

LONDON THAMES GATEWAY DEVELOPMENT CORPORATION

PLANNING COMMITTEE MEETING: 11 October 2007

Planning Application for LTGDC's Determination

Report of the Director of Planning

CASE NUMBER: LTGDC-06-088-PP **DATE MADE VALID:** 31/08/2006

APPLICATION NO: 06/00702/FUL **TARGET DATE:** 30/11/2006

APPLICANT:	Higgins Homes Plc
AGENT:	David Wood Architects
PROPOSAL:	Demolition of existing buildings and erection of a part 6, 7, and 23-storey mixed-use development comprising of ground and first floor commercial space for A1, A2, A3, A4 and B1 use and 148 residential units comprising 13 one-bedroom flats, 130 two-bedroom flats and 5 three-bedroom flats.
LOCATION:	16-34 Cambridge Road, Barking

1. SUMMARY

1.1 This is an application by Higgins Homes Plc for the erection of a 6 / 7-storey podium block and 23-storey tower on land at Cambridge Road, Barking to comprise 148 new dwellings with commercial uses on the ground and first floors. The main considerations are the principle of the development, the design of the building, environmental sustainability matters and the nature of the Section 106 Agreement including the provisions made for affordable housing. The proposal is considered to

generally accord with relevant UDP and London Plan policies and therefore the application is recommended for approval subject to conditions, any direction from the Mayor of London, and a S106 Agreement.

2. SITE AND PROPOSAL

2.1 Description of Site & Surroundings

2.1.1 The application site measures 62 metres wide by between 26.5 and 28 metres deep (0.17 hectares) and is located on the north-east side of Cambridge Road, Barking just 92 metres walking distance from Barking Station. The site is occupied by 2-storey buildings that were originally built as dwelling houses comprising a 'semi-detached' property at number 16-18, a detached property at 20 (which previously formed part of a pair of dwellings but the other half has since been demolished) and a terrace at 24-34 described as Woodbridge Terrace and built in 1880. The buildings comprise a mixture of styles including mock Georgian and, following the carrying out of unsympathetic alterations, have fairly limited architectural value although it is considered that the building at 16-18, which is finished in yellow stock brickwork with a hipped slate tiled roof, is pleasant and contributes to the street scene. The gap in the frontage where number 22 has been demolished is now hard surfaced and provides access to a car parking area at the rear of 24-28. The properties all have hard surfaced forecourts of between 4 and 4.5 metres in depth which were previously used for car parking. All of the properties are now vacant and were last used for a variety of commercial purposes including offices for the Royal British Legion and the Borough's Asylum Seekers Unit.

2.1.2 The site is bounded to the rear by operational land relating to the railway (used for car parking purposes) and beyond this are the railway lines and platforms at Barking Station. The land to the rear is approximately 2 metres lower than the application site. To the south-east and adjacent to number 16 is Central House, a 6-storey purpose built office building that was extended to provide a 7th floor and converted into 40 flats in the early 2000s. Beyond this are shops forming part of Station Parade. To the north-west of the site adjacent to number 34 is a terrace of 7 former dwellings, similar to those on the application site. 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 expired on 31 July 2007 and the school is actively seeking to move to new premises). This site has been the subject of discussions concerning its redevelopment for residential purposes with commercial use on the ground and first floors. The scheme is likely to involve the erection of a podium block of the same height to that proposed in this application with a tall tower element. Immediately to the north-west of this terrace is a 4-storey office building occupied by Hapag Lloyd.

2.1.3 To the south-west on the opposite side of Cambridge Road are a variety of uses. Opposite 24-34 is a public car park that is also used 3 times a week for trader's vehicles for stallholders at Barking market. Opposite 20 is a car park at the rear of, and for the benefit of, the Barking Baptist Tabernacle. Opposite 16-18 is another car park for occupiers of Crown House, a 15-storey office building that is located approximately 50 metres from the application site. To the south east of this car park is Cambridge House, a 3-storey office building.

2.1.4 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 north-west corner of the site frontage. The footway is narrow but broadens out from 24-34 as a build-out has been constructed into the former carriageway.

2.1.5 The proposed development falls within Barking's Station Quarter area which is currently being master planned by the Corporation. 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 proposed development comprises a part 6, 7 and 23-storey mixed-use building comprising 1,075 square metres of commercial space on the ground and first floors and 148 residential units on the upper floors. The application seeks a flexible planning permission to use the ground and first floors for any purpose within Classes A1 (shops), A2 (financial and professional services), A3 (restaurants and cafes), A4 (drinking establishments) and B1 (business). The 7-storey podium block comprises the majority of the site frontage (dropping down to 6-storeys adjacent to Central House), and the 23-storey tower projects vertically from it, slightly off-centre.

2.2.2 The ground floor frontage comprises 2 commercial units (65 and 135 square metres floorspace) together with the main residential entrance with concierge, a substation and various entrance doors to other utilities, emergency escape stairs etc. To the rear of the ground floor is a refuse enclosure, the residential cycle store (154 spaces), commercial cycle store (6 spaces) and various rooms to house the building services. The first floor comprises 2 commercial units of 400 and 475 square metres floorspace. However, the exact number of commercial units on the ground and first floor could change in response to future demand.

2.2.3 The residential mix comprises 13 one-bedroom (2 person) flats, 130 two-bedroom flats (110 of which are 3 person and 20 of which are 4 person flats) and 5 three-bedroom (4 person) flats. Eighteen of these units (comprising 8 one-bedroom units, 4 two-bedroom 3 person units, 4 two-bedroom 4 person units and 2 three-bedroom units) are to be shared equity units and these will be located between the second and sixth floors.

2.2.4 The scheme is car-free although 2 car parking bays for blue badge holders are proposed to be constructed on land partly within the site and partly on the public footway. In addition, a 22 metre long lay-by (excluding tapers) is proposed to be constructed for service/refuse vehicles on land that is currently primarily used as public footway. As a consequence the public footway will need to be diverted through the site and the drawings indicate a path of varying width but with a minimum of 1.8 metres.

2.2.5 The design of the building has evolved significantly over time and has been amended to take account of the comments of the GLA in the consultations section of this report. A more detailed description of the design is given in Section 9.2 of this report.

2.2.6 Overall the building is approximately 69.2 metres in height and is crowned by 6 large wind turbines.

<p>3. MAIN ISSUES</p>
<ul style="list-style-type: none"> • Principle of use. • Design considerations. • Sustainability matters. • Section 106 Agreement.
<p>4. RELEVANT SITE HISTORY</p>
<p>04/00216/FUL – Erection of 10 storey building to provide offices (Class B1) on ground floor and 75 one and two bedroom flats above with ancillary parking spaces (16-28 Cambridge Road). Pending consideration. This is an application by Higgins Homes and is on hold pending the outcome of the current application. The application is likely to be withdrawn should planning permission be granted for the current application.</p> <p>02/00957/FUL – Erection of 14 two bedroom flats in 5 storey block (22-28 Cambridge Road). Application refused 28.11.03. Appeal dismissed. This application was also an application by Higgins Homes. The application provided no affordable housing and was not considered to be a comprehensive development.</p> <p>88/00548/TP – Erection of first floor office extension (24-26 Cambridge Road). Approved 1.06.90.</p> <p>73/00054/TP - Alterations to premises and use for office purposes and formation of car park at site of 22 (22-24 Cambridge Road). Approved 5.03.73.</p>
<p>5. CONSULTATIONS/NOTIFICATIONS</p>
<p>a) English Heritage - Archaeology The site is within an archaeological priority zone as specified in the Unitary Development Plan near the historic core of Barking. Nearby excavations on George Street in 1997, and more recently in North Street, have revealed significant archaeological remains dating from Saxon and Medieval periods, indicating early medieval settlement in the vicinity. It is possible that this activity extends eastwards into the Cambridge Road site where significant archaeological remains may also be present. The proposed development may therefore affect remains of archaeological importance.</p> <p>It is therefore advised that archaeological investigations should be undertaken in advance of development works. These investigations, probably in the form of a field evaluation, should be secured by attaching a condition to any grant of permission.</p> <p>b) London City Airport No safeguarding objection.</p> <p>c) Essex and Suffolk Water No comments.</p>

d) Network Rail

Scaffolding must not oversail or fall onto rail land. Construction of foundations must not impact on the stability of the railway. Noise from the railway may be an issue. There should not be any large opening windows on the rear elevation so as to ensure that nothing is thrown/dropped onto the railway.

The proposal will impact upon Barking Station in terms of the number of additional users that this proposal may generate. Does the transport assessment consider whether the station has adequate capacity and facilities to cope with this growth? Depending on the impact the proposal should provide any necessary mitigating station enhancement or contribute to the pooling of obligations via a Section 106 agreement for station improvements in conjunction with other development in the area.

There are currently capacity problems and relatively high levels of congestion at Barking Station and an anticipated 28% growth in footfall over the next ten years. Network Rail has plans to upgrade the station to facilitate this growth, currently including the widening of the dispersal bridge and the installation of an additional gateline. It is considered that a contribution to this upgrade should be sought and is generally in accordance with Policies C17 and T4 of the adopted UDP.

e) London Fire and Emergency Planning Authority

Satisfied provided that the building is fitted with dry risers and access is available for a fire appliance to within 18 metres of the inlets.

f) Metropolitan Police Service - Crime Prevention Design Advisor

Detailed report submitted. The design incorporates many good crime prevention features and it is recommended that the developer should consider applying for the Secured by Design award for this development. Detailed comments regarding boundary treatment, access to the building, apartments and cycle parking areas, window and fire exit design, lighting and CCTV.

g) Environment Agency

No objection subject to imposition of conditions relating to the submission of details of the surface and foul drainage system and site foundations.

h) Commission for Architecture and the Built Environment (CABE)

In commenting on the originally submitted drawings, CABE commented that they do not believe that this proposal meets the quality criteria set out in the joint CABE and English Heritage 'Guidance on Tall Buildings', which states that any new tall building 'should be in an appropriate location, should be of first-class design quality in its own right and should enhance the qualities of its immediate location and setting'. While it may be possible that a building of some height would be appropriate in this location, we have seen no evidence of a convincing urban design and contextual analysis justifying this proposal. We find the form and massing to be crude and uncomfortable, are not convinced that the elevational treatment would result in an elegant appearance and feel the base and top of the tower have not been the subject of sufficient design analysis. We do not believe this building is worthy of Barking which we note has been making efforts to upgrade its environment and architectural presence in recent years. This seems to be a backwards step and we cannot support it.

CABE have now been sent the revised drawings and their comments are awaited. An

updated will be provided to Committee.

i) GLA - Policy and Partnerships Directorate

The Mayor's Stage 1 report concluded that the principle of the development is accepted. However, the design did raise strategic concern, in particular the facade treatment of the tower block, and its relationship to the podium element. Further discussions were recommended to resolve these issues.

The development is wholly flatted and includes a tall building element. The site is also a constrained central site, adjacent to a railway, with no opportunity for ground level open space. As a result on-site provision of large and social rented units would not provide a quality residential amenity for occupiers. It is considered that better quality larger social rented units could be provided for off-site. This approach is generally only acceptable where an agreed location is found for the off-site provision, and where a higher quality unit can be provided. As such a financial contribution of £2,870,000 has been secured through a financial viability assessment. In accordance with London Plan Policy 6A.4, and in recognition of Policy 3A.7, the majority of these funds should go towards affordable housing. In negotiation with the LTGDC and the Council, it has been agreed that £400,000 will be spent on open space improvements and education provision, and £44,000 for a car club. Therefore £2,430,000 remains for off-site affordable housing.

The off-site provision of affordable housing should be used to fund large units. Using the Housing Corporations 2006-2008 grant allocation figures within Barking & Dagenham of £26,485 per person, per unit, this would provide approximately eighteen 3 and 4-bed social rented units. This raises the total affordable housing component to 36 units, representing 22% of total housing provision. The total number of social rented units, by habitable rooms is 16% of total provision, this is split with intermediate provision 63/37 respectively.

It is currently proposed that the money will be paid to the Council (see paragraph 9.8 below regarding S106) and the units delivered as part of the Lintons estate renewal scheme. The Lintons site is in the same ward as the Cambridge Road site, therefore although the social rented provision is off-site, the close proximity of the provision will help ensure a mixed and balanced community within that ward. Further information and assurances are required from the Borough regarding the Lintons site before off-site provision on that site can be considered acceptable. In particular, it is essential that any off-site provision delivers additional units, and does not fund replacement within the estate.

The proposal for 149 (now 148) on-site residential units equates to a density of 716 dwellings per hectare. The site has a Public Transport Accessibility Level of six. The density guidance in Table 4B.1 of the London Plan has a maximum density level of 435 dwellings per hectare. However, given the central location of the site, and its close proximity to public transport links, a higher density is acceptable.

The height, bulk and massing of the proposal, and the principle of a tower and podium block arrangement, is accepted in this location. However, the treatment of the facade of the tower element is not elegant, and is not compatible with the design of the lower podium element. A clearer relationship is sought between these two elements, and the current tower elevational treatment should be reconsidered.

The flats within the tower have a 'winter garden' style space, which is internal, but includes louvres to ventilate the unit. These spaces lack quality and could be better designed through the option of becoming part of the interior by a series of interior (single glazed) and exterior (double glazed) operable sliding doors. This would allow residents to use this space as part of the living room, or as a separate balcony space, and will maximise light and air into the units.

The proposal is likely to accommodate 29 children. Paragraph 4.42 of the draft SPG Providing for Children and Young People's Play and Informal Recreation states that a benchmark standard of 10 sq.m. per child should be applied to establish the quantitative requirements for playspace provision arising from new developments in the area. Therefore the development creates the quantitative need for 290 sq.m. of playspace. In response the applicant has provided 475 sq.m. of residential amenity space on the roof of the podium block, which can be accessed by all occupants. This is to be used by both residents and children. The applicant has indicated that this space will include a sandpit and a storage area to store moveable play equipment, and will include impact absorbing surfacing and paving and/or coloured paint, to help define play areas. In addition to this the applicant should fund the purchase of appropriate small-scale play equipment. This should be secured through the legal agreement.

Of the 149 residential units, 83% have private balconies, either internal or external. These range from 4 sq.m. to 6 sq.m. However, the units within the podium block that face the railway do not have balcony space. The reason for this is unclear, given that the units within the tower that also face the railway benefit from an internal balcony. Consideration should be given to providing these flats with balcony space, particularly as this includes three 3-bed units, two of which are shared ownership units.

The scheme will contain a community heating system which will have blanked-off connections at the site boundary for future connection to the Council's proposed district heating system. The applicant states that if there is any commercial cooling demand then absorption chillers will be used, fired by the district heating system. A further fifteen roof-mounted wind turbines are incorporated to reduce CO2 emissions by an estimated 11.4%. In terms of current and draft London Plan policy, the applicant has sufficiently demonstrated that its strategy will support the detailed technical work undertaken by the Council into the feasibility and benefits of a district heating system. As the scheme falls within one of the Mayor's four energy action areas, the scheme will contribute to the delivery of wider Mayoral objectives in relation to climate change and provides a model of how an individual scheme can support longer term energy objectives in line with the draft London Plan policies.

From the noise and vibration assessment provided, there are no apparent strategic noise concerns with this proposal. Noise levels at the Cambridge Road facade fall into Noise Exposure Category (NEC) C of Planning Policy Guidance 24: Noise during both day and night and at the rear facade into NEC C at night, due to road traffic and railway noise respectively. The advice in PPG24 for NEC C is that: *"Planning permission should not normally be granted. 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."* However, residential development is often permitted in London in such cases due to the lack of alternative,

quieter sites.

London Plan Policy 4A.14 requires that noise-sensitive development should be separated from major noise sources wherever practicable. Where separation by distance is not practicable, this can often be achieved by placing habitable rooms on quieter facades. In this case, however, all of the facades of this relatively shallow site will be exposed to significant noise and it is accepted that such an approach is unlikely to be practicable. Consequently, while not ideal, acoustic glazing and ventilation will have to be utilised instead to give acceptable internal noise levels. This should be required by condition. Where acoustic glazing is needed, the ventilation systems should be capable of providing a positive flow of air to avoid the need to open windows. Systems such as passive stacks are preferable to mechanically powered ventilation in such cases, in order to avoid additional energy consumption.

The site is highly accessible and has a Public Transport Accessibility Level of six. It is approximately 240 metres from Barking station, which provides access to national rail and Underground services as well as bus routes serving a wide range of destinations. East London Transit phase 1a will pass in front of the station and future phases of ELT will terminate in the town centre. As a result there will be a significant increase in ELT/bus movements in the town centre over the next few years. The area in front of the station will not be able to cater for the increased interchange or the requirements for vehicle standing and work is underway to examine how these can be accommodated.

TfL would normally expect a significant contribution towards works to improve interchange, bus stopping arrangements and standing facilities in and around the station subject to financial viability issues. TfL also need to be consulted on the details of the proposed service lay-by in Cambridge Road and on construction traffic management details. The proposed car-free development is supported. A Car Free Agreement should be in place to prevent residents from applying for parking permits on surrounding streets. A travel plan is required.

149 cycle parking spaces are proposed for the residential element of the development. This is in line with TfL's Cycle Parking Standard, which suggests 1 space per residential unit. Provision should also be made for the commercial element of the development. Based on TfL's standard of 1 space per 250 sq.m. of commercial floor space, another 5 spaces will be required.

The LDA welcomes the proposal for mixed-use development on this site. It is noted that open permission is being sought for either retail or office space at ground and first floor, and that an end user is not known at this stage. However, the site is located on existing employment land (office use) and although the location is not of strategic importance for office provision, the applicant should seek a replacement office occupier. The site is within an existing office area, which is well serviced by public transport. London Plan policies support the provision of office space that provides a variety of type, size and cost to meet the needs of all sectors, including SMEs, and supports the rejuvenation of existing office space. The Council should also consider if this site is the most appropriate location for two floors of retail space and not within the more retail focused Station Parade/Town Square area.

The LDA considers it important to ensure that local residents and businesses benefit from jobs created by this proposal as set out in London Plan Policy 3B.12. Initiatives to create training opportunities for local people and to address other barriers to employment, for example, childcare, should be included within the Section 106 agreement. This should also include provisions to enable local people to access the jobs to be created during construction and in the non-residential components of the development once completed.

j) Design for London

This scheme has in the last few months been greatly improved. The cladding is more coherent and of higher quality. This has benefited the scheme in that it no longer falls into 2 unrelated parts of a tower and base. The awkward shaded internal/external rooms have now become more useable winter gardens that can enjoy daylight. The internal lay-out has also improved. The height of the tower is appropriate for this site, and supports the principles of Barking's Urban Design Guidance with the building casting its main shadows over the station platforms. The massing seems appropriate and the way the tower now reaches the ground and is not raised on round columns, is a great improvement to the relationship of the building and the public realm. Design for London believes this is now an acceptable scheme.

LBBB INTERNAL CONSULTEES

k) Strategic Transport

Concerns expressed regarding the likely levels of car ownership and the impact of parking of those vehicles. Residents should not be eligible for parking permits in the Town centre controlled parking zone. The development should make a contribution towards public transport (e.g. bus countdown technology or improve linkages between the development and Barking station/bus stops and to assist the formation of a town centre car club).

l) Planning Policy and Strategy

The principle of redevelopment and the proposed use are considered acceptable and are consistent with national, regional and local guidance. PPS1, PPS3, and the London Plan encourage higher density housing in highly accessible locations along with mixed-use schemes that make the most efficient use of land. The Unitary Development Plan indicates that this site be redeveloped for offices. However, Interim Planning Guidance (IPG) for Barking Town Centre, which provides policy guidance that bridges the UDP and more recent national and regional policy, indicates that as part of wider regeneration plans, the proposed site "will become a lively urban interchange, with new, high density, high quality development surrounding the station." The proposed use of residential accommodation along with ground and first floor commercial elements represents a redevelopment opportunity in-line with the current plans in and around Barking Station.

The one concern in relation to the commercial element of the scheme relates to the broad range of commercial uses proposed. The IPG states that new development should at most times include ground floor active street frontages and office uses above where possible and appropriate. Therefore B1 uses would not be considered acceptable on the ground floor. It further states that it is expected that "an evening economy will develop within the Station Quarter, complementing the increased

residential uses...and that the town centre should aim to attract further retail investment ...as part of mixed-use schemes. To support existing shops and improve the balance of uses, we would like to make sure there is not an increase in hot-food takeaways.” Therefore, A2 and A5 uses would not be considered an appropriate commercial element in the proposed development. In summary, for the proposal to be considered acceptable, it is recommended that only A1, A3, and A4 uses should be permitted on the ground and/or first floor, whilst B1 uses would be appropriate solely on the first floor.

The proposed housing mix as stated in the Barking Town Centre IPG indicates that developments should provide 35% one bedroom units, 35% two bedroom units, 20% three bedroom units and 10% four bedroom units. The proposed housing mix includes 26% 1 bedroom; 71% two bedroom; and 3% three bedroom, which does not conform to the guidelines set out in the IPG. However, the proposed dwelling mix does reflect its town centre location, and the inability of such a site to accommodate a greater proportion of larger dwelling units, given the relatively small size of the site and subsequent inability to provide adequate amenity space/children's play space. The site's inability to provide family housing is balanced by the availability of nearby sites (e.g. the Lintons, London Road) which can and will be capable of providing more family housing. On this basis, not meeting the IPG housing mix target will not undermine the strategy for the town centre as a whole and the specific constraints of this site are considered sufficient to justify a departure from the policy approach set out in the IPG. In any case, the IPG is clear that the 35/35/20/10 mix is for the town centre as a whole and is not intended to be the mix for every site.

In relation to affordable housing provision, the UDP indicates that at least 25% of units should be provided for affordable housing but that this will vary from case to case and will be a matter of negotiation. Barking Town Centre IPG states that for development of 15 dwellings or more, a contribution of 35% should be provided taking into account housing need; site accessibility; site size and suitability; the nature of the proposal and economics of provision; and Borough wide targets in the area. It is understood that a financial contribution will be made to provide larger family affordable rented units off-site. The amount of this financial contribution should be equal to the cost of providing 35% of affordable housing on the site less 12% (the proposed affordable housing provision on-site).

In relation to external amenity space, because the development is located in a town centre location, is served by existing green space (e.g. Abbey Green), and does provide suitable alternatives such as usable roof terraces and balcony space options, the proposed amenity space provision is considered acceptable.

The proposed development is car free, except for the provision of two “blue badge” car parking spaces that are intended to improve accessibility for wheelchair users, and a lay-by for servicing the development. This is consistent with Barking Town Centre's IPG which states that within a 200 metre walking distance of Barking Station, the Council will expect car free development. Therefore, the parking provision is considered acceptable.

London Plan policies 4B.8 and 4B.9 reflect the Mayor's guidance in relation to the location and design of tall buildings. Policy DE7 of the Unitary Development Plan states that tall buildings (over 5 storeys) will only be acceptable in Barking Town Centre where

they make a significant townscape contribution; where no adverse impacts occur to the skyline or amenities of surrounding sites; where the proposed building relates well to its surroundings (especially other tall buildings); where no negative environmental impacts result; and, where the building is of high architectural quality. The proposed building would be considered a landmark building due to its height in relation to the surrounding buildings and its location adjacent to Barking Station. The proposed development is generally acceptable due to its regeneration impact on the area; the provision of an “active” street frontage; the contemporary design incorporating positive environmentally sustainability features and the stepped-down seven storey element that provides a more complementary relationship with the neighbouring Central House building.

m) Area Regeneration

It is difficult to identify a more appropriate site for a high density, car free scheme in Barking Town Centre. Its proximity to the station and the main shopping area is ideal and with the proposals likely to come forward for the Lintons any increased footfall past the ground floor commercial units will add to the chances of their viability.

By maintaining the ‘podium’ element of the building at the same height as Central House, against which it directly abuts, the continuity of the street elevation is maintained. However, the accommodation at level 6 would be better if set back to create penthouse type units that reflect the existing building form and which would help to reinforce the existing eaves line.

Treating the 23-storey element as a completely separate unit, rather than growing it out of the podium, visually slims the tower down and is to be welcomed.

The elevational treatment of the tower is acceptable but the success of the façade and the building will depend very much on the final choice of material, colour and the attention that is paid to the detailing of the chosen cladding system.

Omission of external balconies and the creation of internal ‘sun rooms’ to provide private amenity space to the flats is an interesting and attractive proposal. If the link between the flat and the sun-room is imaginatively detailed this offers the opportunity to increase the living area of the flat for the majority of the year, only being shut off in extreme weather conditions.

n) Access Officer

Dwellings to be built to Lifetime Homes standards and 10% to wheelchair housing standards.

o) Environmental Sustainability

Strongly urge the applicant to achieve Ecohomes excellent particularly since the informal pre-assessment shows that the development is very near this level. Commend use of the Demolition Protocol and the Environmental Management Plan during construction. The total estimate of water use of 50 cubic metres per bedspace per year is higher than both the Mayor’s essential standard and his preferred standard of water use in new dwellings.

The supply of heat by any means other than gas-fired heat only boilers would be detrimental to the case for the Town Centre district heating network.

<p>p) Education Total pupil yield forecast is 21 children. This would require a Section 106 contribution of £365,600. This will support the work we are currently undertaking to fund the expansion of the nearest schools (Northbury Infants and Junior Schools) by one form of entry. There is a huge demand in the central Barking area due to a range of developments and we are already having to expand other schools who cannot cope with the additional demands that are being placed on them as they are all at or near capacity.</p>	
<p>q) Highways In principle have no major objections. However, require further details eg statutory undertakers equipment to establish if it is practical to provide the proposed layout. In order that the proposed bays can be used a turning facility may be required if the proposed weight restriction on Station Parade goes ahead. The parking bay for refuse and delivery vehicles will require enforcement. A 'physical' form of control or CCTV system should be considered rather than relying on parking attendants. The method of controlling occupiers' vehicle ownership should be discussed further. Section 38 and 278 Agreements will be required as the proposed layout involves the diversion of the public highway and we would require a 2 metre wide public footway.</p>	
<p>6. APPLICATION PUBLICITY</p>	
<p>6.1 Site Notice Expiry: 22/09/2006</p>	
<p>6.2 Press Notice Expiry: 07/10/2006 (Advertised as a departure)</p>	
<p>6.3 Neighbour Notification: The occupiers of 374 neighbouring properties were directly notified of the application on 1 September 2006.</p>	
<p>7. REPRESENTATIONS</p>	
<p>One letter of objection received from Hapag-Lloyd (UK) Ltd who occupy premises at 48A Cambridge Road.</p>	
<p>Comment: Oppose a 23-storey building which would diminish natural light to surrounding offices including their premises.</p>	<p>Response to Comment: The proposed tower would be located 69.6 metres to the south-east of the Hapag-Lloyd office building, which is a 4-storey building. It is not considered that the tower would have any serious effect on natural light to occupiers of the building in view of the significant separation between the buildings. The daylight and sunlight assessment submitted with the application indicates that the development would result in a very modest and acceptable net reduction in daylight/sunlight entering windows at</p>

<p>Also note that, although not part of these plans there are proposals for a similar height building at the site adjacent to our offices. If this application is agreed it will be easier for the next developer to build at the same height which will have a greater impact on natural light entering our offices.</p> <p>Question that the scheme has no parking – where will people park their cars?. Cambridge Road has double yellow lines along either side and on the main bus route. Cars are currently parked on the pavements causing obstructions to pedestrians. If there is an accident on the A13 all traffic comes through Barking including Cambridge Road.</p> <p>Recent planning permission to allow a school in Cambridge Road has resulted in our staff not able to leave our premises by car due to the blocking of our entrance by cars dropping off/picking up.</p>	<p>Hapag Lloyd.</p> <p>The granting of planning permission for this scheme should have no bearing on whether permission would be granted for the redevelopment of the adjoining site at 36-48 Cambridge Road for a building of similar height. Any application received for this site would be assessed on its merits having regard to local, regional and national policy.</p> <p>Parking and highway issues are discussed in Section 9.5 below.</p> <p>Parking and highway issues are discussed in Section 9.5 below.</p>
<p>8. RELEVANT PLANNING POLICY</p>	
<p>8.1 Planning Policy Guidance</p> <p>PPS1 – Delivering Sustainable Development PPS3 – Housing PPS6 – Planning for Town Centres PPS13 – Transport PPG15 – Planning and the Historic Environment PPG16 – Archaeology and Planning PPS22 – Renewable Energy PPG24 – Planning and Noise</p>	
<p>8.2 The London Plan (adopted February 2004)</p> <p>Policy 2A.1 - Sustainability Criteria Policy 2A.5 - Town Centres Policy 3A.1 - Increasing London’s Supply of Housing Policy 3A.2 - Borough Housing Targets Policy 3A.4 - Housing Choice Policy 3A.5 - Large Residential Developments</p>	

Policy 3A.7 - Affordable Housing Targets
Policy 3A.15 - Protection and Enhancement of Social Infrastructure and Community Facilities
Policy 3B.12 - Improving the Skills and Employment Opportunities for Londoners
Policy 3D.1 - Supporting Town Centres
Policy 4A.7 - Energy Efficiency and Renewable Energy
Policy 4A.8 - Energy Assessment
Policy 4A.9 - Providing for Renewable Energy
Policy 4A.14 - Reducing Noise
Policy 4B.1 - Design Principles for a Compact City
Policy 4B.2 - Promoting World-Class Architecture and Design
Policy 4B.3 - Maximising the Potential of Sites
Policy 4B.4 - Enhancing the Quality of the Public Realm
Policy 4B.5 - Creating an Inclusive Environment
Policy 4B.6 - Sustainable Design and Construction
Policy 4B.8 - Tall Buildings - Location
Policy 4B.9 - Large Scale Buildings – Design and Impact

8.3 London Borough of Barking and Dagenham UDP (adopted 1996)

Policy H.14 - Environmental Requirements
Policy H.15 - Residential Amenity
Policy H.16 - Internal Design
Strategic Policy H - Barking Town Centre
Policy E.2 - Change of Use From Employment
Policy BTC.1 - Town Centre
Policy BTC.12 - Environmental Improvements
Policy DE.1 - Urban Design
Policy DE.6 - Safety and Security
Policy DE.7- High Buildings
Policy DE.16 - Hard Landscape
Policy DE.36 - Development on Sites of Archaeological Importance
Policy DE.37 – Protection of Archaeological Sites
Policy G.28 – Contaminated Land
Policy G.31 – Waste Re-use and Recycling
Policy G.32 - Litter and Flytipping
Policy G.36 - Noise and Vibration
Policy G.38 – Water Pollution
Policy C.15 - Access
Policy T.19 - Provision for Cycling
Policy T.32 - Service Areas
Policy S.8 – Food and Drink Uses

8.4 Other Relevant Planning Policies & SPGs

Interim Parking Standards (January 2002).
Barking Town Centre Interim Planning Guidance 2004 (IPG).

Mayor of London SPGs:

Housing (November 2005)

Accessible London: Achieving an Inclusive Environment (April 2004)

Sustainable Design and Construction (May 2006)
Draft SPG: Providing for Children and Young People's Play and Informal Recreation (October 2006)

CABE and English Heritage "Guidance on Tall Buildings" (July 2007).

9. ASSESSMENT OF MAIN ISSUES

9.1 Principle of the development

9.1.1 The application site, together with the terrace of properties at 36-48 Cambridge Road, was allocated in the London Borough of Barking and Dagenham Unitary Development Plan (1996) as an area to be redeveloped for offices (Policy BTC.31 – Site of 16-48 Cambridge Road). As such the application, which is primarily residential in nature, was advertised as a departure from the development plan. However, following the introduction of the Local Development Frameworks to replace UDPs, all adopted policies will cease to have effect after 27 September 2007 unless previously 'saved' by the Secretary of State. The Borough has sought the Secretary of State's direction on saving a number of UDP policies but this policy was not considered necessary to be saved. As such the proposal is no longer considered to be a departure from the development plan and it is not proposed to refer the application to the Government Office for London (this would have been necessary as 16-20 Cambridge Road is owned by a Local Planning Authority i.e. the Borough).

9.1.2 The Interim Planning Guidance for Barking Town Centre allocates the site within the 'High Street Network' wherein new developments will be expected to "increase the urban nature of and the mix of uses in the town centre". More specifically the site is located within the 'Station Quarter' in which "high density, high quality development surrounding the station" will be encouraged. It also states that the area presents opportunities for quality sustainable outcomes, particularly car-free developments and that the scale and height of buildings should reinforce the nature and importance of Barking interchange.

9.1.3 The application will involve the loss of a number of small office units but, in compensation, provision is made for 2 ground floor commercial units comprising 135 and 65 square metres and 2 larger first floor units comprising 400 and 475 square metres floorspace. The application seeks a flexible planning permission to use the ground and first floors for A1/A2/A3/A4 and B1 use. The application originally also sought permission for Class A5 usage (hot food takeaways) but this has now been deleted from the proposal as it was considered that a takeaway could have adverse implications for residential amenity. It is noted that the LDA have requested that the commercial units be restricted to Class B1 use as the site is located on existing employment land. The Borough's Planning Policy and Strategy Team consider that Class A2 uses would not be acceptable and that B1 uses should be restricted to the first floor. This is to encourage the formation of active ground floor frontages.

9.1.4 Having regard to this matter the site is not located within an established retail area and currently does not benefit from significant footfall. It is therefore considered to be unreasonable to insist that the ground floors are restricted to Class A1, A3 or A4 purposes. Furthermore it is not considered necessary to restrict the use to B1 as the

existing site is not identified as of strategic importance for offices and previously accommodated a limited number of small-scale offices. It is therefore considered beneficial to allow flexibility in the proposed uses in order to ensure that the commercial units are occupied as early as possible and avoid completely blank frontages. It is therefore concluded that the proposed mix of uses is acceptable and compatible with the requirement to “increase the urban nature of the town centre and add to the mix of uses” (IPG). It is however considered that, if permission is granted, there should be a restriction on the occupation for Class B1 (c) (use for any industrial process) which could result in concerns regarding vehicle servicing for which the site is not well suited.

9.2 Design and layout

9.2.1 The design of the building has developed over a considerable period of time following input from Officers from the Borough, LTGDC, GLA, Design for London, and CABE, and the final scheme shows significant improvements from earlier iterations, particularly those at the pre-application stage.

9.2.2 The final amended scheme, rather than wrap the tower in a glass skin, now seeks greater verticality by introducing projecting stone clad blade walls and continuous stone clad projecting bays on each façade. This has emphasised the winter gardens, which run the full height of the tower on all four corners, and appear as “glass pods stacked one on top of another”. The design of the winter gardens has also evolved and now feature a glazing system that enables the spaces to be fully opened up from balustrade level to the underside of the ceiling, or to be completely closed off from the weather.

9.2.3 The continuous projecting bays help articulate the tower elevations. They are clad in a dark coloured resin bonded stone with a riven finish to achieve an ‘elegant monolithic’ appearance which contrasts with the glazed facades that they dissect. Within the bays continuous aluminium framed window ‘strips’ break down the solid bays and further enhance the verticality of the facades.

9.2.4 The use of only 2 materials on the tower (stone and clear glazing) is carried through to the podium elevations. The design and appearance of the winter gardens and window strips within the projecting bays on the tower are replicated on the front elevation of the podium to create a strong visual relationship between the two building elements. Where winter gardens are not proposed to the flats on the rear elevation of the podium due to space constraints, large sliding door systems with full height clear glazing and glazed balustrades are proposed in their place to preserve the rhythm of the elevations.

9.2.5 The active commercial uses would be set behind clear planar glazed panels at ground and first floor level to create an open and legible frontage appearance. The residential units would be accessed from a single entrance with a double height space which would be located under the overhang of the tower which would effectively act as a large canopy. Access to the lift and stair cores would be through a fob operated security door and past the building concierge. The stone clad blade walls on the front and rear elevations continue to the ground to form 2 columns at the front and rear of the building.

9.2.6 The stone panels will nominally return on the corners of the flank walls of the podium block. However, the side wall will not be visible adjacent to Central House and

the flank wall adjacent to 36-48 Cambridge Road is expected to be screened following the likely redevelopment of that site. As such it is proposed that this wall is finished in either render or painted blockwork in the interim. The rear ground floor is finished to a large extent with aluminium ventilation grilles to ventilate the bike and bin stores and building services rooms.

9.2.7 In relation to CABI and English Heritage Guidance on Tall Buildings, CABI stated that any new building should be in an appropriate location, should be of first-class design quality in its own right and should enhance the qualities of its immediate location and setting. In response to an earlier version of the proposed scheme, CABI commented that while it may be possible that a building of some height would be appropriate in this location, they had seen no evidence of a convincing urban design and contextual analysis justifying the proposal. CABI found the form and massing proposed to be crude and uncomfortable and was not convinced that the elevational treatment would result in an elegant appearance. Furthermore, they felt that the base and top of the tower had not been the subject of sufficient design analysis.

9.2.8 The detailed design of the building has evolved significantly since CABI made these initial comments. Design for London has been very involved in the revisions to the scheme and have now given their support to the proposed scheme. Design for London have commented that the cladding is now more coherent and of a higher quality. This has benefited the scheme in that it no longer falls into two unrelated parts of a tower and base. Design for London also consider that the height of the tower is appropriate for this site, and supports the principles of Barking's Urban Design Guidance with the building casting its main shadows over the station platforms. Furthermore, Design for London consider that the massing seems appropriate and the way the tower now reaches the ground and is not raised on round columns, is a great improvement to the relationship of the building and the public realm.

9.2.9 The CABI and English Heritage Guidance on Tall Buildings was updated in July 2007. The guidance states that applicants seeking planning permission for tall buildings should ensure that the following criteria are fully addressed: the relationship to the context (including natural topography, scale, height, urban grain, streetscape and built form), the effect on the historic context, the relationship to transport infrastructure, the architectural quality of the building, the sustainable design and construction of the proposal, the credibility of the design, the contribution to public space and facilities (both internal and external), the effect on the local environment, the contribution made to the permeability of the site and the wider area, and the provision of a well-designed environment (both internal and external). Having regard to the discussion in this section of the report, it is considered that the revised scheme addresses these criteria and will result in a high quality development.

9.2.10 The principle of a tall building close to Barking railway station is accepted as the site is within the commercial hub of the town centre and has excellent public transport accessibility. The bulk of the tower, at 17 metres wide by 26.7 metres deep, is also considered to be acceptable and has been slimmed down from initial designs.

9.2.11 The detailed design of the building has also evolved to address the design concerns of the GLA. The resulting building is now considered to be acceptable and, in particular, the tower and podium block read together as one scheme whereas previously they appeared as disparate parts of the same development. The choice of

facing materials appears interesting although it is recommended that no approval be yet given to the external materials, including the dark stone, which, if permission is granted, will need to be subject to a further detailed submission including the provision of samples.

9.2.12 The site is approximately 0.17 hectares in size which equates to a density of 871 dwellings per hectare or 2,565 habitable rooms per hectare. This significantly exceeds the density guidance in the London Plan although it is noted that the GLA do not raise objection on this matter. It is considered that the construction of a tall tower on a limited site footprint will almost always result in a density in excess of London Plan guidelines and, in view of the central location and excellent accessibility of the site, no objections are raised to the density in this instance.

9.2.13 The proposed development is considered to be in keeping with master plan proposals for the Station Quarter. In particular, the proposed development will provide a high-density, high-quality car-free development which will make the most of the excellent public transport access and location in relation to shops and services.

9.2.14 The applicant has provided key views of the proposed development which illustrate how the development will be seen from around the area.

9.3 Housing mix and tenure

9.3.1 The housing mix, as described in paragraph 2.2.3 above, provides for a variety of 1, 2 and 3 bedroom units but with a high preponderance of 2 bedroom units (130). Following detailed discussions with officers of the Borough, LTGDC and GLA it was agreed to be appropriate in this instance to provide shared equity units on-site but to make a financial contribution to provide larger family affordable rented units off-site. The Council are currently progressing the redevelopment of 'The Lintons' housing estate which is located a short distance to the north-west of the site. This site has been identified as being suitable for, inter alia, a number of 3 and 4 bedroom socially rented units. It is considered that this site is better suited for larger family accommodation than the application site and is in such close proximity to maintain the social balance in the area. As such it is considered that, in this instance, the mix of units is acceptable.

9.3.2 The provision of 18 shared equity units within the scheme represents 12% of the total number of units and 11% of the total number of habitable rooms. The latest financial appraisal indicates that £3,185,000 is offered as a Section 106 contribution. It is agreed with the GLA that the vast majority of this money should be dedicated to affordable housing, as the on-site offer is very low. It is calculated, by using the Housing Corporation's 2006-2008 grant allocation figures for Barking and Dagenham of £26,485 per person per unit, that £2,700,000 could provide approximately twenty 3 and 4 bedroom social rented units. The remaining £485,000 could be allocated to other matters. This would raise the total affordable housing component to 38 units, representing 22.6% of the total number of units and 26.2% of the total number of habitable rooms. The split between affordable tenures would be 65% social rented and 35% intermediate (shared ownership) assessed by habitable room.

9.3.3 The affordable housing provision is well below the Mayor's target of 50% and below the Borough's target of 35% as set in the Interim Planning Guidance for the

Town Centre. However, the applicants have submitted a detailed financial appraisal setting out the costs associated with the project. In this instance it is considered that it is unlikely that any additional contributions could be sought without seriously affecting the viability of the scheme.

9.4 Sustainability/Accessibility

9.4.1 A sustainability statement was submitted with the application. A pre-assessment was carried out on the proposal which rates the development as somewhere between 'very good' and 'excellent'.

9.4.2 With regard to the Borough's Environmental Sustainability Team's comments concerning water usage, a revised sustainability statement has now been received which states that water usage will be 92 litres per person per day (approximately 33 cubic metres per annum) which accords with the Mayor's essential standard. This is achieved by using dual and low flush toilets and spray taps. Other water reduction measures will also be introduced such as a rainwater harvesting system which will collect rainwater from the 24th floor to irrigate the roof garden on the 7th floor.

9.4.3 With regard to energy the application now proposes the installation of 6 roof-mounted wind turbines which would have an annual output of 13,000kWh and would achieve a 10.1% saving in carbon dioxide emissions. The building would have a community heating system serving all of the residential units and incorporate blanked off connections at the site boundary ready for future connection to the Borough's proposed district heating system (it is estimated that this could result in a further 22% reduction in carbon emissions from the development).

9.4.4 With regard to access issues, all units will be designed to Lifetime Homes Standards and 9 units will be designed to wheelchair housing standards, whilst a further 6 flats will be capable of easy adaptation to those standards. As such 10% of the units are either fully adapted or easily capable of adaptation to wheelchair housing standards in accordance with London Plan policy. All the wheelchair housing units will be on floors 2-7 and nine will be 2-bedroom units and six one-bedroom units. Seven of the fully adapted units will be available as shared equity flats and 2 would be open market properties. All 6 of the flats that are capable of easy adaptation would be open market flats. It is considered that the mix of flats and tenures for the wheelchair housing units is acceptable as it provides sufficient variety for potential occupiers.

9.5 Parking and Highways Matters

9.5.1 The scheme is effectively car-free although a lay-by is to be constructed to the front of the premises to accommodate 2 parking spaces for 'blue badge' holders. The site is within 200 metres of Barking railway station, the distance within which the Interim Planning Guidance for Barking Town Centre states that new developments are expected to be car-free. The PTAL level is 6a which indicates a very high level of public transport accessibility. The car parking spaces for disabled drivers are welcomed.

9.5.2 A further lay-by is also proposed to be constructed to provide a servicing area and facility for refuse vehicles/fire appliances. There is no possibility of providing a turning facility within the site for vehicles if a weight restriction was imposed on Station Parade. This matter would have to be considered and appropriate measures introduced if and

when the weight limitation was introduced. A cycle store for the residential units would provide 154 spaces whilst a store for the commercial units would host a further 6 cycles. Four cycles will be provided as dedicated pool bikes for the benefit of residents who do not have access to a bike. This is considered to be a good level of provision for the development.

9.5.3 A transport statement was submitted with the application which concludes that the development is forecast to generate an additional 76 journeys by train in the AM peak hour and 71 in the PM peak hour. It is also predicted that 24 additional bus journeys will be generated in the AM peak hour and 22 bus journeys in the PM peak hour.

9.5.4 Although the report states that the train and bus services can cope with these increases, the development will, nevertheless, result in additional demands on the capacity of the transport infrastructure.

9.6 Amenity Space

9.6.1 All but 10 of the flats meet or exceed the Borough's habitable floorspace standards. Many of the units are generously sized exceeding the minimum by over 20%. Of those that do not meet the standard the shortfall is 0.8 of a square metre in each instance and all benefit from their own winter garden space. The winter gardens are designed as flexible spaces that can provide wholly internal space when required, or can be opened up to provide de facto terraced areas in clement weather. As such it is considered that an allowance needs to be made for these spaces when considering the adequacy of the internal space. In this instance the shortfall is minor and it is considered that the provision of the winter gardens is sufficient to overcome any policy objection.

9.6.2 With regard to private garden space, the scheme will not meet the UDP guidelines as to the overall amount of amenity space to be provided. However, the IPG states that "given the proximity to the large open spaces available in the town centre and balancing the compact city objective, a relaxation of the UDP Policies H14 and H15 relating to residential amenity space may be considered on merit."

9.6.3 In addition to the Town Centre open spaces, the development provides approximately 460 square metres of external landscaped communal space on the roof of the 7-storey podium, including a dedicated play surface area and sandpit for children. An internal storage area is also provided on the 7th floor for children's play equipment. A unit on the 6th floor (adjacent to Central House) has a private roof terrace of 37 square metres.

9.7 Other Matters

9.7.1 Various other environmental assessments were also submitted with the application.

Wind Microclimate Impact Assessment

9.7.2 The conclusion of this report is that the wind effect of the development is neutral and this would not change if a further tall tower was to be built on the site of 36-48 Cambridge Road. It specifically identifies that "long-term sitting" on the platforms at

Barking Station or outside the entrance to the development (no seating is proposed here) would become more uncomfortable, but that the entrance to Barking Station and the area around the bandstand at the junction of Station Parade/East Street would become more tolerable. Interestingly, if a further tower were to be built on the adjoining site the model suggests that wind conditions would become more tolerable on the station platforms and at the entrance to the proposed tower. The report concludes by stating that no mitigation measures are required.

Daylight and Sunlight Impact Assessment

9.7.3 With regard to daylight, the report concludes that the only windows that would have a noticeable reduction would be to the rear of the Barking Baptist Tabernacle in Linton Road. However, this is a non-habitable building. With regard to sunlight, the only windows adversely impacted by the development are within an outbuilding at the rear of 36-48 Cambridge Road (which is likely to be redeveloped) and again serve a non-habitable purpose.

Environmental Noise and Vibration Assessment

9.7.4 An Environmental Noise and Vibration Assessment was submitted with the application. The proposed development could potentially be adversely affected by noise from Barking railway station, including underground, mainline passenger and rail freight services, and by road traffic noise from Cambridge Road which includes a reasonably high number of bus movements. The report indicates that, from an analysis of the railway and road traffic noise exposure, the site falls within Noise Exposure Categories B and C as specified in PPG24 (Planning and Noise). Within Category B the guidance states that noise should be taken into account when determining applications and, where appropriate, conditions imposed to ensure an adequate level of protection against noise. Within Category C planning permission should not normally be granted. 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. More specifically all of the development facing the railway falls into Category B for railway noise during the day and Category C during the night. The Cambridge Road elevation falls into Category C for road traffic noise throughout the day and night. It concludes that acceptable internal noise levels will be achieved with the provision of high performance double glazing and acoustic ventilation to the lower floors of the building and standard double glazing and acoustic ventilation to the upper floors. In the interests of sustainability, the GLA require that the ventilation is passive rather than mechanical.

9.7.5 With regard to vibration, surveys revealed that none of the freight trains using the station caused any perceptible levels of vibration within the application site.

9.7.6 In terms of noise generated from the development there will be no appreciable impact as a result of additional vehicle trips. Mechanical plant and equipment will be sited and designed so that the specific noise level does not exceed the existing background noise level. Temporary noise impacts from the construction works will be minimised by using the 'best practicable means' of controlling and reducing construction noise.

Environmental Air Quality Assessment

9.7.7 The Borough's air quality review show that current levels of air pollution are below the Government's Air Quality Objectives and the Borough have confirmed that the only pollutant of any local significance is NO₂ (nitrogen dioxide). The review shows that levels of NO₂ near Cambridge Road are currently 33-34 ug/m³ and therefore existing levels should not impact on the proposed development.

9.7.8 The proposed development will add a very small number of additional vehicle movements to the local road network. Accordingly, no significant impacts will occur and a specific air quality assessment is not considered necessary.

9.7.9 Temporary air quality impacts from the construction phase will be minimised by using 'best practicable means' to control dust and minimise emissions and the incorporation of a range of good practice measures. The contractor will submit a construction dust and air quality plan.

9.7.10 The control of odour from any commercial food premises forming a part of the development will be agreed during the detailed design stage.

9.8 Section 106 Agreement

9.8.1 The Corporation has developed a Planning Obligations Community Benefit Strategy. This is to ensure that developments contribute financially and in kind towards the infrastructure that is needed in the London Thames Gateway area to support the developments that are coming forward for planning approval.

9.8.2 The Planning Obligations Community Benefit Strategy places the site in an area which should recover a discounted standard charge of £6,000 per residential unit.

9.8.3 The application proposal has been the subject of detailed discussions concerning the amount of contribution that the scheme can viably afford. The developers have sought to justify this through the submission of a financial evaluation of the development. The latest appraisal indicates that a sum of £3,185,000 is now available which is £315,000 greater than previously offered and on which the comments of the GLA are based.

9.8.4 The majority of this sum (suggested to be approximately £2,700,000) will need to be allocated for the provision of larger affordable housing units as part of the redevelopment of the nearby Lintons Estate. The remainder (approximately £485,000) could be allocated to environmental improvements around the railway station, including the provision of improved bus interchange facilities which will be required for East London Transit, the provision of a sum for education to fund schemes at local schools and a contribution towards the setting up of a car club for the Town Centre (approximately £40,000 required). Under the requirements of the Corporation's Planning Obligations Community Benefit Strategy it would be for the London Riverside Management Board to consider how the money might be allocated and make recommendations to the Corporation's Board. All contributions, including those for the off-site affordable housing, should be paid to the Corporation.

9.8.5 The contribution of £485,000 will equate to a financial contribution of £3,277 per residential unit, 54% of the discounted standard charge, which does not meet the policy

set out in the Corporation's Strategy.

9.8.6 The Corporation's Planning Obligations Community Benefit Strategy also provides for recapturing the discount. It is recommended that any S106 Agreement should comply with the Corporation's Strategy in this regard, in which case any agreed contribution may increase.

9.8.7 The Strategy assumes a 35% affordable housing provision on-site. It then accepts the proposition that if the affordable housing contribution is higher than 35%, then if the development would be unviable a reduction to the discounted standard charge will apply. However, this does not look at the position (as in this case) where affordable housing is less than 35% and does not suggest that a reduction would apply in those circumstances.

9.8.8 The Strategy also accepts that the discounted standard charge may be off-set (i.e. reduced) where some on-site benefit to the wider community is achieved. However, there are no on-site benefits arising from the proposed development.

9.8.9 The Strategy states that "LTGDC will not normally expect there to be any further reductions to the discounted standard charge. There may be absolutely exceptional circumstances where this is necessary in order for development to proceed". It is not clear to the Corporation whether there are exceptional circumstances in this case and therefore it is recommended that the agreement of the S106 contribution be deferred until further negotiations have taken place between the Corporation and the applicant.

9.8.10 The LDA have also requested that, inter alia, the scheme be subject to local labour and business agreements. These agreements seek to enable local people to access jobs in the construction and/or end-use phase of the development and enable local small and medium sized enterprises to compete for contracts on construction sites, or to provide services to end users of a development. It is considered that the development is of an appropriate scale to benefit local people and businesses and it is recommended that these matters also be included within the agreement.

9.8.11 An agreement should deal with changes to the footway as discussed in Paragraph 2.2.4 of this report.

9.8.12 An agreement or condition should deal with securing the provision of on-site children's play equipment.

9.8.13 An agreement should prevent residents from applying for parking permits.

9.8.14 An agreement should secure the implementation of a Travel Plan.

10. CONCLUSION AND REASONS FOR APPROVAL

10.1 The proposed development represents a major mixed-use scheme which will make good use of land in a central and highly accessible location within Barking Town Centre. The design has been the subject of extensive discussions with Officers which have significantly improved its appearance and which is now considered to be acceptable. The scheme provides decent sized accommodation, a range of amenity space, and incorporates wind turbines on the roof, together with the potential to link into

the Borough's proposed district heating system. The principle of providing some of the affordable housing units off-site is considered acceptable but is an exceptional circumstance that will rarely be repeated. The overall proportion of affordable housing units is low but, having regard to the financial appraisal carried out, is considered to represent a fair offer based on the current viability of the scheme.

RECOMMENDATION:

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

(1) any direction from the Mayor of London, and

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

(3) the completion of a S106 Agreement in respect of a contribution still to be negotiated between the Corporation and the applicant towards off-site affordable housing and other social and physical infrastructure requirements; and securing by S106 Agreement or condition the establishment of local labour and business agreements, changes to the footway, provision of on-site children's play equipment, preventing residents from applying for parking permits, and the implementation of a Travel Plan.

Conditions & Reasons:

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by S.51 of the Planning and Compulsory Purchase Act 2004).

2. All works are to be completed in accordance with Drawing Numbers F470/001B, 100B, 101B, 102B, 103B, 104B, 105B, 106B, 107B, 200B, 201B, 202B, 203B, and 300B prepared by David Wood Architects. No further drawings apply, unless otherwise approved in writing by the Local Planning Authority.

Reason: 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. The development shall not be commenced until details of the hard and soft landscape treatment to the communal garden area have been submitted to and approved in writing by the Local Planning Authority. The approved landscape details shall be implemented prior to occupation of any of the residential units. The approved soft landscaping scheme shall be carried out in the first planting and seeding seasons following occupation or completion of the building, 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.

Reason: To secure the provision and retention of the landscaping in the interests of the visual amenity of the area and in order to comply with Section 197 of the Town and Country Planning Act 1990.

4. 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.

Reason: 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 G.36 of the Unitary Development Plan.

5. 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 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.

Reason: To ensure that the proposed construction work does not cause nuisance and disturbance to neighbouring occupiers and in accordance with Policy G.36 of the Unitary Development Plan.

6. The development shall not be occupied until the refuse storage area indicated on Drawing Number F470/100B has been constructed in accordance with the approved plans. Thereafter it shall be permanently retained for the use of the occupiers of the premises.

Reason: To provide satisfactory refuse storage provision in the interests of the appearance of the site and locality and in accordance with Policy G.32 of the Unitary Development Plan.

7. No development shall commence until details of the boundary treatment of the site have been submitted to and approved by the Local Planning Authority. The development shall not be occupied until the details have been implemented. Thereafter the boundary treatment shall be permanently retained.

Reason: To ensure the satisfactory means of enclosure for the proposed development in the interests of the visual amenity of the area.

8. No development 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.

Reason: To safeguard the appearance of the development and in accordance with Policy DE.1 of the Unitary Development Plan.

9. 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 the Local Planning Authority for approval. 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 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 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 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.

Reason: To prevent pollution of the water environment and in order to quantify any hazards already existing on the site in accordance with Policy G.28 of the Unitary Development Plan.

10. No development shall commence until a written scheme and programme of archaeological investigation has been submitted to and approved by the Local Planning Authority, and the development shall not be carried out except consistently with and in conformity with such approved scheme and programme.

Reason: To safeguard the heritage of the Borough by providing an adequate

opportunity to investigate and excavate archaeological remains on the site before development is carried out in accordance with Policy DE.36 and DE.37 of the Unitary Development Plan.

11. No development shall commence until a scheme showing the provisions to be made for external lighting, CCTV coverage, access control, and any other measures to reduce the risk of crime, have been submitted to and approved 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.

Reason: In the interests of enhancing security and safety and in accordance with Policy DE.6 of the Unitary Development Plan.

12. 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 agreed by the Local Planning Authority.

Reason: To ensure that accessible housing is provided in accordance with Policy 3A.4 of the London Plan.

13. No development shall commence until the applicant has provided to the Local Planning Authority for approval an independently verified EcoHomes 2006 report that achieves a 'very good' rating with certification. The approved scheme shall then be provided in accordance with these details. A certificated EcoHomes 2006 Post Construction Review, or other verification process agreed with the Local Planning Authority, shall be provided, confirming that the agreed standards have been met, prior to the first occupation of the development.

Reason: 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.

14. Nine of the proposed dwellings, as indicated on Drawing Numbers F470/102B, F470/103B, F470/104B and F470/105B, 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'. A further 6 dwellings, as detailed in the Schedule of Accommodation, shall be capable of easy adaptation to these standards.

Reason: To ensure that accessible housing is provided in accordance with Policy 3A.4 of the London Plan.

15. No development shall commence until details of the roof mounted wind turbines have been submitted to and approved by the Local Planning Authority. The development shall not be occupied until the approved scheme has been implemented. Thereafter the approved wind turbines shall be permanently retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of promoting renewable energy in accordance with Policy 4A.9 of the London Plan.

16. 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.

Reason: In the interests of ensuring sustainable construction practices and in accordance with Policy G.31 of the Unitary Development Plan and Policy 2A.1 of the London Plan.

17. No development shall commence until detailed drawings of the service lay-by and blue badge car parking spaces indicated on Drawing Number F470/001B have been submitted to and approved by the Local Planning Authority. The development shall not be occupied until the approved service lay-by and blue badge parking spaces have been constructed in accordance with the approved drawings. Thereafter, the approved service lay-by and blue badge parking spaces shall be permanently retained.

Reason: To ensure that satisfactory provision is made for vehicles servicing the site in the interests of highway safety and to allow easier access for disabled persons to the approved building in accordance with Policy C.15 of the Unitary Development Plan.

18. No development shall commence until details of the cycle parking facilities as shown on Drawing Number F470/100B have been submitted to and approved by the Local Planning Authority. The development shall not be occupied until the approved details have been implemented. Thereafter, the approved cycle parking facilities shall be permanently retained.

Reason: In the interests of promoting cycling as a safe, efficient and non-polluting mode of transport and in accordance with Policy T.19 of the Unitary Development Plan.

19. No development shall commence until details of the construction of the surface and foul drainage system have been submitted to and approved in writing by the Local Planning Authority. The surface and foul drainage system shall be constructed in accordance with the details approved.

Reason: To prevent pollution of the water environment and in accordance with Policy G.38 of the Unitary Development Plan.

20. No development shall commence until details of the construction of the site foundations have been submitted to and approved in writing by the Local Planning Authority. The site foundations shall be constructed in accordance with the details approved.

Reason: To prevent pollution of groundwater and in accordance with policy G.38 of the Unitary Development Plan.

21. The use of the ground/first floor for any purpose within Classes A3 (restaurants

and cafes) or A4 (drinking establishments) of the Town and Country Planning (Use Classes Order) 1987 shall not take place other than between the hours of 7.00 am and midnight.

Reason: To prevent the use(s) causing any undue disturbance to occupants of neighbouring properties at unreasonable hours and in accordance with Policy S.8 of the Unitary Development Plan.

22. Following the occupation of the ground floor commercial unit(s) any further change of use to another use specifically permitted by this permission must be carried out within a period of 10 years from the date of this permission.

Reason: To accord with the provisions of Class E, Part 3 of Schedule 2 of The Town and Country Planning (General Permitted Development) Order 1995.

23. The development shall not be occupied until suitable sound insulation measures have been carried out within the premises in accordance with details which have been submitted to and approved by the Local Planning Authority. Where additional ventilation is required details of the type and specification of the ventilation shall be submitted to and approved by the Local Planning Authority and thereafter implemented in accordance with the approved details.

Reason: To minimise the transmission of noise and vibration and thereby safeguard the amenity of occupiers of the building in accordance with Policy G.36 of the Unitary Development Plan.

24. The use of the premises for Class A3 (restaurants and cafes) purposes shall not be commenced until details of the extract ventilation system and odour control equipment, including details of any external ducting and measures to control noise and vibration, have been submitted to and approved by the Local Planning Authority and the equipment so approved has been installed. Such approved equipment shall thereafter be operated at all times when cooking is carried out and maintained in accordance with the manufacturer's instructions. The external ducting shall be removed when the authorised use of the premises for the sale of hot food ceases.

Reason: To safeguard the appearance of the premises and minimise the impact of cooking smells and odours in accordance with the requirements of Policy S.8 of the Unitary Development Plan.

25. A detailed specification of the proposed boiler plant and layout of the boiler room, including the provisions made for interconnecting pipework to link into the Borough's proposed district heating system for Barking Town Centre, shall be submitted to and approved by the Local Planning Authority. The development shall not be occupied until the approved scheme has been installed.

Reason: In the interests of promoting renewable energy in accordance with Policy 4A.9 of the London Plan.

26. Notwithstanding the details on the submitted application no permission is hereby given to the use of the ground and first floor commercial units for any purpose with Class B1 (c) of the Town and Country Planning (Use Classes) Order 1987.

Reason: The use of these units for industrial purposes would be likely to result in additional highway movements by commercial vehicles with associated loading/unloading for which the premises have not been designed and which have the potential to cause nuisance to neighbouring occupiers and be prejudicial to highway safety.

27. No development shall commence until details of the children's play equipment to be kept within the 2 storage areas shown on drawing number F470/106B have been submitted to and approved by the Local Planning Authority. The development shall not be occupied until the approved equipment has been provided. Thereafter, the equipment shall be permanently retained unless the Local Planning Authority gives written agreement to any variation.

Reason: To ensure that adequate provision is made for children's play within the scheme and in accordance with Policy 3A.15 of the London Plan.

CASE OFFICER: Adele Williamson

Appendix 1: Site Location Plan

Appendix 2: Proposed Floor Plans

Appendix 3: Proposed Elevations