

PLANNING COMMITTEE MEETING: 12 November 2009

PLANNING APPLICATION FOR DETERMINATION BY THE LTGDC

REPORT OF THE DIRECTOR OF PLANNING

| | | | |
|----------------------------|--------------------|-------------------------|------------------|
| UDC CASE NUMBER: | LTGDC-09-058-FUL | DATE MADE VALID: | 21/08/2009 |
| APPLICATION NUMBER: | 09/00652/REG3/LBBD | TARGET DATE: | Subject to a PPA |

| | |
|-------------------|---------------------------------------------------------------------------------------------------------|
| APPLICANT: | London Borough of Barking and Dagenham Housing Strategy and Property Services |
| AGENT: | Halcrow |
| PROPOSAL: | Residential development comprising the erection of 14 No. 4-bedroom houses and 17 No. 3-bedroom houses. |
| LOCATION: | Former site of the Lintons, Linton Road, Barking, Essex |

1. SUMMARY

- 1.1 This application has been submitted by London Borough of Barking and Dagenham Housing Strategy and Property Services on behalf of the embryonic Barking and Dagenham Local Housing Company.
- 1.2 The proposal is for the redevelopment of the eastern part of the former Lintons Estate, now described as the 'William Street Quarter', to provide 31 No. family houses with private gardens. The houses will be distributed across three residential terraces. The application also includes public realm and access routes, and a service building accommodating an electricity sub station and a communal boiler. This is the first phase of the redevelopment of the former Estate. Later phases, which will be the subject of separate applications, propose a business centre and a larger housing development.
- 1.3 Of the 31 No. houses, the 14 No. 4-bedroom houses are social rented, with the remainder being intermediate tenure.

- 1.4 The main considerations are the principle of the uses, housing density and design, children's play space provision / amenity space, residential habitable floor areas, noise, environmental sustainability, energy, inclusive access, transport matters, and Section 106 / planning obligations.
- 1.5 The proposal is considered to comply generally with the London Borough of Barking and Dagenham Unitary Development Plan (1996) policies, emerging London Borough of Barking and Dagenham Local Development Framework (2008) policies, and those of the London Plan (2008). Accordingly, the application is recommended for approval subject to conditions (as detailed in Section 11 of this report) and a S106 Agreement (as detailed in Section 8.10 of this report).

2. SITE AND PROPOSAL

2.1 Description of Site & Surroundings

- 2.1.1 The application site comprises a 0.56 hectare inverted 'L' shaped section of land on the east side of the former Lintons Estate. The main arm of the 'L' runs parallel to railway lines to the north-east running from a pedestrian underpass under the Northern Relief Road to the north-west boundary of the Hapag-Lloyd office building which lies to the south-east; the shorter arm of the 'L' is narrower and stretches from the south-eastern part of the main arm to join Linton Road to the south-west.
- 2.1.2 The former Lintons Estate has been cleared of buildings. A landscape strip fronts Cambridge Road and two diagonal footpaths cross the site providing access to the station and town centre. These are permissive routes following pedestrian desire lines which the public may use, however the route is not vital as other suitable alternative routes are available.
- 2.1.3 The site is highly accessible by public transport, being a 5 minute walk from Barking Station. The station provides access to C2C and London Overground train services, as well as access to the District and Hammersmith & City underground lines.
- 2.1.4 To the front of Barking Station are a number of bus stops providing convenient linkages between road and rail transport.
- 2.1.5 To the north of the site is a pedestrian underpass under the Northern Relief Road. The underpass is used on a regular basis by children and their parents to access Northbury School to the north-west.
- 2.1.6 To the south-east of the site on Cambridge Road, on the pedestrian

route to the station, is a terrace of former dwellings. The majority of these are now vacant although numbers 42-44 are still in use as a primary school, the temporary planning permission for this use expires on 31 March 2010. Discussions are ongoing regarding a residential-led development.

- 2.1.7 To the south of the site on the opposite side of Cambridge Road is a public car park that is also used 4 times a week for trader's vehicles for stallholders at Barking Market. A 15-storey office building, Crown House, is located further south-east of the site between Cambridge Road and Linton Road. Further to the south of the site on the opposite side of the Cambridge Road / Linton Road junction is the 6-storey office building, Roycraft House. To the south-west of the site is the Catholic Church of St Mary and St Ethelburga.
- 2.1.8 Cambridge Road is a busy bus route and is also used by heavy goods vehicles accessing one of the service yards for the Vicarage Field shopping centre (including the main food operator Asda). Parking is prohibited by double yellow lines throughout. There is a mini-roundabout adjacent to the south-east of the site frontage.
- 2.1.9 The proposed development falls within Barking's 'Station Quarter' area which is currently being masterplanned by the Development Corporation (LTGDC) and the London Borough of Barking and Dagenham (LBBDD). It is expected that this area will become a lively urban interchange, with new, high density, high-quality development surrounding the station.

2.2 Description of Proposal

- 2.2.1 The proposal is for the redevelopment of the eastern part of the former Lintons Estate to provide 31 houses in three terraces. This is the first phase of the redevelopment of the former Estate. The second phase which will be the subject of a later application proposes a large housing development.
- 2.2.2 The three terrace buildings are arranged so that together they form a mews environment, set around a 'home zone' street. A terrace of 14 No. 3-storey 4-bedroom family houses suitable for 7 people runs parallel to, and facing away from, the railway lines to the north-east; a second terrace of 11 No. 2-storey 3-bedroom family houses suitable for 5 people faces the first terrace with a road between the two terraces; a third terrace of 6 No. 2-storey 3-bedroom family houses suitable for 5 people lies at right angles to, and to the south-east of the first two terraces, with the road forming a dog-leg to the south-west in front of the terrace and joining Linton Road to the west; the other end of the road to the north-west of the development provides a turning head.
- 2.2.3 Of the 31 No. houses, the 14 No. 4-bedroom houses are social rented,

with the remainder being intermediate tenure.

- 2.2.4 The proposed houses are designed to meet Code for Sustainable Homes Level 4 standard.
- 2.2.5 Two of the houses are designed to be easily converted to meet wheelchair design standards.
- 2.2.6 The application includes a service building at the south-western corner of the site which will house an electricity sub-station and a communal boiler. The boiler will provide heating for the development and will, in the future, should it prove viable, be replaced by a heat main from Barking Power Station.
- 2.2.7 The proposal provides 15 No. car parking spaces, including 3 No. spaces for people with disabilities.
- 2.2.8 The proposed redevelopment of the remainder of the former Lintons Estate will be submitted as a separate planning application in 2010.

3. MAIN ISSUES

- Principle of Use
- Housing
- Density and Design
- Children's Play Space Provision / Amenity Space
- Residential Habitable Floor Areas
- Noise
- Environmental Sustainability
- Energy
- Inclusive Access
- Transport Matters
- Section 106 / Planning Obligations

4. RELEVANT SITE HISTORY

- 4.1 Application No. 07/01359/REG3/LBBD was for the 'Erection of a 4 / 5 / 18 storey building plus basement comprising offices (Class B1), café (Class A3) and 70 one and two bedroom flats (Class C3)'. Planning permission was granted in March 2008, however the proposal proved to be financially unviable and as a result was not implemented.
- 4.2 Application No. 08/01431/REG3/LBBD was for the erection of part 4 / part 20 storey building comprising offices (4,856 square metres) (Class

B1), café (Class A3), and 96 one and two bedroom flats (Class C3) together with a three storey building to provide six 4-bedroom terrace houses. There is a resolution to grant planning permission for this, subject to the signing of a S106 agreement.

5. CONSULTATIONS / NOTIFICATIONS

5.1 Thames Water

There are public sewers crossing this site, and no building works will be permitted within 3 metres of the sewers without Thames Water's approval.

With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of ground water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required

Note: See Informatives 1 and 2.

5.2 Essex & Suffolk Water

No comments or observations regarding the application.

5.3 London Fire & Emergency Planning Authority

The Brigade is satisfied with the proposals subject to confirmation that the roadway and turning head specifications meet the requirements for Fire Brigade vehicles as contained in their guidance.

Note: This is a Building Control issue, the resolution of which is not essential to the determination of this application.

5.4 Environment Agency

No objection in principle to the proposed development provided conditions are imposed regarding surface water drainage,

contamination, piling, and the disposal of foul and surface water.

Note: See proposed Conditions 7, 15, 17, 22 and 23.

5.5 **Commission for Architecture and the Built Environment (CABE)**

Because of the limited scale of the proposed development, CABE were not originally consulted on this application. CABE has subsequently expressed an interest in this application because of the size of the wider development proposals for the Lintons site set out in the masterplan. CABE were formally consulted on the application on 15 September 2009 and have commented as follows:

Summary

We support the revised masterplan approach to the William Street Quarter which has the makings of a high quality new neighbourhood and think this first phase could set the standard for future phases of development. The architectural approach has integrity and internal planning is well-considered. We think that bringing forward a complete street as the first phase is the right approach. This well-tested residential model for residential development can work as a place in its own right in the short to medium term. This familiar typology seems to have been successfully adapted to this particular challenging context and the needs of the community that will live there.

Public Realm

Given the uncertainty about when future phases will come forward, it is critical that the temporary public realm works, the route to the north in particular, are thought through and delivered to a greater level of detail than currently indicated to ensure that this street is integrated into the area. We support the aspiration to improve the underpass which needs to be radically improved and think it should be delivered as part of the first phase of work.

Planning

We appreciate the detailed thought evident in the planning of the internal and external spaces and the considered relationship between the two. The threshold spaces between street and home, planning for future adaptation with space for lifts and including water butts, composting and bike stores in the garden demonstrate that the scheme has been developed with a clear understanding of how the homes will be used over time.

Architectural Approach

The architectural expression and detailing is well-considered and has integrity. We support the decision to simplify the elements to a limited palette and invest in high quality materials. For example, the proposal to use two windows sizes, which are well-proportioned when used either separately or in pairs, is sensible and works well. The use of simple, authentic brick detailing, including the deep window reveals and recessed entrances, is impressive. Our only minor reservation is that the reconstituted stone portals proposed to frame the entrances of block B3 feel like an unnecessary rhetorical move that works against the pleasing simplicity of the scheme.

5.6 Network Rail

Network Rail have made the following observations:

Development:

Prior to the commencement of any works on site, developers must contact Network Rail to inform them of their intention to commence works. This must be undertaken a minimum of 6 weeks prior to the proposed date of commencement.

Note: See Informative 3.

Demolition:

No demolition or refurbishment works shall be carried out on the development site in such a way as to endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures.

Note: No demolition is proposed as the site is already cleared.

Construction:

Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed.

Note: See proposed Condition 5.

Site Layout:

Network Rail requests that buildings are 2 metres from the boundary with the operational railway and at least 5 metres from overhead power lines. This will allow construction and future maintenance to be carried out from the applicant's land, thus avoiding provision and costs of railway look-out protection, supervision and other facilities necessary when working from or on railway land.

Fencing:

This development will create a trespass and vandalism risk on to the railway. In the interests of promoting public safety, before any part of the development is occupied, a 1.8 metre high concrete trespass resistant fence should be erected. The new fencing provided must be independent of existing Network Rail fencing and a sufficient distance should be allowed for between fences to allow for future maintenance and renewal.

Note: *The applicant has advised that Network Rail's request does not properly recognise the situation which existed during the time of the Linton's Estate, when garage units directly abutted the railway boundary. The new development will provide private rear gardens next to Network Rail property and the applicant believes this will provide improved and sufficient security to the railway lands, particularly given that the ground levels drop away sharply after the end of the garden fences. The applicant has advised that it would produce a maintenance and security risk to provide any separation distance between the two fences. The applicant has proposed alternative condition wording which LTGDC Officers consider acceptable. See proposed Condition 13.*

Lighting:

Following occupation of the development, if within three months Network Rail or a Train Operating Company has identified that lighting from the development is interfering with signal sighting, alteration/mitigation will be required to remove the conflict.

Note: *See Informative 4.*

Noise and Vibration:

The potential for any noise / vibration impacts caused by the proximity between the proposed development and any existing railway must be assessed in the context of PPG24 and the Local Planning Authority

should use conditions as necessary.

Note: See proposed Condition 16.

5.7 English Heritage (Archaeology)

An archaeological evaluation of the site was undertaken in response to the previous planning application, and a small excavation conducted. The archaeological work has now been completed and there will be no need for any further archaeological work in response to any of the detailed planning applications.

5.8 LBBD Planning Policy

Family Housing

This scheme comprises solely of 3 and 4+ bed units. As such, it far exceeds the requirements of Core Strategy Policy CC2 which states that, for major housing developments in Barking Town Centre, a minimum of 30% family accommodation should be provided. There are, therefore, no objections to this aspect of the scheme.

However, when looking at the wider William Street Quarter, only 25% of the units will be 3 and 4+ bed units (14% and 11% respectively). Any applications for future schemes within the Masterplan area will need to address this in order to ensure the requirements of Core Strategy Policy CC2 are met.

Tenure Mix

This scheme comprises solely of social rented and intermediate housing. As such, it far exceeds the requirements of Core Strategy Policy CC1 which states that, for major housing developments, 50% of new dwellings should be affordable. There are, therefore, no objections to this aspect of the scheme.

However, the affordable housing ratio for this site is 45:55 (social rent to intermediate). Whilst this does not accord with the ratio set out in Policy BTC14 of the Barking Town Centre Area Action Plan, the application does state that, for the wider Masterplan area, the ratio will meet the required 60:40 split. Assuming this is adhered to, there are no objections to this part of the scheme.

Density

Whilst this scheme has a lower density than we would expect in sites with a PTAL 5/6, when considered within the context of the wider Masterplan area, the density range does comply with that considered acceptable in the London Plan.

External Amenity Space

The proposal states that external amenity space for the units will be between 28-44 square metres, with depths varying from 5-7 metres. These standards are considerably below the requirements set out in Borough Wide Policy BP5. This states the following:

- 3 bedroom house – minimum external amenity space of 60sqm.
- 4+ bedroom house – minimum external amenity space of 75sqm.
- Rear gardens – minimum depth of 12 metres.

In order to address this, the proposal states alternatives that can be used - a courtyard garden within the development and Victoria Gardens (proposed to be improved). We would also encourage opportunities to be taken to provide additional external amenity space on site such as roof gardens, roof terraces and balconies.

Trees

The Planning Statement provides an assessment of the trees on the site and states that all trees across the whole development site will be removed. The developer needs to provide a tree constraints plan and identify on the landscape plan which trees they propose to remove for Phase 1 of the development. Any plans to remove trees should be discussed with the Council's Tree Officer. Trees need to be incorporated into the design of the development as much as possible. Retained trees will need to be protected in accordance with BS 5837:2005 'Trees in Relation to Construction' and any updates to this standard.

Areas for new trees will need to be protected from soil compaction as much as possible.

Landscaping

Policy BR3: 'Greening the Urban Environment' expects, where appropriate, all development proposals to retain, enhance or create features of nature conservation value. Therefore it is recommended that the following opportunities are addressed in the landscape plan:

- Any plant / shrub species with low or no biodiversity value replaced

with species that are native or of high value to biodiversity. The following website provides information on a number of plant species that are valuable to wildlife:

<http://www.plantpress.com/wildlife/home.php>

- The amount of hard surfacing in gardens reduced. Ideally at least 80 percent of garden space should consist of soft landscaping.
- Trees provided in back gardens and in areas of hardstanding outside property boundaries, for example in car parking areas and pavements. Trees incorporated into the design of the Home Zone.
- Existing trees incorporated into the design of gardens and the public realm.
- The boundaries between rear gardens should consist of hedges on at least one side (e.g. east or west, north or south). Species should be native or of value to biodiversity.
- Boundaries at the back of rear gardens planted with hedges of native species or of value to biodiversity.
- One of the gardens planted as a Show Garden for wildlife.
- Green roofs on any roofs that are suitable, with the purpose of promoting biodiversity. This includes houses with flat roofs or roofs with low inclines, garages, bicycle sheds and any ancillary buildings.
- Roofs designed to accommodate house sparrow nest boxes, starling nest boxes and roost space for bats.
- No peat used in planted areas, in containers, in tree pits or for soil improvement. Council policy is very clear on avoiding the use of peat.
- Wildlife friendly fencing. This is fencing with gaps of at least 150mm between the bottom of any fencing and the ground. This will allow small mammals such as hedgehogs to move freely between the site and adjacent gardens and fields, and fencing without spikes on the bottom, top or sides for ornamental or for other purposes.
- Avoid the use of pesticides and herbicides.
- Provide open bottomed compost bins and composting instructions to new residents.

Wildlife Protection

The developer will need to comply with the provisions of the Wildlife and Countryside Act 1981 (as amended) and survey buildings scheduled for demolition, and trees scheduled for removal, for the presence of birds and bats. If protected species and/or nesting birds are found during the survey or during subsequent works, the developer will need to cease works, obtain advice from Natural England and inform the Council.

5.9 LBBB Transport and Waste Services

The waste storage and collection facility is adequate for waste collection purposes.

5.10 LBBB Crime Prevention Design Advisor

The Crime Prevention Design Advisor states that there are four key issues arising from the proposals.

Lifetime Homes requirements have been adopted to provide a 750mm recess to the front doors of the units. These have been identified as poor design as they provide places for concealment and anti-social behaviour.

These recesses also provide the bin storage provision and these could be a target for arson attacks. It is recommended that these be locked with a key given to the owner, who should be responsible for removing the rubbish for collection on the appropriate day.

The proposal also indicates that the service meters will be placed within the bin store. This is not recommended as ideally they should be placed at the front of the house for easy surveillance. The proposed location gives increased opportunity for bogus callers to enter the premises by engaging the occupier in conversation within the recess.

Lastly, it is recommended that the developer should consider a form of defensible space between the front elevation of the dwelling and the public realm. Ideally, 1 metre should be the minimum defensible space between the two.

Note: *It has been confirmed that the bin stores are to be locked and the Crime Prevention Design Advisor has confirmed he is now content with the proposals.*

5.11 LBBB Education

No objection. These 31 homes could yield 52 school aged children and

this is quite significant as we are already struggling to accommodate pupils, especially in the Barking Town Centre vicinity.

5.12 LBBB Access Officer

The Access Officer raised a number of concerns as follows:

- The positioning of the through the floors lifts is not acceptable. They come up through into the smallest bedroom where manoeuvrability is poor at best. The bedroom would not be useable for a disabled person and anyone who did use it would have to put up with the noise of the lift in use. The bedrooms in question could be extended with the smaller bedroom moved to the middle.
- The downstairs WC's have doors that open out onto the stairs. This is not acceptable. They should be changed, especially in the wheelchair housing, to sliding or bi-fold doors. Upstairs WC's should also be revised accordingly.
- There are only 2 wheelchair housing units. There must be three units to achieve the required 10%. This would also mean provision for a third accessible parking bay.
- We would like to see a 16 point Lifetime Homes checklist that covers all points and gives justification for any non compliance.
- Some of the kitchens only allow for 1200mm between kitchen units and some of doors also impede manoeuvrability.

Note: *All of the housing units within the scheme will be designed to Lifetime Homes standards. See proposed Condition 9.*

While the number of wheelchair housing units provided falls one unit below the 10% provision required by Policy 3A.5 of the London Plan, the wider Masterplan development provides sufficient wheelchair units to meet the policy aspiration.

Some of these concerns are Building Control issues that will be addressed in the building phase of the development.

5.13 LBBB Environmental and Enforcement Services

Recommend various conditions are attached to any consent granted relating to site activities during construction, noise insulation of the development, and contaminated land.

The noise team have assessed the submitted acoustic report and are

happy that the units are adequately protected from external noise sources. It has been requested that an appropriate condition be attached to ensure compliance with the report.

Note: See proposed Conditions 3, 4, 7 and 16.

5.14 LBB Development Management

Provision of a communal TV aerial and satellite dish would prevent a plethora of such protrusions being mounted on the outside of the houses.

Note: See proposed Condition 24.

5.15 LBB Transport Development Management

It has been assumed that the road will have a 20 mph speed limit which requires minimum visibility. The surface is to be permeable. This must be built to adoptable standards. All parking bays should be marked and signed in accordance with TRSGD 2002 and turning heads, junctions and bends should be marked with double yellow lines to deter parking. It has been noted that street lighting is not shown on the plan.

It has also been noted that the cycle storage for this development will be in the individual gardens, which is acceptable.

Note: See proposed Conditions 8, 18, 21 and 26.

5.16 LBB Economic Development/Climate Change/Area Regeneration

The Climate Change Team has advised that this development should deliver homes that achieve Level 4 of the Code for Sustainable Homes (CSH) which is the minimum requirement for residential development in Barking Town Centre.

The Climate Change Team recommends that the applicant obtains a response from the London Development Agency (LDA) confirming that connection to the London Thames Gateway Heat Main Project is feasible. The Climate Change Team has advised that without confirmation from the LDA, including advice regarding delivery timescales, they are unable to fully support the proposals as they currently stand.

Area Regeneration would like to see a robust local supplier/local labour agreement.

Note: See S106 recommendations in paragraph 8.10.2 of this report.

5.17 LBB Development Control Board

The application was discussed on 19 October 2009 at LBB's Development Control Board Meeting.

Members noted the comments made by the Crime Prevention Design Advisor. They strongly felt that the inclusion of bin chambers was a negative step due to concerns relating to the following issues:

- the poor ambience that could potentially arise
- keys to the bin chambers may be lost
- the cost of clearing the bin chambers up
- health and safety concerns relating to doors being swung open and closed.

Members were also disappointed to note that the same advisor found the recess to the front doors of the units to be of poor design as they provide places for concealment and anti-social behaviour, and felt that these issues must be addressed.

Members also stated that the road referred to in paragraph 5.15 of their Officer's report should have a maximum speed limit of ten miles per hour due to the potential number of school children that would be living in the houses.

Members questioned whether allocating cycle storage in the rear gardens was practical.

Members noted that the aggregate bed area provided for some of the units were less than that required by Policy BP6 of the Borough's Local Development Framework Pre-Submission Report (2008), and stated that the policy should be applied to all developments to ensure consistency.

Subject to the comments made above, the Board agreed with the Officer's recommendation which was to support the application subject to a number of conditions.

Note: It has been confirmed that the bin stores are to be locked and the Crime Prevention Design Advisor has confirmed since the Development Control Board Meeting that he is now content with the proposals.

The issue regarding speed limits in the 'home zone' will be dealt with in Phase 2 when the layout of the wider scheme is finalised.

The proposed cycle storage is considered practical for the scheme given that many of the units will have rear garden access.

With respect to the aggregate bed areas, this is an issue being discussed further at LBB. Policy BP6 is from a pre-submission document which has little weight and LTGDC Officers have noted that where there are any shortfalls in aggregate bed areas these are only shortfalls of 0.45, 0.35, or 0.2 square metres. It is noted that all bedrooms meet the minimum internal floor areas and accordingly LTGDC Officers consider that such minor shortfalls in aggregate bed areas are acceptable.

6. APPLICATION PUBLICITY

- 6.1 Eleven consultation letters were sent out to neighbouring properties, two site notices were posted, and a press notice was published in a local newspaper.
- 6.2 One letter has been received as a result of the consultation process. This is from the Parish Priest of the neighbouring Church of St. Mary and St. Ethelburga which lies 60 metres to the south-west of the site. The Priest was concerned that the address of the new properties might be confused with the address of the Presbytery at 41 Linton Road. It is understood that there has been confusion in the past between properties at The Lintons and properties in Linton Road. These concerns will be passed on to the Borough's street naming and numbering team should the application be approved.

7. RELEVANT PLANNING POLICY

7.1 National Planning Policy Guidance:

PPS1 - Delivering Sustainable Development
PPS3 - Housing
PPS6 - Planning for Town Centres
PPG13 - Transport
PPG16 - Archaeology and Planning
PPS22 - Renewable Energy
PPS23 - Planning and Pollution Control
PPG24 - Planning and Noise

7.2 The London Plan (adopted February 2008):

Policy 2A.1 - Sustainability Criteria

Meeting: 12 November 2009
Agenda Item: 5
Report No.: LTGDC/09/PC49

Policy 2A.7 - Areas for Regeneration
Policy 2A.8 - Town Centres
Policy 3A.1 - Increasing London's Supply of Housing
Policy 3A.2 - Borough Housing Targets
Policy 3A.5 - Housing Choice
Policy 3A.7 - Large Residential Developments
Policy 3A.8 - Definition of Affordable Housing
Policy 3A.9 - Affordable Housing Targets
Policy 3A.10 - Negotiating Affordable Housing in Individual Private Residential and Mixed-Use Schemes
Policy 3C.1 - Integrating Transport and Development
Policy 3C.3 - Sustainable Transport in London
Policy 3C.21 - Improving Conditions for Walking
Policy 3C.22 - Improving Conditions for Cycling
Policy 3C.23 - Parking Strategy
Policy 3C.24 - Parking in Town Centres
Policy 3D.1 - Supporting Town Centres
Policy 3D.2 - Town Centre Development
Policy 4A.1 - Tackling Climate Change
Policy 4A.3 - Sustainable Design and Construction
Policy 4A.4 - Energy Assessment
Policy 4A.5 - Provision of Heating and Cooling Networks
Policy 4A.6 - Decentralised Energy: Heating, Cooling and Power
Policy 4A.7 - Renewable Energy
Policy 4A.14 - Sustainable Drainage
Policy 4A.16 - Water Supplies and Resources
Policy 4A.17 - Water Quality
Policy 4A.18 - Water and Sewerage Infrastructure
Policy 4A.19 - Improving Air Quality
Policy 4A.20 - Reducing Noise and Enhancing Soundscapes
Policy 4B.1 - Design Principles for a Compact City
Policy 4B.2 - Promoting World-Class Architecture and Design
Policy 4B.3 - Enhancing the Quality of the Public Realm
Policy 4B.5 - Creating an Inclusive Environment
Policy 4B.6 - Safety, Security and Fire Prevention and Protection
Policy 4B.8 - Respect Local Context and Communities
Policy 4B.15 - Archaeology
Policy 4C.2 - Context for Sustainable Growth
Policy 5C.1 - The Strategic Priorities for North East London

7.3 London Borough of Barking and Dagenham UDP (1996) (saved from 27th September 2007 in accordance with the direction from the Secretary of State):

Strategic Policy B - Housing
Strategic Policy Y - Transportation and Movement
Policy H8 - Dwelling Mix
Policy H14 - Environmental Requirements

Meeting: 12 November 2009
Agenda Item: 5
Report No.: LTGDC/09/PC49

Policy H15 - Residential Amenity
Policy H16 - Internal Designs
Policy H18 - Amenity Open Space
Policy H19 - Noise Attenuation
Policy E4 - Access For People With Disabilities
Policy BTC1 - Town Centre
Policy BTC12 - Environmental Improvement
Policy G28 – Contaminated Land
Policy G31 – Waste Re-Use and Recycling
Policy G32 - Litter and Flytipping
Policy G34 - Flooding
Policy G36 - Noise and Vibration
Policy G37 - Light and Dust Pollution
Policy G38 - Water Pollution
Policy G39 - Air Pollution
Policy G46 - New Developments
Policy G47 - Trees in the Urban Area
Policy DE1 - Urban Design
Policy DE6 - Safety and Security
Policy DE9 - Energy Conservation
Policy DE16 - Hard Landscape
Policy DE17 - Soft Landscape
Policy DE36 - Development on Sites of Archaeological Significance
Policy DE37 - Protection of Archaeological Sites
Policy C15 - Access
Policy C16 - Safety and Security
Policy C17 - Planning Obligations/Community Benefit
Policy T10 - Land Use and Public Transport
Policy T12 - Pedestrian Accessibility
Policy T17 - Accessible Developments
Policy T19 - Provision for Cycling
Policy T32 - Service Areas

7.4 London Borough of Barking and Dagenham Core Strategy Pre-Submission Report (November 2008):

Policy CM1 - General Principles of Development
Policy CM2 - Managing Housing Growth
Policy CM3 - Green Belt and Public Open Spaces
Policy CM4 - Strategic Transport Links
Policy CR1 - Climate Change and Environmental Management
Policy CR3 - Sustainable Waste Management
Policy CC1 - Affordable Housing
Policy CC2 - Family Housing
Policy CC4 - Achieving Community Benefits Through Developer Contributions

7.5 London Borough of Barking and Dagenham Borough Wide Development Policies Pre-Submission Report (November 2008):

Policy BR1 - Environmental Building Standards
Policy BR2 - Energy and On-Site Renewables
Policy BR3 - Greening the Urban Environment
Policy BR4 - Water Resource Management
Policy BR5 - Contaminated Land
Policy BR9 - Parking
Policy BR10 - Sustainable Transport
Policy BR11 - Walking and Cycling
Policy BR15 - Sustainable Waste Management
Policy BC1 - Delivering Affordable Housing
Policy BC2 - Accessible and Adaptable Housing
Policy BC7 - Crime Prevention
Policy BC11 - Utilities
Policy BE2 - Environmental Building Standards
Policy BP3 - Archaeology
Policy BP5 - External Amenity Space
Policy BP6 - Internal Space Standards
Policy BP8 - Protecting Residential Amenity
Policy BP10 - Housing Density
Policy BP11 - Urban Design

7.6 Other Relevant Planning Policies & SPGs:

Barking Town Centre Area Action Plan (AAP) – Preferred Options Report (June 2008)

Mayor of London SPGs:

- Housing (November 2005)
- Accessible London: Achieving an Inclusive Environment (April 2004)
- Sustainable Design and Construction (May 2006)
- Providing for Children and Young People's Play and Informal Recreation (March 2008).

8. ASSESSMENT OF MAIN ISSUES

8.1 Principle of Development

- 8.1.1 Planning Policy Statement 3 (Housing) promotes housing development which is easily accessible and well-connected to public transport and community facilities and services.

- 8.1.2 Planning Policy Statement 6 (Planning for Town Centres) recognises that housing will be an important element in most mixed-use, multi-storey developments within town centres.
- 8.1.3 Planning Policy Guidance Note 13 (Transport) encourages more sustainable forms of development, including accommodating housing principally within existing urban areas and planning for increased intensity of development for housing at locations which are highly accessible by public transport, walking and cycling.
- 8.1.4 Policy 3A.7 (Large Residential Developments) of the London Plan (2008) states that “Boroughs should encourage proposals for large residential developments in areas of high public transport accessibility”.
- 8.1.5 Policy 3C.1 (Integrating Transport and Development) of the London Plan (2008) states that “the Mayor will support high trip generating development only at locations with both high levels of public transport accessibility and capacity”.
- 8.1.6 Policy T10 (Land Use and Public Transport) of the London Borough of Barking and Dagenham Unitary Development Plan (1996) states that “The Council will assess all development proposals against the present and potential availability and accessibility of public transport services and its capacity to meet increased demand”.
- 8.1.7 The application site has an excellent Public Transport Accessibility Level (PTAL) of 6 (decreasing to 5 in the evening) and is within 5 minutes walking distance of Barking Station. The main high street shopping area in Barking is also a 5 minute walk away. Public transport accessibility is likely to be further enhanced by phase 1 of the planned East London Transit system which is a new bus service running from Ilford, through Barking Town Centre, to Barking Riverside.
- 8.1.8 It is considered that the principle of housing in this area is acceptable and meets the policy objectives as discussed above.

8.2 Housing

- 8.2.1 The proposed development will provide 17 three-bedroom intermediate tenure houses and 14 four-bedroom social rented houses. While this mix of affordable housing does not comply with the ratio required by Policy 3A.9 (Affordable Housing Targets) of the London Plan (2008), the provision should be considered as part of the wider Masterplan site when assessing this application. Also the ratio is changed to 60:40 in the new London Plan currently out to consultation. The relevant ratios are set out in Table 1 below.

| | Affordable Housing Ratio <i>Social Rented : Intermediate</i> |
|---------------------------------------|------------------------------------------------------------------------|
| London Plan Policy Requirement | 70:30 |
| Phase 1 | 45:55 |
| Wider Masterplan | 60:40 |

Table 1 – Phase 1 Housing Provision

- 8.2.2 Given the low density of this phase of the development, the proposed Masterplan tenure mix, and the fact that all of the housing to be provided in this phase is affordable, it is considered that the proposed provision is acceptable. It should be noted that while the overall Masterplan tenure mix ratio is lower than that aspired to by policy, this is mitigated by the high levels of existing social rented properties in Barking Town Centre (approximately 60%).
- 8.2.3 The applicant has also requested future flexibility of tenure to allow them to convert up to 40% of the affordable homes to open market housing, leaving 60% in affordable tenure. They have specifically requested the flexibility to convert 4 social rented units and 8 intermediate units to open market housing to give a balance of tenures in line with the aspirations of the local housing company. This request is considered to be acceptable and can be dealt with in the S106 Agreement.
- 8.2.4 Local Development Framework Policy CC2 (Family Housing) requires the provision of 40% family housing (3 bedroom or larger units) for a major housing development such as this. The wider Masterplan proposes the provision of only 25% family units and the reason(s) for this shortfall will need to be addressed when future applications are assessed. The current proposal provides 100% family housing which complies with the policy.
- 8.2.5 Two of the larger units at the end of the western-most terrace are able to be adapted as wheelchair units. While this falls one unit short of the 10% provision required by London Plan Policy 3A.5 (Housing Choice), the wider Masterplan will provide sufficient wheelchair units to meet the policy aspiration.
- 8.2.6 London Plan policy seeks to prevent the loss of affordable housing when existing estates are regenerated. Paragraph 3.75 of Chapter 3 of the London Plan (2008) states that “Where redevelopment of affordable housing is proposed, it should not be permitted unless it is replaced by

better quality accommodation, providing at least an equivalent floorspace". The London Plan Supplementary Planning Guidance on Housing emphasises that in redeveloping affordable housing there should be no net loss. Particular concern is raised with regard to the loss of social rented housing in estate renewal. The social housing provision in the former Lintons Estate and the provision proposed in the William Street Quarter Masterplan are shown in Table 2 below.

| Unit Type | Social Rented Provision for the former Lintons Estate | Proposed Social Rented Provision for the William Street Quarter Masterplan |
|--------------|-------------------------------------------------------|----------------------------------------------------------------------------|
| 1-bed | 115 (49%) | 74 (41%) |
| 2-bed | - | 61 (34%) |
| 3-bed | 118 (51%) | 26 (14%) |
| 4-bed | - | 20 (11%) |
| TOTAL | 233 | 181 |

Table 2 – Former and Proposed Provision of Social Rented Housing

8.2.7 The William Street Quarter Masterplan housing mix provides 46 social rented family units compared to 118 social rented family units in the former Lintons Estate. This represents a theoretical loss of 72 family units. However, the former three-bed units were substantially smaller than those being provided in the William Street Quarter Masterplan, and they did not provide adequate living accommodation for families. Furthermore, a significant number of the units were not occupied by families. The size of the former provision of family housing units, and the proposed provision are shown in Table 3 below.

| | Former Lintons Estate | William Street Quarter Masterplan | +/- |
|-------|-----------------------|-----------------------------------|------------------------------|
| 3-bed | 56.78m ² | 86-106m ² | +29.22 - 49.22m ² |
| 4-bed | 0 | 116m ² | +116m ² |

Table 3 – Former and Proposed Family Housing Unit Sizes

8.2.8 The above tables show that while there is a drop in family housing unit numbers, the replacement family units provide a significant improvement in space standards. The William Street Quarter Masterplan also

includes 20 No. 4-bedroom units.

8.3 Density and Design

- 8.3.1 London Plan Policies 3A.2 (Borough Housing Targets) and 4B.1 (Design Principles for a Compact City) outline the need for development proposals to achieve the highest possible intensity of use compatible with local context, the design principles of the compact city, and Public Transport Accessibility Levels (PTAL).
- 8.3.2 The proposed application site has a PTAL of 6 (dropping to 5 in the evening) and is within an urban setting. Table 3A.2 of the London Plan provides a guidance range of 200-700 habitable rooms per hectare, or 70-260 units per hectare for a development with these attributes.
- 8.3.3 The proposed development has 4.9 habitable rooms per unit with a density of only 55 units per hectare which is well below the density range required by the London Plan. However, the wider Masterplan for the site provides a density of 181 units per hectare which is within the density range set out in the London Plan. In the context of the Masterplan the proposal is considered to be acceptable with regard to density.
- 8.3.4 London Plan Policy 4B.1 (Design Principles for a Compact City) states that “The Mayor will ...seek to ensure that developments should: maximise the potential of sites; promote high quality inclusive design and create or enhance the public realm; contribute to adaptation to, and mitigation of, the effects of climate change; respect local context, history, built heritage, character and communities; provide for or enhance a mix of uses; be accessible, usable and permeable for all users; be sustainable, durable and adaptable in terms of design, construction and use; address security issues and provide safe, secure and sustainable environments; be practical and legible; be attractive to look at and, where appropriate, inspire, excite and delight; respect the natural environment and biodiversity, and enhance green networks and the Blue Ribbon Network; address health inequalities”.
- 8.3.5 The proposed terraces of new houses will form a street with the character of a mews. The houses will have a strong connection to the street from front doors and kitchen windows.
- 8.3.6 Each of the 31 terrace houses has a private rear garden with a minimum size of 28 square metres for a 3-bedroom house and 40 square metres for a 4-bedroom house.
- 8.3.7 The proposed development is considered to be in keeping with the emerging Masterplan proposals for the Station Quarter. In particular,

the proposed development will provide a high-quality, low-car development which will make the most of the excellent public transport access and location in relation to shops and services.

- 8.3.8 The design of the street is based around a traditional mews format with brick based terrace housing. The rear of the properties successfully address issues relating to the dead space at the rear of the Hapag-Lloyd building to the south and the railway land to the east of the development. The proposed design is considered to be acceptable.

8.4 Children's Play Space Provision / Amenity Space

- 8.4.1 The Mayor of London has produced Supplementary Planning Guidance (SPG) "Providing for Children and Young People's Play and Informal Recreation", which provides guidance on providing for the play and recreation needs of children and young people under the age of 18 and the use of benchmark standards. This SPG highlights the need to provide adequate children's play space in new residential developments.

- 8.4.2 Based on the calculations provided in the SPG the applicant calculates that the development will have an approximate child yield of approximately 59 children with the following age breakdown:

| Age | Number of Children |
|------------|---------------------------|
| 0-4 | 18 |
| 5-10 | 24 |
| 11-15 | 17 |

Table 4 – Phase 1 Child Yield

- 8.4.3 As part of the William Street Quarter Masterplan it is proposed that the play space provision for 0-4 and 5-10 year olds will be met on site.

- 8.4.4 Barking Park is located within walking distance of the site (approximately 0.5 miles) and in February 2008 secured funding from the 'Heritage Lottery Fund Public Parks Initiative' for a number of improvements. The applicant suggests that given the scale and nature of improvements happening in Barking Park, the park will provide more suitable play space for the 11+ age group than that which could be provided on site. A S106 contribution towards improving the walking route from the William Street Quarter to the park is proposed by the applicant under the Phase 2 planning application.

- 8.4.5 The Mayor's SPG sets a benchmark standard of a minimum of 10m² of

play space per child.

- 8.4.6 Prior to the wider Masterplan playspace being made available, an interim play strategy has been developed to provide space for the 0-10 year olds. There is very little space available around the site, so a temporary route to an existing playspace in the area north of the Northern Relief Road has been proposed. This park is approximately 2,400 square metres and the Masterplan proposes that 210 square metres of high quality playspace will be provided here. This would be accessed via the existing subway under the Northern Relief Road through a safeguarded route. A S106 Legal Agreement requiring the provision of this playspace is proposed.
- 8.4.7 Policy H15 (Residential Amenity) of the London Borough of Barking and Dagenham Unitary Development Plan (1996) and Policy BP5 (External Amenity Space) of the Local Development Framework Pre-submission Report (2008) seek to provide specific levels of amenity space based on the size of homes. Both policies require the provision of 60 square metres of amenity space for a 3-bedroom house and 75 square metres for a 4-bedroom house. While Policy H15 refers to private amenity space, Policy BP5 refers to private and/or communal amenity space. Policy BP5 also states that where town centre and strategic regeneration sites are not able to provide external amenity space on site, suitable alternatives such as useable roof terraces, roof gardens, and balconies should be considered.
- 8.4.8 While all of the units, except one, fail to meet the private amenity space provision required under policy, it should be noted that this phase of the development also provides an off-site communal play area with an area of 210 square metres. The Masterplan shows that Phase 2 of the development will include centrally located landscaped amenity areas with an overall area of approximately 2,300 square metres. It is considered that the provision of amenity space is acceptable given the central, urban location of the development.

8.5 Habitable Floor Area

- 8.5.1 Policy H16 of the London Borough of Barking and Dagenham Unitary Development Plan (1996) sets out minimum space standards. All types of 3-bedroom house exceed the minimum habitable floor area required by policy. Policy H16 provides no figure for the habitable floor area required by a 4-bedroom house. It is noted that all of the houses have large kitchens or kitchen areas between 10.4 square metres and 11.8 square metres.
- 8.5.2 Policy BP6 of the London Borough of Barking and Dagenham Local Development Framework Pre-submission Report (2008) also sets out minimum internal space standards. All of the bedrooms comply with the

minimum floor areas set out in Policy BP6. While the aggregate bedroom areas of some of the 3-bedroom houses are below the minimum required by Policy BP6, the cooking, eating and living (CEL) areas provided are substantially greater than those required by policy. Policy BP6 is from a pre-submission document which has little weight and LTGDC Officers have noted that where there are any shortfalls in aggregate bed areas these are only shortfalls of 0.45, 0.35, or 0.2 square metres. It is noted that all bedrooms meet the minimum internal floor areas and accordingly LTGDC Officers consider that such minor shortfalls in aggregate bed areas are acceptable.

8.6 Noise

- 8.6.1 A Noise Assessment was submitted with the application. Two locations were surveyed. The first was a noise assessment to the west of, and not particularly close to the application site, however it did abut the Northern Relief Road which has significant potential for noise generation. The second location involved a noise and vibration assessment on the northern-most boundary of the site and adjacent to both the Northern Relief Road and the railway corridor.
- 8.6.2 The report concludes that the dominant noise source at the measuring points is characterised by a mixture of road and rail noise.
- 8.6.3 Relating the noise levels to the noise exposure categories (NEC) set out in PPG 24 (Planning and Noise) the report states that, the worst affected boundary of the application site will fall within NEC 'C'. PPG 24 advises that in these circumstances planning permission should not normally be granted but, where it is considered that permission should be given, for example because there are no alternative quieter sites available, conditions should be imposed to ensure a commensurate level of protection against noise.
- 8.6.4 The Noise Assessment states that the worst affected façade would be that of Block B3 where the building backs onto the railway line. In this case standard thermal double glazing would only meet the BS8223 'reasonable' design range; all of the other facades would, if equipped with standard thermal double glazing, meet the BS8223 'good' design range.
- 8.6.5 In the circumstances it is recommended that an appropriate condition is imposed on any planning permission granted to ensure that the internal noise environment is acceptable. Refer to proposed Condition 16 for further details.
- 8.6.6 Construction activities have been indicated in the sustainability statement as the main source of noise associated with the development. Measures will be taken to minimise noise, including the use of bored

piles rather than driven piles. In addition the construction contractor will be required to adhere to the Considerate Contractor Scheme. Construction noise, including the hours of working on the site, can be controlled by the imposition of appropriate conditions if permission is granted. Refer to proposed Conditions 3, 14 and 16 for further details.

8.7 Environmental Sustainability

- 8.7.1 An Environmental Sustainability Statement was submitted with the application which raises a number of environmental issues.
- 8.7.2 The site is located in a highly accessible and sustainable town centre location and the wider Masterplan proposes a good and efficient use of land. The housing will be constructed to a minimum level of 4 of the Code for Sustainable Homes. Policy BR1 (Environmental Building Standards) of the Borough's Local Development Framework Pre-submission Report (2008) states that strategic developments (of which the application under consideration is a part) should attain code level 4-5. If permission is granted it is recommended that appropriate conditions be imposed to ensure that the development achieves the expected environmental scores (refer to proposed Condition 10).
- 8.7.3 Historic sources and previous site investigation data indicate that there is the potential for soil and groundwater contamination on the site. The Sustainability Statement suggests that the potential risks to people and the environment associated with these contaminant sources are generally at low levels. However, there are certain sources which do present potentially significant risks requiring further investigatory work. As such, if permission is granted an appropriately worded condition requiring the submission of a full contaminated land assessment and remediation strategy will be required (refer to proposed Condition 7).
- 8.7.4 The major issue regarding air quality is considered to be emissions from the combustion of fossil fuels to provide heat and power for the development. The Sustainability Statement proposes that in the long-term heating and hot water will be provided from the Barking Power Station community heating scheme. In the interim, heating and hot water will be provided from a temporary gas boiler to be installed in the south-east corner of the site. The Borough's Climate Change Team has endorsed this approach, but has requested that the applicant obtain confirmation from the London Development Agency that such a connection is feasible. Provision for this connection should be secured by S106 Agreement.
- 8.7.5 The buildings have been carefully designed to ensure that the materials of construction are sustainable. Traditional masonry is to be used for the development, using local suppliers and trade. Timber will be specified to be Forestry Stewardship Council certified or reused

wherever possible. The BRE Green Guide to Specification will be used to inform specification and fit out choices.

- 8.7.6 The contractor for the project will also be required to develop and implement a Site Waste Management Plan during construction (refer to proposed Condition 14).

8.8 Inclusive Access

- 8.8.1 An Access Statement was submitted with the application and it is this on which the comments of the Access Officer reported above were based.
- 8.8.2 All of the housing units within the scheme will be designed to Lifetime Homes standards. Two wheelchair accessible houses are provided with associated Blue Badge car parking spaces. While this is below the 10% provision required by Policy 3A.5 (Housing Choice) of the London Plan (three wheelchair units would be required), the wider Masterplan development provides sufficient wheelchair units to meet the policy aspiration.
- 8.8.3 The housing has generally been designed to a generous internal size which should assist accessibility.
- 8.8.4 If permission is granted it is recommended that appropriate conditions be imposed to ensure that the homes are built to Lifetime Homes / Wheelchair Housing specifications (refer to proposed Conditions 9 and 12).

8.9 Transport Matters

- 8.9.1 The site has a high Public Transport Accessibility Level (PTAL) of 6 (reducing to 5 in the evenings). Fifteen car parking spaces are provided (three of which are Blue Badge car parking spaces) and this complies with Policy 3C.23 (Parking Strategy) of the London Plan (2008) which seeks to ensure that car parking provision is the minimum necessary.
- 8.9.2 The closest bus stops to the application site are located outside Barking Station. Barking Station, which provides both underground and rail services, is highly accessible to the site being within a 5 minute walk.

8.10 Section 106 / Planning Obligations

- 8.10.1 The Corporation's Planning Obligations Community Benefit Strategy places the site in an area which should recover a discounted standard charge of £6,000 per residential unit. This equates to a financial contribution of £186,000 in respect of the proposed application. The

Strategy also provides for recapturing the discount as sales values rise and also allows for off-setting certain monies if benefits are provided on site. In this case, there are considered to be no applicable off-sets.

8.10.2 It is also recommended that a S106 Legal Agreement secures the following:

- Affordable housing provision, including future flexibility of tenure to allow the applicant to convert up to 40% of the affordable homes to open market housing, leaving 60% in affordable tenure.
- The delivery of the 210m² of playspace to the north of the application site.
- The employment of local labour and ensure that small and medium sized local businesses benefit from the development on the site.
- Highway Works Scheme.
- The provision of a connection to the Barking Power Station community heating scheme when the scheme becomes available, unless otherwise agreed by the Local Planning Authority.

9. CONCLUSION AND REASONS FOR APPROVAL

- 9.1 The proposed development is the first phase of the development of the William Street Quarter, which together with Phase 2 will provide significant regeneration benefits for Barking Town Centre.
- 9.2 The principle of the use is considered acceptable and in keeping with the relevant Borough and London Plan policies.
- 9.3 The proposed development will provide 14 No. 4-bedroom houses and 17 No. 3-bedroom houses. The 4-bedroom houses will be social rented housing and the 3-bedroom houses will be intermediate housing. This should be seen as a contribution to the overall William Street Quarter Masterplan which would deliver 66% affordable units and 34% private units with a 60:40 social rent to intermediate split. The percentage of affordable housing provided by the Masterplan exceeds the policy objectives of the London Plan and the Barking and Dagenham Local Development Framework Pre-submission Report (2008). The proposed mix is supported by the emerging Barking Town Centre Area Action Plan.
- 9.4 While the density of this Phase 1 application falls short of policy aspirations, the proposed density of the wider Masterplan development complies with Policy 3A.2 (Borough Housing Targets) of the London Plan (2008) and the proposal is considered acceptable given the wider context.
- 9.5 It is recommended that the application is approved.

10. RECOMMENDATION

That the application be delegated to the Director of Planning to APPROVE subject to:

(1) the conditions listed below (with any amendment that might be necessary up to the issue of the decision), and

(2) the completion of a S106 Agreement securing compliance with the requirements of the Community Benefit Strategy; affordable housing; play space provision; securing the establishment of local labour and business agreements; a connection to the Barking Power Station community heating scheme; and a Highway Works Scheme; all as outlined at paragraph 8.10 above.

11. CONDITIONS AND REASONS

1. The development permitted shall be begun before the expiration of five years from the date of this permission.

Reasons: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by S51 of the Planning and Compulsory Purchase Act 2004).

2. All works are to be completed in accordance with Drawing Numbers:

AHMM 08093_(00) P102 Rev A
AHMM 08093_(00) P111 Rev A
AHMM 08093_(00) P112 Rev A
AHMM 08093_(00) P113
AHMM 08093_(00) P114 Rev A
AHMM 08093_(00) P115 Rev A
AHMM 08093_(00) P116 Rev A
MLA 236_(00) P121
MLA 236_(00) P122
MLA 236_(00) P123 Rev A
MLA 236_(00) P201
MLA 236_(00) P202
MLA 236_(00) P203
MLA 236_(00) P204
AHMM 08093_(00) P211

Meeting: 12 November 2009
Agenda Item: 5
Report No.: LTGDC/09/PC49

AHMM 08093_(00) P212 Rev A
AHMM 08093_(00) P213
AHMM 08093_(00) P214
AHMM 08093_(00) P215
AHMM 08093_(00) P216
MLA 236_(00) P221
MLA 236_(00) P222
MLA 236_(00) P223

No further drawings apply, unless otherwise approved in writing by the Local Planning Authority.

Reasons: To ensure that the development is undertaken in accordance with the approved drawings, and to protect the local amenity with regard to Policy 4B.1 of the adopted London Plan. The development is acceptable on the basis of the particulars contained within the application and this condition seeks to ensure the development is undertaken in strict accordance with those details as approved.

3. No external construction works, deliveries, external running of plant and equipment or internal works audible outside the site boundary shall take place on the site other than between the hours of 0800 to 1800 on Monday to Friday and 0800 to 1300 on Saturday and not at all on Sundays, Public or Bank Holidays without the prior written permission of the Local Planning Authority.

Reasons: To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours and in accordance with Policy G36 of the London Borough of Barking and Dagenham Unitary Development Plan (1996) (saved from 27th September 2007 in accordance with the direction from the Secretary of State).

4. No development shall commence until a scheme specifying the provisions to be made to control noise and dust emanating from the site during construction works has been submitted to and approved in writing by the Local Planning Authority. This scheme should include details of the construction methods to be employed, for example piling, the duration of such activities, the equipment to be used and the proposed hours of operation. All construction activities associated with the development shall be carried out in accordance with the recommendations contained in British Standard 5228, Parts 1 and 2, 1997 and Part 4, 1997 and any subsequent amendments.

Reasons: To ensure that the proposed construction work does not cause nuisance and disturbance to neighbouring occupiers and in accordance with Policy G36 of the London Borough of Barking and Dagenham Unitary

Meeting: 12 November 2009
Agenda Item: 5
Report No.: LTGDC/09/PC49

Development Plan (1996) (saved from 27th September 2007 in accordance with the direction from the Secretary of State).

5. Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed.

Reasons: To ensure the safety of railway passengers.

6. No development above ground level shall commence until details/samples of all facing materials to be used in the development have been submitted to and approved in writing by the Local Planning Authority and no facing materials shall be used except those so approved. Such details shall clearly demonstrate that the materials are from a sustainable source, as appropriate, to assist compliance with Condition 10.

Reasons: To safeguard the appearance of the development and in accordance with Policy DE1 of the London Borough of Barking and Dagenham Unitary Development Plan (1996) (saved from 27th September 2007 in accordance with the direction from the Secretary of State).

7. No development shall commence until a contaminated land assessment and associated remedial strategy, together with a timetable of works, has been submitted to the Local Planning Authority for approval:
 - a) The contaminated land assessment shall include a desk study to be submitted to and approved in writing by the Local Planning Authority. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved by the Local Planning Authority prior to investigations commencing on site.
 - b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.
 - c) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to and approved in writing by the Local Planning Authority. The Local Planning Authority shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled

waters.

- d) Approved remediation works shall be carried out in full on-site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed in writing with the Local Planning Authority.
- e) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved in writing by the Local Planning Authority. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

Reasons: To prevent pollution of the water environment and in order to quantify any hazards already existing on the site in accordance with Policy G28 of the London Borough of Barking and Dagenham Unitary Development Plan (1996) (saved from 27th September 2007 in accordance with the direction from the Secretary of State).

- 8. No development above ground level shall commence until a scheme showing the provisions to be made for external lighting and any other measures to reduce the risk of crime have been submitted to and approved in writing by the Local Planning Authority. 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.

Reasons: In the interests of enhancing security and safety and in accordance with Policy DE6 of the London Borough of Barking and Dagenham Unitary Development Plan (1996) (saved from 27th September 2007 in accordance with the direction from the Secretary of State).

- 9. All residential units hereby approved are to comply with Lifetime Homes Standards, as defined in the Joseph Rowntree Foundation publication "Achieving Part M and Lifetime Home Standards" and the joint collaboration of JRF, Mayor of London, GML Architects and Habinteg HA in the publication 'Lifetime Homes' and as referred to in the GLA Accessible London SPG (Appendix 4) unless otherwise approved in writing by the Local Planning Authority.

Reasons: To ensure that accessible housing is provided in accordance with Policy 3A.5 of the London Plan (adopted February 2008).

10. No development above ground level shall commence until the applicant has provided to the Local Planning Authority the Code for Sustainable Homes site registration number which will set out the level that the development is aiming to achieve and the code's requirements for the developer as issued by the Building Research Establishment. The scheme will achieve a minimum of code level 4. Once the notional SAP ratings for the development are known a design stage certificate must be submitted to the Local Planning Authority verifying the code level that will be achieved. The scheme will achieve a minimum of code level 4. A post construction certificate stating that the residential units have achieved a minimum code level rating of 4 shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any residential unit unless otherwise agreed in writing by the Local Planning Authority.

Reasons: To ensure that the proposed residential units are designed in an environmentally sustainable manner and in accordance with Policy 2A.1 of the London Plan (adopted February 2008).

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order), no development falling within Class A, B or E in Part 1 of Schedule 2 to that Order shall be carried out without the prior written permission of the Local Planning Authority.

Reasons: To prevent overdevelopment of the site.

12. The houses shown on drawings P112 Rev A and P113 shall be constructed to wheelchair housing standards in accordance with the publication 'Wheelchair Housing Design Guide', Second Edition, produced by Stephen Thorpe and Habinteg Housing Association, unless otherwise approved in writing by the Local Planning Authority.

Reasons: To ensure that accessible housing is provided in accordance with Policy 3A.5 of the London Plan (adopted February 2008).

13. Before any part of the development is occupied, a secure 1.8 metre high fence should be erected separating the development from the railway. The new fencing provided must be independent of existing Network Rail fencing.

Reasons: To ensure the safety of railway passengers.

14. No development shall commence until a Construction Management Plan incorporating details of the sourcing of materials and waste management has been submitted to and approved in writing by the Local Planning Authority. Once approved this plan shall be adhered to throughout the construction period.

Reasons: In the interests of ensuring sustainable construction practices and in accordance with Policy G31 of the London Borough of Barking and Dagenham Unitary Development Plan (1996) (saved from 27th September 2007 in accordance with the direction from the Secretary of State) and Policy 2A.1 of the London Plan (adopted February 2008).

15. The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul and surface water has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.

Reasons: To ensure the protection of controlled waters.

16. A noise survey to assess ambient noise levels at the application site together with details of sound insulation measures to the premises shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved sound insulation measures have been carried out. Where additional ventilation is required, details of the type and specification of the ventilation shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved details.

Reasons: To minimise the transmission of noise and vibration and thereby safeguard the amenity of occupiers of the building in accordance with Policy G36 of the London Borough of Barking and Dagenham Unitary Development Plan (1996) (saved from 27th September 2007 in accordance with the direction from the Secretary of State).

17. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reasons: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system and in accordance with Policy G36 of the London Borough of Barking and Dagenham Unitary Development Plan

Meeting: 12 November 2009
Agenda Item: 5
Report No.: LTGDC/09/PC49

(1996) (saved from 27th September 2007 in accordance with the direction from the Secretary of State).

18. No development shall take place above ground level until a scheme showing those areas to be hard landscaped and the details of that hard landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented prior to the occupation of the development and thereafter permanently retained.

Reasons: To ensure that the development is satisfactorily landscaped in order to improve the visual appearance of the area and to comply with Policy DE16 of the London Borough of Barking and Dagenham Unitary Development Plan (1996) (saved from 27th September 2007 in accordance with the direction from the Secretary of State).

19. No development shall take place above ground level until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping for the site which shall include indications of all existing trees, shrubs and hedgerows on the site and details of those to be retained.

Reasons: To safeguard and improve the appearance of the area and to comply with Section 197 of the Town and Country Planning Act 1990.

20. The landscaping scheme as approved in accordance with Condition No. 19 shall be carried out in the first planting and seeding seasons following the occupation of the buildings or completion of the development, whichever is the sooner. Any trees or 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.

Reasons: To secure the provision and retention of the landscaping in the interests of the visual amenity of the area in accordance with Policy DE17 of the Unitary Development Plan.

21. No development shall take place above ground level until details of the vehicular access and servicing arrangements, including tracking plans have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved servicing area and vehicular access have been implemented.

Reasons: To ensure that satisfactory provision is made for vehicles servicing the site in the interests of highway safety.

22. No infiltration of surface water drainage into the ground is permitted unless where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

Reasons: To protect controlled waters.

23. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

Reasons: To protect controlled waters.

24. Before the development is occupied a communal television and satellite system shall be provided and this shall be available to each occupier of the phase 1 development. No satellite dishes may be installed on the exterior of the buildings, with the exception of a roof mounted dish providing the communal system.

Reasons: The installation of satellite dishes on the buildings would be harmful to the character and appearance of the buildings and contrary to the objectives of Policy DE1 of the London Borough of Barking and Dagenham Unitary Development Plan (1996) (saved from 27th September 2007 in accordance with the direction from the Secretary of State).

25. No development shall take place above ground level until a scheme showing the design of the sub-station and boiler house has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented prior to the occupation of the development

Reasons: To ensure that the development is satisfactorily designed and in accordance with Policy DE1 of the London Borough of Barking and Dagenham Unitary Development Plan (1996) (saved from 27th September 2007 in accordance with the direction from the Secretary of State).

26. No development shall take place above ground level until a detailed scheme for the areas proposed for adoption and the management of on-street parking, including how the costs of implementing the appropriate traffic orders are met, has been submitted to and approved in writing by the Local Planning Authority.

Reasons: To ensure that satisfactory provision is made for maintenance of

Meeting: 12 November 2009
Agenda Item: 5
Report No.: LTGDC/09/PC49

the site and in the interests of highway safety.

27. The 15 No. car parking spaces (including 3 No. Blue Badge car parking spaces) indicated on Drawing No. P102 Rev A shall be constructed and marked out prior to the occupation of the development, and thereafter retained permanently, unless otherwise agreed in writing with the Local Planning Authority.

Reasons: To ensure that adequate car parking is provided and not to prejudice the free flow of traffic on the adjoining highway.

12. INFORMATIVES

1. There are public sewers crossing the site and no building works will be permitted within 3 metres of the sewers without Thames Water's approval. Should a building over / diversion application form, or other information relating to Thames Water's assets be required, the applicant should contact Thames Water Developer Services on 0845 850 2777.
2. Connections are not allowed to the public sewer for the removal of ground water. Where the developer proposes to discharge to a public sewer prior approval from Thames Water Developer Services will be required.
3. Prior to the commencement of any works on site, developers must contact Network Rail to inform them of their intention to commence works. This must be undertaken a minimum of 6 weeks prior to the proposed date of commencement.
4. Following occupation of the development, if within three months Network Rail or a Train Operating Company has identified that lighting from the development is interfering with signal sighting, alteration/mitigation will be required to remove the conflict.

CASE OFFICER: Adele Williamson

Appendix 1: Site Location Plan

Appendix 2: Proposed Site Layout

Appendix 3: Proposed Context Elevations

Meeting: 12 November 2009
Agenda Item: 5
Report No.: LTGDC/09/PC49

Note: *Detailed individual floor plans and elevations will be on display at committee.*

PLANNING COMMITTEE MEETING: 12 November 2009

PLANNING APPLICATION FOR DETERMINATION BY THE LTGDC

ADDENDUM REPORT

| | | | |
|----------------------------|--------------------|-------------------------|------------------|
| UDC CASE NUMBER: | LTGDC-09-058-FUL | DATE MADE VALID: | 21/08/2009 |
| APPLICATION NUMBER: | 09/00652/REG3/LBBD | TARGET DATE: | Subject to a PPA |

| | |
|-------------------|---------------------------------------------------------------------------------------------------------|
| APPLICANT: | London Borough of Barking and Dagenham Housing Strategy and Property Services |
| AGENT: | Halcrow |
| PROPOSAL: | Residential development comprising the erection of 14 No. 4-bedroom houses and 17 No. 3-bedroom houses. |
| LOCATION: | Former site of the Lintons, Linton Road, Barking, Essex |

1. LTGDC TARIFF

- 1.1 On 9 November 2009, the applicant submitted a viability assessment for the proposed scheme and advised that they could not afford the £186,000 tariff payment (£6,000 per residential unit).
- 1.2 The viability assessment has been reviewed by LTGDC officers and it is believed that savings could well be achieved in respect of construction costs and professional fees in order to support the required tariff payment of £6,000 per residential unit.
- 1.3 Accordingly, the recommendation remains that the S106 Agreement should secure payment of the discounted standard charge of £6,000 per residential unit, including provision for recapturing the discount in line with the LTGDC Planning Obligations and Community Benefit Strategy.
- 1.4 Discussions with the applicant will continue on this matter and if it is concluded that they cannot afford the tariff payment of £6,000 per

residential unit, then the application will be referred back to Committee.

2. REVISED TENURE MIX

- 2.1 The applicant has requested a change to the tenure mix of the scheme to improve the viability position.
- 2.2 This new mix would place 6 of the 3-bed 5-person homes in social rent tenure rather than in intermediate tenure.
- 2.3 This improves the applicant's National Affordable Housing Programme (NAHP) grant position and the Homes and Communities Agency (HCA) has approved on this basis.
- 2.4 The revised tenure mix for the scheme is as follows:
 - 20 No. social rent homes (6 No. 3-bed 5-person and 14 No. 4-bed 7-person); and
 - 11 No. intermediate homes (11 No. 3-bed 5-person).
- 2.5 The applicant has requested flexibility in the S106 Agreement to convert 6 No. of the intermediate homes to open market in the future.
- 2.6 This revised tenure mix and the requested flexibility in the S106 Agreement are both considered acceptable, having regard to development plan policies.

3. PLAY SPACE PROVISION

- 3.1 The applicant has confirmed that it has £60,000 allocated from Play England under the Playbuilder grant for the play space north of the Northern Relief Road. It should be noted that this money has to be spent this financial year.

CASE OFFICER: Adele Williamson