Hard and Soft Landscaping

No above ground new development shall commence until detailed soft and hard landscaping 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.

The approved scheme shall be carried out prior to the occupation or use of the development and thereafter permanently retained.

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.

13. Fire Safety Strategy/Statement

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.

14. Overheating

No above ground new development shall commence until a detailed overheating analysis assessment and overheating mitigation strategy is submitted and approved in writing by the Local Planning Authority. Once approved the strategy shall be implemented and permanently retained thereafter.

Reason: To protect the amenity of residents.

15. Electric Vehicle Charging Points Details

Prior to first occupation of the site, details of the FOUR (4) Electric Vehicle Charging Points detailed in the Transport Statement Addendum dated 01.10.2021 including a drawing showing their location shall be submitted to and approved in writing by the Local Planning Authority. 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. Scheme of Acoustic Protection

Prior to first occupation, 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.

Additionally, where the internal noise levels will exceed 40 dB LAeq in living rooms and bedrooms (07:00 hours to 23:00 hours) or 35dB LAeq in bedrooms (23:00 hours to 07:00 hours) with windows open the scheme of acoustic protection shall incorporate a ventilator system which is commensurate with the performance specification set out in Schedule 1 (paragraphs 6 and 7) of The Noise Insulation Regulations 1975 (as amended). 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 and in accordance with policy BR13 of the Borough Wide Development Policies Development Plan Document and policy D14 of the London Plan.

17. Sustainable Drainage

Prior to first occupation, the development hereby approved the surface drainage works shall be implemented in accordance with drawing number DR-001 Proposed Surface and Foul Water Drainage Layout dated 01.07.2021; 2828/2021 SuDs Statement and Drainage Strategy [Revision A] dated 01.07.2021 and SD-001 Typical Drainage Construction Details dated 01.07.2021. The sustainable urban drainage system shall thereafter be managed and maintained in accordance with the agreed management and maintenance plan.

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

18. Waste and Refuse Storage

Prior to first occupation, the bin stores shown on drawing number 9021/10 Proposed Ground Floor/ Site Plan [Revision P5] dated 29.10.2021 shall be implemented and thereafter retained for the lifetime of the development.

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

19. Cycle Storage

Prior to first occupation, the 73 cycle storage spaces shown on 9021/10 Proposed Ground Floor/ Site Plan [Revision P5] dated 29.10.2021 dated 30.09.2021 and detailed in the submitted Transport Statement dated June 2021 shall be implemented and thereafter retained for the lifetime of the development.

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

20. Boundary Treatment

Prior to first occupation or use a plan indicating the position, design, materials, and type of boundary treatment to be erected must be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved boundary treatment has been provided. The approved boundary treatment shall be retained unless the Local Planning Authority gives prior written approval for its removal.

Reason: To ensure the boundary treatment protects or enhances the character and amenity of the area in accordance with policies D1, D4 and D8 of the London Plan and policy and BP11 of the Borough Wide Development Policies Development Plan Document.

21. Energy and Sustainability

Prior to first occupation the development hereby permitted shall be carried out in accordance with the submitted Energy Statement [Revision 01] dated 30.06.2021 to achieve a minimum 35.05% reduction in carbon dioxide emissions over Part L of the Building Regulations (2013).

Reason: In the interests of safeguarding the environment and providing sustainable development and to ensure measures are implemented to reduce carbon emissions.

22. Play Space Implementation

Prior to the first occupation details of child play associated equipment shall be submitted to and approved in writing by the Local Planning Authority. The child play space shown on drawing number 9021/10 Proposed Ground Floor/ Site Plan [Revision P5] dated 29.10.2021 and approved associated equipment shall be implemented prior to first use of the site and permanently retained thereafter.

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

23. M4(2) Accessible Units

Prior to first occupation of the site 90% of the residential units hereby approved shall conform to the requirements of Category M4(2) ['Accessible and Adaptable Dwellings'] of Schedule 1 to the Building Regulations 2010 (HM Government 2015).

Reason: To ensure the accessibility of the residential dwellings hereby approved and in accordance with policy D7 of the London Plan

24. M4(3) Accessible Units

Prior to first occupation of the site 10% of the residential units hereby approved and shown on drawing 9021/30 M4(3) Flat Locations dated October 2021 shall conform to the requirements of Category M4(3) ['Wheelchair User Dwellings'] of Schedule 1 to the Building Regulations 2010 (HM Government 2015).

Reason: To ensure the accessibility of the residential dwellings hereby approved and in accordance with policy D7 of the London Plan

25. Design Out Crime

The proposed development shall achieve a Certificate of Compliance in respect of the Secured by Design scheme, 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: To ensure safe and secure development and reduce crime.

26. 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.

27. Nesting Bird Survey

No demolition or hedge clearance shall take place between March and August inclusive without a nesting bird survey being carried out by a qualified ecologist no more than 48 hours prior to works commencing.

If nesting birds are found works must be delayed until the young have fledged. A strategy should be agreed with the Local Planning Authority to ensure the nesting birds are not disturbed by works taking place on the site.

Reason: The survey is required prior to commencement of the development to protect the ecology of the area as nesting birds may be present on the site.

28. 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.

29. Disabled Car Parking

The proposed blue badge car parking spaces shown on drawing number 9021/10 Proposed Ground Floor/ Site Plan [Revision P5] dated 29.10.2021 shall be constructed and marked out prior to the first occupation of each relevant phase as accessible parking bays (to be clearly marked with a British Standard disabled symbol). The spaces must be retained as disabled car parking spaces and not used for any other use.

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.

30. Renewable Energy

The development hereby permitted will ensure the renewable energy infrastructure will be carried out in accordance with document Energy Statement [Revision 01] dated 30.06.2021 delivering a 35.05% 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.

31. Air Quality

Certification confirming compliance with the approved air quality technical note prepared by Ensafe and dated October 2021 shall be submitted and approved by the Council post completion of the development. Should the completed development result in being air quality neutral or exceeds the offsetting contribution payment as noted in the approved document a revised contribution will be required and where appropriate shall be subject to the off-setting contribution payment at the rate of £29k per tonne of NOx (or the equivalent figure at the time of reassessment) over the benchmark (or the equivalent figure at the time of reassessment).

Reason: In the interests of reducing air pollution.

Informatives:

1. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed online via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
2. Written schemes of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015
3. No doors, windows, gates or other openings open out over the public highway contrary to section 153 of the Highways Act 1980.
4. The bin pull path must be step free and have durable surface with 2 metres clearance throughout from the store to the collection point.
5. All dwellings should have a receptacle facility for refuse and recycling around the kitchen area.

Appendix 6:

s.106 Proposed Heads of Terms:

The proposed heads of terms to be secured through a Section 106 Legal Agreement (agreed between the Council and the Applicant) are set out below:

Administrative:

1. Payment of the Council's professional and legal costs, whether or not the deed completes;
2. Payment of the Council's fees of £7,500 in monitoring and implementing the Section 106 and payable on completion of the deed; and,
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. An early-stage affordable housing review is to occur in the event that the development is not implemented within two years of approval. This will include payment of the Council's reasonable costs associated with scrutiny of the viability submission.
5. A late-stage affordable housing review is to occur when 75% of the units in the scheme are sold or let.

Transport

6. With the exception of occupiers who qualify for blue badge/disabled parking, the developer will ensure the development is a car parking permit free development and future residents of the development will be restricted from obtaining parking permits for any Controlled Parking Zone (CPZ)
7. The applicant must enter into a section 278 (Highways Act 1980) agreement prior to first commencement of the development to undertake improvements to the surface treatments in the vicinity of the site and as shown on the 'in principle' drawing number 9021/30 Proposed Highway Works [Revision P5] dated October 2021. The developer must cover the cost of any works carried out to the public highway and changes to any transport management orders around the site.

Sustainability

8. On practical completion of the development, the Developer shall submit to the Council an assessment of the carbon reduction measures implemented within the Development demonstrating it achieves a minimum of 35.05% reduction over Part L of the Building Regulations 2013 through onsite provisions.
9. On practical completion of the development, the Developer shall pay in full to the Council, the figure for any Carbon Offset Contribution payable for the Development (as per 8) to meet zero carbon (contribution of £42,489).
10. Air Quality off-setting contribution. The off-setting contribution rate is £29k per tonne of NOx over the benchmark. The scheme is 88.04kg over the benchmark (contribution of £2,553.16). This is linked to meeting the requirements of condition 32.

Employment and Skills

11. Local employment, training and supply chain plans

Plans must be submitted prior to the commencement of development, providing a forecast of the estimated FTE workforce, the number of vacancies, paid work placements and short courses that will be created over the lifetime of the development. This must be accompanied by a method statement setting out how this will be delivered, including who in the organisation will be responsible for managing recruitment and training, how they will ensure compliance by trade contractors and how this will be managed, how health and safety issues will be managed, and how they will engage with the local community and contribute to educational engagement with local schools.

The Construction Team in the council's job brokerage service offers support for developers to understand their commitments and build an effective plan where desired.

Trigger: the plans must be submitted at least three months prior to commencement of development.

12. Employment during Construction

The Owner will use reasonable endeavours to ensure that jobs are provided to LBBB residents, during the construction and remediation phases of the delivery of applications 21/01377/FULL.

The Owner will use reasonable endeavours to:

- ensure 25% of the total jobs (calculated on an FTE basis) created are new jobs filled by LBBB residents, either with the contractor or through the supply chain.
- Advertise all vacancies through the council's job brokerage services, with notification of job vacancies exclusively available to residents for a minimum of 10 days before being advertised more widely.
- Provide a skill forecast for the development and highlight any shortages to the council's job brokerage service at least three months before commencement of the development.

13. Training during Construction

The Owner will use reasonable endeavours to ensure the following:

- Deliver one training opportunity for every 10 construction workers – at least half of which (or 5% of the FTE workforce) must be apprenticeships leading to a full recognised qualification.
- Provide 10 weeks of work experience for every 6 months of the construction phase – with each placement lasting a minimum of 2 weeks;
- Provide at least one educational workshop / visit per educational term for the duration of the construction phase to support local schools and careers services.

14. Supply chain development during Construction

The Owner will use reasonable endeavours to:

- Submit a Tender Event Schedule detailing the list of work packages being offered to competitive tender for the developer and all sub-contractors, including timeframes, values of packages and framework agreements;
- Source goods and services from the borough wherever possible, with an aim that this will represent at least 25% of the value of all goods and services required for the development;
- to ensure companies based in LBBB will be given a genuine opportunity to tender for all contracts and sub-contracts arising from the development;
- Provide details each time a package is awarded including information about any local contractors that have tendered for work (both successful and unsuccessful, with the reasons why);
- Participate in at least two events in each year of the development to promote opportunities to local suppliers and build their capacity and/or contribute financially to the delivery of such activity to ensure local suppliers are able to access opportunities arising from the development.

15. Monitoring

- Once the development has commenced monitoring forms must be submitted to the Council by the designated coordinator responsible for managing recruitment and training monthly for the first three months and quarterly thereafter.
- This designated employment coordinator will attend with the Council regular site visits or meetings to ensure compliance with this schedule and discuss how the obligations contained in this schedule are progressing. These site visits and meetings will take place quarterly in cases where the Council has concerns that the Owner or its contractors/sub-contractors have not been adequately complying with their obligations contained in this schedule. Where the Owner can demonstrate to the Council that they are complying with their obligations in this schedule, such site visits and meetings will be held on a less regular basis at the Council's discretion.

- Confirmation that all obligations have been met – or appropriate employment and training compensation agreed – must be provided before the Council will approve a developer's application for discharge of the obligations in this Agreement.
- Employment and training compensation will be calculated based on: the shortfall against the target number of jobs for LBBB residents X £5,000 (average cost of supporting an unemployed borough resident into work) and the shortfall against the target number of apprenticeship starts X £8,000 (approximate wage costs of a one-year apprenticeship at the minimum apprenticeship rate);
- Subject to the findings of evidence collected through the agreed employment and training processes, the Owner will pay employment and training compensation to the Council within 30 days of the Council's written request if it is found that the shortfall in the delivery of any employment or training specified in this schedule can be attributed to the Owner having not used all reasonable endeavours to follow the agreed processes.
- The Owner shall be responsible for all legal costs incurred by the Council in enforcing or ensuring compliance with this schedule.