

Planning Committee Report

London Thames Gateway Development Corporation

Planning Application for Determination by the LTGDC

Report of the Director of Planning

UDC CASE NUMBER:	LTGDC-07-053-OUT & LTGDC-07-123-OUT (Duplicate application)	DATE MADE VALID:	19/03/2007 & 05/06/2007 (Duplicate application)
APPLICATION NUMBER:	07/00293/OUT/LBBB & 07/00591/OUT/LBBB (Duplicate application)	TARGET DATE:	18/06/2007 & 04/09/2007 (Duplicate application)

APPLICANT:	Countryside Properties (London and Thames Gateway) Ltd and Freshwharf Developments Ltd
AGENT:	Gerald Eve
PROPOSAL:	Outline applications for redevelopment of a 4.2 hectare site to provide up to 1,155 residential units (Class C3) (up to 127,125m ²); Class A1 (Shops) and/or Class A3 (Restaurants and Cafes) and/or Class A4 (Drinking Establishments) and/or Class A5 (Hot Food Takeaways) (up to 2,861m ²); Class B1 (Business) (up to 1,248m ²); Class D1 (Non-Residential Institutions)(up to 1,203m ²); Class D2 (Assembly and Leisure) (up to 424m ²); together with open space and landscaping including riverside walk; highways and transport works; works to river wall; demolition; engineering operations; and associated and ancillary works.
LOCATION:	Fresh Wharf Estate, Barking

1. SUMMARY

- 1.1 This is an outline planning application by Countryside Properties (London and Thames Gateway) Ltd and Freshwharf Developments Ltd for a residential-led, mixed-use development at Fresh Wharf Estate, Barking. The proposed masterplan comprises 14 blocks ranging in height from 4 to 22-storeys.
- 1.2 The proposed development would provide for up to 1,155 residential units and a variety of other uses comprising shops, restaurants and cafes, drinking establishments, hot food takeaways, business, non-residential institutions, and assembly and leisure facilities.
- 1.3 The outline planning application seeks the determination of layout (except in relation to Blocks F and H), scale, and access. Landscaping and appearance have been reserved for later determination
- 1.4 The main considerations are the Principle of Uses, Housing, Density and Design, Children's Play Space Provision / Amenity Space, Noise, Air Quality, Energy, Biodiversity, Flood Risk / Blue Ribbon Network, Access, Transport Matters, Section 106 / Planning Obligations, and the Impacts on Nearby Conservation Areas and Listed Buildings.
- 1.5 The proposed affordable housing provision is considered to be inadequate.
- 1.6 The design of the development is considered to be deficient for reasons including failure to provide a detailed application for Blocks N1 and N2, incorporating the Environment Agency land; and failure to provide a comprehensive scheme in relation to the treatment of the A406 boundary of the site. The tall building would adversely affect the setting of the Mill Pool area which forms part of the East Street and Abbey Green Conservation Area and consequently would also adversely affect the setting of the Grade II listed Old Granary building on the eastern side of the Mill Pool.
- 1.7 Information relating to the noise climate at the development is deficient and the lack of clarity is considered to be unacceptable.
- 1.8 The applicant has failed to meet the provisions of the Corporation's Planning Obligations and Community Benefit Strategy.
- 1.9 The applicant has also failed to provide sufficient information regarding the quality and quantum of amenity space; the potential of the riverside location as a source of leisure / recreational uses of the river; the proposed moorings associated with the development; how the proposals will promote an inclusive environment; how the development would affect any bats on the site; how the southern square will be animated; and how the riverwalk will provide a high quality environment.
- 1.10 The application is recommended for refusal.

2. SITE AND PROPOSAL

2.1 Description of Site & Surroundings

- 2.1.1 The application site (4.2 hectares) is located within the London Borough of Barking and Dagenham, at the edge of Barking Town Centre. The application site is located approximately 10-15 minutes walk from Barking Railway Station, and the Barking Town Centre shops, facilities and services.
- 2.1.2 The London Plan identifies Barking as a Major Centre within East London and the Thames Gateway. Accordingly, Barking Town Centre should be accommodating growth of an appropriate form and scale reflective of its regional status.
- 2.1.3 The site is designated as an employment area in the London Borough of Barking and Dagenham Unitary Development Plan (UDP) (1996). Policies E8, E9, and E10 of the UDP are relevant. Given the mixed-use nature of the proposal, which is predominantly residential, the application was advertised as a departure from the Development Plan.
- 2.1.4 The application site falls within Key Area 2 “A406 Strip” in the Barking Town Centre Interim Planning Guidance (IPG) (December 2004). The application site is identified for mixed-use development within the IPG. The IPG considers the area to be an opportunity to introduce a mix of uses, including residential, to the land south of Highbridge Road. The IPG further encourages leisure and public uses to be close to the River Roding to complement the creative complex on the left bank. New development is expected to be of high architectural quality that creates landmark developments and reinforces its gateway status. It is also expected that new development will improve the environmental quality of the area.
- 2.1.5 The application site comprises land presently used for small-scale light industrial uses and warehousing, along with a number of redundant buildings. The buildings have reached the end of their economic life, and form part of a larger site that has since been redeveloped.
- 2.1.6 The land is bounded to the north by Highbridge Road; to the west by the A406 North Circular Road; to the south by light industrial units which have been developed by Fresh Wharf Estates; and to the east by the River Roding and the Mill Pool.
- 2.1.7 The surrounding area comprises a mix of different land uses. To the north, between the A406 and the River Roding, is a Tesco store and various hotel uses. To the east across the River Roding there are a variety of uses including offices, residential, light industrial and some vacant buildings. The London Borough of Barking and Dagenham, the LTGDC, and the London Development Agency are promoting a cultural quarter in this area. To the south of the site are newly constructed light industrial buildings. To the west across the A406 lies the administrative boundary of the London Borough of Newham and a secondary school which can be accessed via a pedestrian footbridge over the A406.
- 2.1.8 To the east, the Mill Pool and Town Quay which form part of the River Roding, fall within the East Street and Abbey Green Conservation Area. Further to the south, on the eastern bank of the River Roding lies the Malt House, part of the cultural quarter, which falls within the Abbey Road Conservation Area. The LTGDC is currently in the process of negotiations to acquire from the Environment Agency a small parcel of land to the north-east of Town Quay. This land is important as it will significantly improve the layout of the proposed

Town Quay area which will be the main access into the Fresh Wharf development from Barking Town Centre.

- 2.1.9 The Abbey ruins to the north-east of the site and the associated open space adjoining these are designated as a Scheduled Ancient Monument.
- 2.1.10 The application was advertised as affecting the setting of two Conservation Areas (East Street and Abbey Green Conservation Area and the Abbey Road Conservation Area). It was also advertised as affecting the setting of four Listed Buildings (The Old Granary, Town Quay; the remains of Barking Abbey and old churchyard walls, Broadway; Parish Church of St. Margarets, Broadway; and the Fire Bell Gate (Curfew Tower), Broadway). A map showing the location of these Conservation Areas and Listed Buildings is included in Appendix 7 of this report.
- 2.1.11 The Public Transport Accessibility Level (PTAL) for most of the site is currently low at Level 2 (where 1 is the lowest accessibility level and 6 is the highest). The site is accessible from Highbridge Road and is approximately 12 minutes walk from Barking Town Centre and less than 15 minutes walk from Barking Railway Station. Barking Railway Station provides direct links to the east on National Rail Services, as well as key high quality and regular services into Central London. The District Line and Hammersmith & City Line services run by London Underground are also available from Barking Railway Station.
- 2.1.12 The site is also accessible by bus with route 366 connecting Fresh Wharf with Barking Town Centre at a frequency of 6 buses per hour during daytime hours. The site is within an easy walk of London Road and the Broadway, which is served by a number of high frequency bus services to numerous destinations.
- 2.1.13 The A406 boundary of the application site currently comprises fencing and large advertisement hoardings.

2.2 Description of Proposal

- 2.2.1 Outline planning permission is sought by Countryside Properties (London and Thames Gateway) Ltd and Freshwharf Developments Ltd for:
- Class A1 (Shops) and / or Class A3 (Restaurants and Cafes) and / or Class A4 (Drinking Establishments) and / or Class A5 (Hot Food Takeaways) (up to 2,861 sqm).
 - Class B1 (Business) (up to 1,248 sqm).
 - Class C3 (Dwellings) up to 1,155 dwellings (up to 110,165 sqm).
 - Class D1 (Non-Residential Institutions) (up to 1,203 sqm).
 - Class D2 (Assembly and Leisure) (up to 424 sqm).
 - Open space and landscaping including riverside walk.
 - Highways and transport works.
 - Works to river wall.
 - Demolition.

- Engineering Operations.
- Together with all associated and ancillary works.

2.2.2 Reserved matters are defined as:

Layout – The way in which buildings, routes and open spaces are provided within the development and their relationships to buildings and spaces outside of the development.

Scale – The height, width and length of each building proposed in relation to its surroundings.

Appearance – The aspects of a building or place which determine the visual impression it makes, excluding the external built form of the development.

Access – This covers accessibility to and within the site for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.

Landscaping – This is the treatment of private and public space to enhance or protect the sites amenity through hard and soft measures, for example through the planting of trees, hedges or screening by fences or walls.

2.2.3 This outline planning application seeks the determination of the following matters:

- Layout
- Scale
- Access

2.2.4 Landscaping and appearance have been reserved for later determination.

2.2.5 The applicant submitted two slightly different versions of the masterplan for the proposed development. The masterplan referred to as the “variant scheme” was proposed in order to accommodate a corridor for the proposed ELT route to the south of the application site. The difference between the two masterplans lies only in the location of Block H.

2.2.6 In order to accommodate the potential change in the location of Block H, the layout of Block H has been reserved for future determination. Transport for London has advised that the “variant scheme” accommodates the preferred route for ELT at the present time.

2.2.7 Following submission of the application, the applicant has received advice from Transport for London that the ELT route may also affect the layout of Block F. Accordingly, the applicant has now requested that the layout of Block F also be reserved for future determination.

2.2.8 It is anticipated that the development would proceed on the basis of a phased approach with four individual phases of development being delivered. Each phase will provide between 140 and 390 new homes. This outline planning application seeks to establish the key land use principles and primary planning objectives for the entire site. The application proposes to establish the key

elements of the public realm early on in the development process.

2.2.9 It is proposed that the housing will be located across the site. The homes provided will include a mix and range of tenures. The overall mix being:

- 1 bedroom unit = 32%
- 2 bedroom unit = 39%
- 3 bedroom unit = 23%
- 4 bedroom unit = 6%

2.2.10 The applicant is seeking to provide 20% of the units on site as affordable housing provision including provision for intermediate housing with a split of 50:50 intermediate and social rent.

2.2.11 Car parking for the residential element of the development will be allocated as follows:

- Residents - 547 spaces.
- Visitor parking – 32 spaces.

2.2.12 The applicant is also actively promoting a 'car club' on site, as part of this outline application.

2.2.13 It is proposed that the development will be delivered with high quality and secure cycle parking and storage facilities integrated with the key land use components, and supported by high quality and dedicated cycle paths provided throughout the development. Secure cycle parking will be provided at a ratio of 1 space per residential unit within the car parking areas which are accessed from the main building cores. Cycle parking provision for the non-residential uses will be provided in discreet clusters located within public open spaces.

2.2.14 The proposed development also seeks to maximise carbon emissions reduction to accord with the Mayor of London's energy hierarchy as part of the development process. The energy strategy is a key component of the development delivering 13% renewable energy on site, through a mix of photovoltaics, wind turbines, ground source heat pumps and biomass boilers.

2.2.15 It is proposed that all homes will meet Lifetime Homes standards where possible, with the residential component being able to meet BREEAM eco-homes rating of 'very good' or appropriate code for sustainable homes equivalent.

2.2.16 The proposed public realm strategy for the development incorporates "movement strips", "public rooms", and "garden rooms".

2.2.17 The "movement strips" create passageways through the site, creating a continuous ecological corridor and riverside walk, and linking the site into the surrounding fabric. The "movement strips" proposed are the riverwalk, the street, the mews, the A406, and the east-west links.

2.2.18 The "public rooms" have been designed to support and stimulate social activity and inclusion, with integrated seating and shelter, and key focal objects such as art works or landscaping. The "public rooms" comprise the Town Quay, the southern square, and the entrance gateway.

- 2.2.19 The “garden rooms” form more private spaces and have been focused mainly on the needs of residents. They provide both public and private amenity space, play space and ecological habitats. The “garden rooms” comprise the Avenue gardens, the mews gardens, the linear gardens, and the roof gardens. It should be noted that neither the “public rooms” nor the “garden rooms” are enclosed.
- 2.2.20 In order to complement the residential elements of the proposal, the application proposes up to 2,861 square metres of neighbourhood retail and food and drink uses (Use Classes A1, A3, A4, and A5) to be provided in the northern part of the site, adjacent to Town Quay.
- 2.2.21 The application also proposes up to 1,203 square metres of community facilities (Use Class D1) including a doctor’s surgery / healthcare centre (subject to demand). A creche space is also proposed. It is proposed that these community facilities will be located around the southern square.
- 2.2.22 A small health and fitness facility (up to 424 square metres) (Use Class D2) to meet the needs of the residents is also proposed adjacent to the southern square.
- 2.2.23 Up to 1,248 square metres of business floorspace (Use Class B1) is also provided as part of the development. This space is proposed at ground floor level along the western and southern frontages of the site.
- 2.2.24 The application proposes building height ranges for the proposed development which can be summarised as follows:
- Block A = 4-5 storeys
 - Block B = 4-5 storeys
 - Block C = 4-5 storeys
 - Block D = 4-5 storeys
 - Block E = 4-5 storeys
 - Block F = 6-9 storeys
 - Block G = 6-9 storeys
 - Block H = 6-9 storeys
 - Block I = 10-14 storeys
 - Block J = 10-14 storeys
 - Block K = 10-14 storeys
 - Block L = 6-9 storeys
 - Block M = 10-14 storeys
 - Block N1 = 15-22 storeys
 - Block N2 = 4-5 storeys
- 2.2.25 It is proposed that the tallest building on the site would be up to 22-storeys high and located at the northern end of the site, adjacent to Town Quay. Three buildings of 10 to 14-storeys would be located around the southern square, as well as one adjacent to the main entrance to the site. Buildings of 4-5 storeys would make up the rest of the development.
- 2.2.26 It is proposed that a green screen wall / fence will be constructed adjacent to the A406 North Circular Road in order to mitigate against noise impacts from the road. This is the subject of a separate planning application (07/01010/FUL) and is pending a decision by the LTGDC. An associated application for advertisement consent for advertisement hoardings which would form part of the green screen (07/01069/ADV/LBBD) is pending a decision by the London

Borough of Barking and Dagenham.

2.2.27 The outline planning application was accompanied by an Environmental Statement.

3. MAIN ISSUES

- Principle of Uses
- Housing
- Density and Design
- Children's Play Space Provision / Amenity Space
- Noise
- Air Quality
- Energy
- Biodiversity
- Flood Risk / Blue Ribbon Network
- Access
- Transport Matters
- Section 106 / Planning Obligations
- Impacts on Nearby Conservation Areas and Listed Buildings

4. RELEVANT SITE HISTORY

- 4.1 Application No. 07/01010/FUL in respect of Fresh Wharf Estate – Replacement landscape screen including hoardings to west boundary of Fresh Wharf Estate. Application currently pending a decision by LTGDC.
- 4.2 Application No. 05/00711/OUT in respect of Fresh Wharf Estate – Application for the variation of Condition 2 of outline planning permission No. 98/00267/TP to permit approval of the reserved matters before the expiration of 7 years from the date of permission. Application permitted on 7 September 2005. The time period in which an application for the reserved matters must be made has been extended to 19 December 2007. There is therefore an extant planning permission for the development of retail, warehousing, and associated uses on the application site. However, if reserved matters are not submitted prior to 19 December 2007 this would be given relatively little weight.
- 4.3 Application No. 04/00113/REM in respect of Fresh Wharf Estate – Application for approval of reserved matters: Erection of building (4,216m²) for employment use (Classes B1, B2, B8) together with associated car parking and servicing areas. Application permitted on 7 April 2004.
- 4.4 Application No. 03/00506/FUL in respect of Fresh Wharf Estate – Application for the variation of Condition 2 of outline planning permission No. 98/00267/TP to permit approval of the reserved matters before the expiration of 5 years from the date of permission. Application permitted on 11 September 2003.
- 4.5 Application No. 01/00773/REM in respect of Fresh Wharf Estate – Application for approval of reserved matters: Erection of buildings (7,888m²) for employment use (Classes B1, B2, B8) together with associated car parking and servicing areas and adjoining riverside walk/cycleway. Application permitted on 11 June 2002.

- 4.6 Application No. 00/00759/DET in respect of Fresh Wharf Estate, Zeta Wharf, and Hewetts Quay, land adjoining River Roding – Application for approval of reserved matters: Construction of new estate road and associated highway improvements and erection of building for Class B8 (Storage and Distribution) purpose (1,177m²) together with associated split level car park. Application permitted on 7 November 2001.
- 4.7 Application No. 98/00267/TP in respect of Zeta Wharf and Hewetts Quay and Fresh Wharf Estate – Outline application for comprehensive redevelopment and refurbishment to include development within use Classes A1 (Retail), A3 (Food and Drink), B1 (Business), B2 (General Industrial), B8 (Storage and Distribution), C3 (Dwelling Houses) and D2 (Assembly and Leisure), together with associated highway works and riverside walkway. Application permitted on 19 December 2000. Reserved matters have been approved and permission implemented in respect of part of the residential component (Hewetts Quay) and the Muirhead Quay industrial buildings.

5. CONSULTATIONS/NOTIFICATIONS

5.1 GOVERNMENT OFFICE FOR LONDON

The Government Office for London was consulted as the application is a departure from the development plan. No response has been received as yet.

5.2 ENGLISH HERITAGE – ARCHAEOLOGY

English Heritage advised that the report correctly identifies a potential for significant prehistoric remains to be preserved within and below the deep sequence of alluvial deposits associated with the River Roding and its floodplain. They also advised that there is also a potential for evidence of medieval and post-medieval waterfront or related activities which would also be of significance.

While the Environmental Statement recognises that redevelopment of the site may affect significant buried remains, English Heritage strongly disagree with the recommendation for a watching brief which would not be appropriate archaeological mitigation on this occasion. Archaeological field evaluation will be required to determine the degree to which archaeological material will be affected by redevelopment so that an informed mitigation strategy can be established.

English Heritage does not consider that archaeological field work need be undertaken prior to determination of the planning application. They therefore advise that the need for archaeological mitigation be secured by attaching a condition to any planning permission granted.

5.3 ENGLISH HERITAGE – BUILDINGS

English Heritage did not wish to comment in detail, but offered the following observations as shown below in italics:

“The view southeast from Six Gates Bridge (within the Town Quay and Barking Abbey Conservation Area) down the mill pool and creek is particularly important. The existing buildings along the east bank of the Roding vary in scale, material and form; the older

buildings (within the Abbey Riverside Conservation Area) including the Malthouse and Ice House providing a visual foil for the new buildings further down the river. Together the various developments make up a view with an almost casual charm.

This site of the proposed development has enormous potential. A suitable development, or series of developments, balancing the scale of the buildings on the Town Centre side of the river could complete the aforementioned view and give a sense of completion generally to this important historic area. I am concerned however that the development currently proposed will 'unbalance' the feel of the river by virtue of its scale and monolithic qualities. This is a site on the edge of a historic town centre not a town centre site. Any development on the east side of the river should be of a similar scale to the existing development immediately opposite. The scale of the tower, in particular, appears to be out of all proportion to the surrounding development, indeed to the rest of the proposed development of which it will form a part. It would undoubtedly detract from the setting of the Grade II listed Old Granary building on Town Quay."

The LTGDC has considered the impact of the proposed development on the Listed Buildings and Conservation Areas in the vicinity of the application site (refer to Appendix 7 of this report for details of their locations). It is considered that the proposed setting of the tall building element of the scheme would adversely affect the setting of the Mill Pool area which forms part of the East Street and Abbey Green Conservation Area. It is also considered that the tall building element of the scheme would adversely affect the setting of the Grade II listed Old Granary building on the eastern side of the Mill Pool. The proposed tall building element of the scheme significantly overshadows the Mill Pool and therefore does not contribute to a high quality environment that one would expect adjacent to a Conservation Area and Listed Building.

"Mooring of boats within the river contributes significantly to the character of the area. It is important that the moorings remain should development proceed on the Fresh Wharf site."

The LTGDC agree that the mooring of boats contributes to the character of the area. While the application suggests that moorings will be provided, no details have been provided in the application. Accordingly, should this application be approved the mooring of boats would not form part of the permission. However, a Grampian condition or S106 obligation could be used to ensure that moorings were provided on the river wall.

"It is most unfortunate, given the scale and potential impact of the proposal that this is an outline application. In particular, the proposed blocks along the river are difficult to 'read' from the material submitted."

The LTGDC share the view that it is unfortunate that the application has been submitted in outline. The LTGDC have maintained during the application process that the tall building element of the proposed scheme should be the subject of a detailed planning application.

"We would urge you to address the above issues, and recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice."

5.4 COMMISSION FOR ARCHITECTURE AND THE BUILT ENVIRONMENT (CABE)

The proposals were considered at a meeting on 10 May 2007, chaired by CABE Commissioner Paul Finch. CABE's formal response is as follows:

Principles

"We are content with the quantum and density of development proposed and the presence of a tall building here in principle. However, the outline application drawings and (not insignificant) supporting material are not sufficient to ensure a good standard of design, and we think that the ultimate quality of the new place being created here could be either successful or unsuccessful. Given the scale and significance of the development proposed, this is not a risk that Barking should take. This risk, together with the inappropriateness of an outline application for a tall building, means that we are not able to support the application.

The choice of consultants and the amount of design work undertaken on the urban form, public realm and individual buildings, suggest a commendable commitment to creating a decent new place on the part of the two clients. However, the site is not big enough for a series of design principles to be the right way to establish the pattern of development. It is disappointing that, with all parties supporting high density residential-led development, the designers' efforts have not been channeled into producing convincing, detailed proposals that can be the subject of a detailed planning application and assessed as such.

Urban Framework

We see merit in much of the approach to shaping the urban form and welcome the principles behind the establishment of different homes, building typologies, routes and spaces. Each element of the design addresses its particular situation, but we think that further and more detailed consideration is required of the places being created. For example, the hostility of the North Circular Road may require a more innovative design solution to housing on the site's western side, and the central public space would benefit from reconsideration in relation to its role, physical containment and relationship to the water. Although the proposals show promise, the mews typology is not yet convincing and we would point out that public green spaces behind private rear gardens have proved unsuccessful in the past.

In terms of the flood avoidance strategy, the principle of raising the ground level towards the centre of the site and suppressing car parking below it would appear sound, subject to the successful detailed resolution of the interfaces of the car park with the public realm.

The footbridge indicated across the river will be essential to the success of a high density neighbourhood on this site, and we would urge the relevant authorities to ensure its realisation as soon as possible.

Tall Building

The CABE / English Heritage Guidance on Tall Buildings acknowledges that on rare occasions – for example where vast sites are being masterplanned – tall buildings can form part of an outline planning application. This is not such an occasion, however, and we do not believe that a building of this height and significance in this location should be proposed in an outline application.

The approaches shown in the design principles document for Block N do not assure that a good building will be created. The indicated form of the building is not conducive to creating an elegant good tower and could easily result in bulkiness and awkwardness. With all of the taller buildings proposed we feel that their form should stem from how people will live in them to a far greater extent. We suspect that wind flow around the Block N also needs to be addressed at a more detailed level. However, we think that these architects are capable of producing a well-designed and successful tower, and would like to see detailed design proposals for it.

Conclusion

We believe that the current approach of submitting an outline application comprising drawings and design principles is not appropriate for a site of this size and nature, for the quantum and type of development proposed. At the very least we think that the planning authorities should demand a detailed application for phase 1 and the tower. We regret that we are not able to support an outline application for the whole site.”

The LTGDC have maintained during the application process that the tall building element of the proposed scheme should be the subject of a detailed planning application.

5.5 ENVIRONMENT AGENCY

The Environment Agency initially objected to the scheme on the basis of the underground parking being located within the 1:100 fluvial flood plain of the River Roding.

Following receipt of further information from the applicant, the Environment Agency advised that they had removed their objection.

A number of conditions relating to biodiversity, flood risk, pollution control and groundwater quality have been proposed by the Environment Agency.

5.6 LONDON FIRE AND EMERGENCY PLANNING AUTHORITY

The authority advised that access will be considered acceptable if it complies with B5 of ADB 2006 edition in particular – Sections 15, 15.2-15.6 and note; Section 16, 16.6-16.11; Table 20 & diagrams 49 & 50.

5.7 LONDON FIRE AND EMERGENCY PLANNING AUTHORITY (WATER OFFICE)

The authority advised that consideration has been given to the provision of water supply for fire fighting purposes and their recommendation is that 7 private fire hydrants be installed in the development.

5.8 THAMES WATER

Thames Water commented as follows:

“Surface Water Drainage - 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.

Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio-diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses.

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking / washing / repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

Following initial investigation, Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application. Should the Local Planning Authority look to approve the application, Thames Water would like the following 'Grampian Style' condition imposed – “Development shall not commence until a drainage strategy detailing any on and / or off-site drainage works, has been submitted to and approved by, the Local Planning Authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed”.

Waste - Serious drainage issues. The adjacent 225 foul sewer and downstream pumping station and network have inadequate reserve capacity for the proposals. Surface water should drain direct to watercourse by private agreement.”

These matters can be dealt with by imposing conditions or informatives on any planning permission granted.

5.9 LONDON CITY AIRPORT

London City Airport commented as follows:

“In terms of aerodrome safeguarding the indicative plan and information supporting this proposal indicates that the development area is sited within 154.95m (AOD) Outer Horizontal Surface. Whilst this height might theoretically be acceptable, we would stress that in order to confirm acceptability we would require further external advice from National Air Traffic Services with regards the potential technical impact of the building, and the Directorate of Airspace Policy with regards the potential affects on Instrument Flight Procedures.

The development’s highest point is shown at a height of roughly 82.9m. As these heights are not confirmed in either AGL or AOD and there are not any OSGB coordinates given we are unable to precisely plot the building on our software.

In general, no plans should be made for any development with a height that exceeds safeguarded surfaces (including plant and the use of cranes during construction). The issue of safeguarding is a complex subject and requires advice from several external bodies.

Our further concerns about any development in this location would typically be as follows:

The siting of buildings/structures and their external appearance. These are factors that could have an adverse impact on aircraft operations.

Landscaping, which could have an adverse effect on the safety operations at the airport by encouraging bird roosting and increasing the risk of bird strike.

Lighting, which could cause confusion/distraction to pilots and thereby impair the safety of aircraft operations at the airport.

The planned use of any wind turbines in the development.

Our comments should not be taken in any way as confirmation that the development proposals are or will be acceptable in terms of their impact on aircraft operations. The airport does not have sufficient detail to confirm this and is unlikely to do so until a more detailed stage of planning is reached.”

5.10 EDF ENERGY

No response.

5.11 ESSEX AND SUFFOLK WATER COMPANY

The Essex and Suffolk Water Company advised that they have no comments or observations to make.

5.12 LONDON BOROUGH OF NEWHAM (REGENERATION)

London Borough of Newham Regeneration commented as shown below in italics:

“There is a need to ensure safeguarding of the route for East London Transit from Barking across the River Roding to the south of Fresh Wharf, Hand Tough Creek and then adjoining Jenkins Lane (refer to the route options for ELT). There is also a requirement for a bridge as it adjoins the distributor road - contributions in the form of Section 106 should be sought.”

The applicant and the authorities have been in discussions with Transport for London regarding the route of ELT in the vicinity of the application site. These discussions are ongoing as the ELT design continues to evolve.

“A riverside footpath/cycle route should be provided which, together with the route already in place in the southern part of the estate, would provide a much more pleasant alternative route for the Roding Valley Way, currently running to the west of the A406 in Newham.”

The application proposes a riverside footpath/cycle route.

“A financial contribution should be made to Transport for London to enable them to ramp the western side of the footbridge over the A406 which is currently stepped and does not allow full accessibility for LBN residents to employment, retail and other opportunities in Barking and Dagenham, including Fresh Wharf.”

This would be a matter upon which funds secured by a S106 Agreement in accordance

with LTGDC's Planning Obligations and Community Benefit Strategy could be expended.

5.13 LONDON BOROUGH OF NEWHAM (FORWARD PLANNING AND TRANSPORTATION)

London Borough of Newham Forward Planning and Transportation commented as shown below in italics:

Re-routing of 366 bus service

"The TA (3.13) refers to this re-routing through the site. The 366 currently runs along the A406 North Circular Road corridor either on the A406 itself or southbound on the parallel service road (Highbridge Road). The TA refers to this being agreed at the start of the redevelopment of Fresh Wharf (2000). The developer is currently discussing this issue plus increases to frequency of the service with TfL.

LBN Forward Planning and Transportation would actively support both the re-routing of the 366 and an increase in frequencies should the development proceed, as it would bring a service to the residents and users of the development, and would increase accessibility to bus services in the corridor. This is of course subject to the operational assessment of the rerouting proposal.

Bus only link – Jenkins Lane

This is related to the previous application and is referred to in the TA (3.8 and 3.16). There is planning consent for this link (Ref P/00/0392) which was granted on the 3rd February 2005 by LBN to the developer Fresh Wharf Estates.

This link will be necessary to enable re-routing of the 366 service and any future services that use the corridor. It will also open up another pedestrian route south from the development site.

As well as this, the bus only link is essential for the Beckton Bus Garage proposals proposed by Newham. LBN have submitted proposals for a new bus garage on the south side of Jenkins Lane to cater for the bus garage facilities lost at Waterden Road in association with the Olympics.

The link is supported by a report to the Divisional Director of Environmental Engineering (April 2004 – Author Chris Stoneham) which proposes for adoption and future maintenance by the Borough once implemented.

At this stage we need clarification as to whether the implementation of this bus link was associated with any planning obligations of the Fresh Wharf developer. Should it not be, then moves need to be made to progress the implementation of this link using contributions arising from the current Fresh Wharf redevelopment proposals. LBN Forward Planning and Transportation are happy to take a lead with this and move the project forward.

The provision of routing and infrastructure could be dealt with in a S106 Agreement if planning permission is granted.

East London Transit

Option one (known as 'The Shaftesburys') route for the East London Transit Phase 2

passes the development site, running along the south side of the Fresh Wharf site. This route is TFL's preferred route. It will be essential for this route to be safeguarded, incorporating the necessary widths and clearances for future implementation of this section of the ELT route.

Section 106 Contributions Towards Passenger Transport Initiatives

LBN Forward Planning and Transportation considers that a contribution from the developer to construct the bus only link would be appropriate."

This would be a matter upon which funds secured by a S106 Agreement in accordance with LTGDC's Planning Obligations and Community Benefit Strategy could be expended.

5.14 LONDON BOROUGH OF NEWHAM (HEAD OF PHYSICAL REGENERATION AND DEVELOPMENT)

London Borough of Newham Head of Physical Regeneration and Development commented as shown below in italics:

"The proposed development of approximately 1,155 homes is likely to result in significant levels in population increase. This growth would have implications for community services such as childcare, education, health, leisure and outdoor and indoor recreation.

The Council welcomes the provision of a doctor's surgery, nursery and gym within the proposed development. However there is some concern relating to primary and secondary school provision. The applicant's Environmental Statement predicts that the proposed development would result in 77 new primary school places and 39 secondary school places being required. The statement also states that the 77 required places would be beyond current local primary school capacity (within 1 km of the site) and that need would have to be met off-site. The Council hope that any extra capacity needed especially for primary education can be created within nearby schools in the London Borough of Barking and Dagenham through S106 funding and that no negative impact will result from the proposed development on Newham's schools.

Some of Newham's community services such as health are already over stretched. The Council therefore wishes to avoid additional pressure from adjoining boroughs, bearing in mind the likely population increase in Newham by 2020 that will result from the regeneration of major areas within Lower Lea Valley and the Royal Docks and the increased demand for more community facilities."

5.15 NATURAL ENGLAND

Natural England commented as shown below in italics:

"Overall it would appear that the current ecological value of the application site is low. Section 11.5.3 of the Environmental Statement states that an external survey of the buildings on site showed no signs of bat use and that significant populations of reptiles are unlikely. We would advise that these statements alone do not constitute sufficient detail for the Council to conclude that the survey work undertaken for these species is robust. I have not seen any information on the relevant methodologies, but would be happy to comment on them if they are available. In the case of reptiles their presence has not been discounted and if they are using the site this will require some form of

mitigation during construction, regardless of numbers. We recommend the Council satisfies itself that the aforementioned protected species are absent from site or if not, mechanisms have been put in place to ensure that the relevant legislation is complied with (e.g. via the submission of construction method statements as a condition of the planning permission)."

This matter can be dealt with by condition if planning permission is granted.

"With regards to the mitigation proposals in Section 11 of the Environmental Statement, we are very supportive of the biodiversity enhancements put forward, which appear to be comprehensive and well thought out. We would like to see Section 11.6 expanded into an Ecological Management Plan for the site. This should include measures to ensure that its biodiversity interest is maintained throughout the lifetime of the development and could be secured by means of a Section 106 agreement or similar planning obligation."

This matter can be dealt with by S106 Agreement if planning permission is granted.

5.16 PORT OF LONDON AUTHORITY

The Port of London Authority commented as shown below in italics:

"We note from the application form that the applicant has completed Certificate "C". Whilst it is appreciated that the red line of the application does not extend into the river, works to the river wall are proposed along with reed bed planting and changes to the mooring arrangements. The PLA owns the riverbed in this location and as such it is considered that notice should have been served on the PLA.

All works that extend over the mean high water level of the river require the benefit of a PLA River Works Licence.

The PLA is pleased to see reference within the sustainability statement to material being procured locally and preference being given to bulk materials which are delivered by river transportation. There are however references in other application documents to the river not being used for the transport of construction materials. The use of the river for the transport of construction and demolition materials is a sustainable method of transport which would be consistent with the proposed alterations to the London Plan that seek for new development projects close to navigable waterways to maximise water transport for bulk materials. It is strongly suggested that should planning permission be granted for the development that a suitably worded condition or clause in a Section 106 agreement requires the applicant to investigate this matter further.

It is stated that there would be a slight reduction in the number of moorings at the site to allow space for the intertidal terraces. The 'slight' reduction does not however appear to be quantified. It will also need to be ensured that the development has been designed in such a way that landward access is maintained to and from the moorings and the applicant should be aware that it will be necessary to submit an amendment to the existing river works licence. It should also be noted that the existing river works licence does not allow for the mooring of vessels at the moorings for residential purposes.

It is stated throughout the application documents that reed bed planting and marginal planting is proposed. Currently not enough information has been submitted on these aspects of the development to establish whether these elements of the development are acceptable. It needs to be remembered that there is a public right to navigate and

the planting may have an impact on the boats moored in the area. There may also be issues with litter collecting in the reed beds and it is therefore questioned whether the applicant has put forward any proposals for dealing with this.

Given the location of the application site the PLA strongly recommend that the Local Planning Authority attach a condition to any planning permission, requiring the provision of riparian life saving equipment (such as grab chains, access ladders, and life buoys) along the river edge to a standard recommended in the 1991 Hayes Report on the Inquiry into River Safety.

The sustainability statement makes reference to a lighting review occurring at the detailed design stage to ensure that external lighting is directed away from the River Roding. The PLA would endorse this approach and would suggest that a condition on any grant of planning permission requires these details to be submitted.”

The last two matters could be dealt with by condition if planning permission is granted.

5.17 LONDON AMBULANCE SERVICE

The London Ambulance Service commented as shown below in italics:

“The nature and scale of the application on an existing brownfield site would, if permitted, have a significant impact in terms of economic and social development. In particular the proposal for 1,155 new residential units will undoubtedly result in an increase in resident numbers within the local area and a substantial commensurate increase in demand for key emergency services, including ambulance services.

To this end, we would like to request that a component of the inevitable Section 106 contributions be ring-fenced for the additional provision / extension of the ambulance service facilities within the catchment area. The London Ambulance Service, on the basis of these proposals and existing area demand are likely to require a further ambulance station within the area. To justify how a large infrastructural scheme such as that being proposed at the Fresh Wharf Estate may have on the demand for ambulance services, the London Ambulance Service estimate that for every 10 additional persons, one emergency call to the ambulance service is generated per year, and therefore, taking an example of additional 5,000 people moving into a localised area this potentially could result in 500 additional calls per year to the London Ambulance Service.”

5.18 TRANSPORT FOR LONDON

Transport for London commented as shown below in italics:

Public transport only link (Fresh Wharf Road to Jenkins Lane)

“The public transport only link (provided from Fresh Wharf Road to Jenkins Lane including crossing over Handtrough Creek, with all costs borne by the developer) is essential prior to first occupation of the site.

This would be dealt with by S106 Agreement if planning permission is granted.

TfL requires a condition of the development that the public transport only link is constructed to an adoptable standard and open for use prior to occupation of any units. TfL needs to approve the design of the public transport link to ensure that it provides appropriate facilities for pedestrians and cyclists, as well as buses and ELT, including

potential upgrade to tram operation in the future. In order that the design of the structure meets these requirements and to avoid unnecessary complications, it has been suggested that a meeting is held with the ELT Project Team as a matter of high importance. TfL would expect the link to be adopted as public highway, and agreement reached with the relevant highway authorities to cover future maintenance costs. Comments were provided on the notional planning obligations in July 2007; an update to these notional planning obligations is sought.

East London Transit

It is considered that ELT is critical to improving the accessibility of the development site. The preferred ELT Phase 2 scheme would cross the River Roding at Barking Creek via a new purpose built bridge structure, running along the southern boundary of the site and then connecting with Jenkins Lane by way of the public transport only link, contributing significantly towards increasing the public transport accessibility of the site, as demonstrated in the TA.

TfL provided comments on the notional planning obligations in July 2007, such that the £750,000 for ELT and £500,000 for a potential footbridge were combined to provide for improved pedestrian, cycle and public transport links across the River Roding in a method agreed by LTGDC, LBBB and TfL. A minimum of £750,000 of this sum should be available for the ELT bridge. The notional obligations' proposed time limit of August 2009 to spend the £500,000 should be omitted or extended to a more realistic date.

TfL welcomes the confirmation that the applicant intends to provide the land required for the ELT route at no cost to TfL. In order to accommodate the ELT scheme and River Roding bridge structure, TfL welcomes confirmation that siting of Blocks F and H will be reserved. Again, it is suggested that a meeting is held with the ELT Project Team to discuss indicative design requirements and timescales.

Buses

TfL is concerned that there are a number of inaccuracies in the information presented in the TA. The inaccuracies relate to the frequency and routing of bus services and the location of bus stops. These inaccuracies are reflected within the PTAL rating for the site and subsequent presentation of the site's accessibility, and therefore should be recalculated. TfL requires a more detailed explanation of bus trip generation calculations, including more detail on where passengers are expected to travel. Details of the TA's inaccuracies are as follows:

Table 5.2 does not explain what 'frequency' means (e.g., buses per hour) and contains some inaccuracies.

- Route 5 is described incorrectly. It operates between Romford and Canning Town at 9 buses per hour (bph) daytime, not 8, and 6 bph evenings, not 5.*
- Route 62 operates at 3 bph evenings, not 4.*
- Route 287 operates between Rainham and Barking, not Abbey Wood (which is in South London).*
- Route 325 operates at 2 bph evenings, not 3.*
- Route 366 operates at 3 bph evenings, not 4.*
- Route 369 operates at 5 bph evenings, not 6.*
- Route 387 operates between Barking Reach (Long Reach Road is not the end of the route) and Little Heath. It operates at 5 bph daytimes, not 4.*
- For most of these routes, much of the Fresh Wharf Estate will be more than 640 metres from a bus stop. It is unclear how this has been taken into account in the*

PTAL calculation.

- *Route 369 will be withdrawn in 2009, and so should not form part of this study. Its replacement East London Transit service will not operate within 640 metres of Fresh Wharf Estate.*
- *Paragraph 5.35 – route 5 is described incorrectly. In addition, there is only a bus stop in one direction (westbound) at Barking Tesco, so the frequencies described are wrong. If the development included provision of a new eastbound stop (or at least a feasibility study), this would improve accessibility and may help increase PTAL levels. As well as the 5, it would also benefit buses on routes 238 and 366.*
- *Paragraphs 5.36 - 5.43 – it is unclear why these paragraphs do not state which bus stop(s) are closest, as has been done for route 5.*
- *Many of the frequencies/routeing need to be amended as described above.*
- *Paragraph 5.44 – These frequencies are wrong. An eastbound stop at Tesco must be provided for this to be true.*
- *Paragraph 5.45 – Not all of the Estate will be within 640 metres of the bus stops on The Broadway. The walk route is quite awkward, via the Town Quay lock gates and through the Abbey park. It should be clarified how far the TA is expecting bus passengers to walk.*
- *Paragraph 5.47 – This is irrelevant and should be removed.*

The proposed routeing does not seem unreasonable, but, depending on where bus stops could be located it may be preferable to enable the bus routeing to be as shown in below:



This would enable a common stop with the proposed ELT alignment on the southern east-west road, as there may be some common destinations between buses and ELT (e.g., Barking and Gallions Reach, if the 366 is retained). Further discussion will be needed on this point.

In terms of bus routes, it is envisaged that the 366 and 325 would be diverted to serve the area. Both of these currently use the adjacent North Circular Road.

Further discussion is required regarding contributions towards bus services for the development. A sum of £1,200,000 has been proposed (two additional buses at £200,000 each, for three years); there is also an option that contributions could be used for a frequency increase on one of the routes considered for diversion through the estate. This approach is consistent with that taken by other area developments.

Further discussion is required regarding requirements for upgrading existing and new bus stops in the vicinity of the site, to meet TfL's accessibility standards. Funding will be required for those stops immediately serving Fresh Wharf estate, i.e., a maximum of two pairs of stops.

The southern part of the site will be served by a new pair of accessible stops at the periphery of the site, preferably on the southern east-west road. TfL will require funding for the implementation of these bus stops. Funding will also be required for bus stops serving the northern part of the site. Currently the northern part of the site is served by a westbound only stop. An eastbound stop will also be needed. Details will follow, subject to an upcoming site visit.

TfL's accessibility standards are set out in the BPT Accessible Bus Stop Design Guidance, available as a pdf download on the TfL web site.

Streets

There are a number of concerns regarding trip generation rates and modelling work outlined in the TA, which were discussed at a June 2007 meeting. These comments are provided below and a response to these points is required.

Trip Generation:

It is the correct approach to calculate a person trip assessment. However, during the AM peak, according to Table 6.4, 624 people exit the site, i.e. 0.54 person trips per household (this excludes non-residential trips). This seems an underestimate of person trip generation. Further, there are no details of existing parking restrictions, uptake or proposals to prevent overflow (e.g., CPZ) to give the necessary confidence in car trip suppression.

The characteristics of TRAVL and TRICS sites used in order to justify their suitability are required (PTAL, parking provision, location, size of development, proximity to town centres). Combined trip rates are not acceptable (the rates either have to be from TRAVL or TRICS). It is acceptable for a mixed use development for TRAVL to be used for some land uses and TRICS for others, but not for the same land use.

Justification is required for the assertion in Paragraph 6.9 that non-residential trip generation need not be estimated. The pattern of arrivals and departures will vary due to this mix of land uses than from a simple residential site. The retail uses are substantial (2,861 m²) in total as are the other land uses. A preliminary assessment of trip attraction for non-residential land uses should be made before these numbers are discounted from the modelling.

The census data includes rail and underground as main mode. The TA estimates the modal share to be 11% and 2% for walking and cycling respectively for travel to work journeys. There is also no distinction between journeys made solely on foot and as part of a journey to access public transport. This will involve another mode stage (walk, cycle, car, bus) as the nearest station is some 1200 metres away. It is unclear whether this has been considered. Trips to the station by other modes do not appear to be identified or considered in the TA.

The TA uses census data of Abbey and Gascoigne wards to estimate modal shares. These are optimistic estimates as most areas within these wards lie within 1km easy walking distance from Barking station of which is not the case for Fresh Wharf. A more conservative approach should be taken for modal share.

It is unclear whether or not Bus Origin and Destination Surveys (BODS) analysis takes account of committed developments.

Further details of area committed developments, including in LB Newham, are required.

Trip rates for the committed developments should be as per agreed with the borough(s).

Modelling and Impact:

The TA indicates that surveys were undertaken during July 2005 and this was agreed with LB Barking and Dagenham. It is unclear whether this was agreed with TfL; July is not usually regarded as a representative month for traffic surveys. The report refers to ATC surveys undertaken during September 2005. It is not clear where these counts were undertaken and if base flows were adjusted in the modelling.

TfL understands that there are currently capacity problems on this part of the A406. This relates to A13/A406 Beckton Roundabout queues blocking traffic exiting from Fresh Wharf roundabout and the A406/ London Road slip road. This should be considered in the modelling. In particular, the Assessment of Roundabout Capacity and Delay (ARCADY) model of the A406/Barking Road/London Road roundabout junction indicates that during the peaks the junction works well within capacity. For all models, validation and calibration in line with TfL modelling guidelines needs to be undertaken.

There is no statement regarding growth.

Thames Gateway Bridge

Subject to the Thames Gateway Bridge (TGB) scheme being approved, there are some concerns about the inclusion of a new roundabout junction on Jenkins Lane as it appears to encroach on the limits of the Compulsory Purchase Order (CPO) for the TGB. When the detailed design of this roundabout is being considered, TfL's TGB Technical Advisors will need to have full involvement to ensure there are no overlaps or impacts upon the land take.

A plan specific to the Fresh Wharf Estate and roundabout is provided with this document, which will remain unchanged in this area when the Inquiry is reopened.

Car parking

TfL welcomes proposals to minimise car parking provision on the site, with a provision of about 0.47 spaces per unit. Further reductions in car parking and details of measures to manage car parking both within and outside of the site would be supported. TfL supports the proposal to include a car club and car share facilities and would encourage exploration of limited provision of residential car parking spaces for low emission vehicles. Provision of 10% disabled car parking spaces is also welcomed. Adequate disabled parking spaces should be provided for non-residential uses.

Walking

TfL welcomes proposals to improve pedestrian connections and pedestrian environments, including the primary north-south pedestrian route along the river walk.

During peak hours there will be substantial additional pedestrian movements generated in the vicinity of the site. TfL would like a walking audit to be undertaken of nearby footways and crossings along anticipated pedestrian routes. There is concern that the primary north-south vehicular route could create significant conflicts with east-west pedestrian movements, particularly during peak periods. Adequate pedestrian crossings are required to be provided across this route.

A formal walking audit would provide a systematic review of current pedestrian facilities. The results would provide an opportunity to inform designs and ensure appropriate improvements are made surrounding and within the site. Issues that may be highlighted include access to public transport links, personal safety concerns and DDA compliance, which will contribute to a thorough consideration of how to improve the pedestrian environment.

Cycling

The provision of 1,155 cycle parking spaces is welcomed. Information is needed on proposed non-residential cycle parking provisions, which should be in line with TfL's cycle parking standards. TfL encourages the provision of linkages, signage and cycle route information to facilitate use of proximate London Cycle Network routes.

Travel Planning

TfL is generally supportive of the outline Travel Plan, particularly regarding its structure which conforms to best practice guidelines but would welcome further clarification on a number of points. Some additional comments are to follow regarding the response received to TfL's 13th August letter.

Docklands Light Railway

There is no conflict with the proposed development and any of the proposed route options for the DLR extension to Dagenham Dock. It is possible that an extension proposal will pass within close proximity of the site were it to be directed north around the northerly edge of Beckton Sewage Works. No station is planned nearby the development; however, ELT services would provide more direct public transport services to Gallions Reach DLR station.

Servicing

Although servicing is mentioned in the TA, there are no details of planned levels of servicing requirements, provision of servicing bays off street for retail and commercial activity, or control over the timing of these activities. There is no apparent level of detail in the drawings to identify building or carriageway layouts to identify if service bays have been provided. It does not appear that London Plan policy 3C.24 has been covered sufficiently. A service management plan should be secured as a planning condition; awaiting details of tenants as suggested by the applicant is too late; there needs to be controls put in place before tenants are agreed."

5.19 NATIONAL GRID

National Grid has advised that the risk of the development to their network is "moderate".

5.20 GREATER LONDON AUTHORITY

The Stage 1 Letter issued by the GLA stated:

"Having considered the report, the Mayor has reached the decision that the principle of a high-density, residential-led, mixed-use development is supported in strategic planning policy terms but that the following issues, or as otherwise outlined in the Stage 1 report, will need to be addressed:

- *Further clarification is sought on the likely demand for community uses in this location.*
- *An increase is sought in the number of large affordable family units within the development.*
- *There is a need to further clarify and agree the 'exceptional costs' and where possible to increase the affordable housing offer within the scheme.*
- *Any eventual planning permission should be subject to a legal agreement, which requires the submission of a full financial appraisal for each of the four phases of development.*
- *All intermediate housing within the scheme will be expected to meet the affordability levels set out in the Mayor's Housing supplementary planning guidance (2005).*
- *A more detailed play strategy with further work required on the detailed design of the proposed children play space facilities within the development is required.*
- *A number of design-related issues should be addressed, as outlined in the Stage 1 report.*
- *Clarification is sought on a few issues relating to sustainable design.*
- *The internal layouts of residential units within the development should be redesigned so that only non-habitable rooms face onto the A406 North Circular, or failing that, ensure habitable rooms have dual aspect designs with one facade facing onto a quieter area. Any rooms unavoidably facing onto the noisiest side will need appropriate glazing and ventilation as set out in the report.*
- *More information is required on the provision of cycle facilities for visitors to the commercial and leisure uses, which should be in line with the London Cycle Network Design Manual.*
- *Agree to initiatives suggested by the LDA, which seek to ensure that local residents and businesses benefit from jobs created by this proposal, particularly Black, Asian and minority ethnic (BAME) groups and disabled persons or groups."*

5.21 BARKING AND DAGENHAM PRIMARY CARE TRUST

The Barking and Dagenham Primary Care Trust commented as shown below in italics:

"The health needs of the proposed population have already been accommodated for within 4 practice premises in the borough. Therefore, at this stage, although the PCT supports the residential development, it does not wish to formally submit an "expression of interest" for the inclusion of a health facility into the planning phase."

5.22 LBBD HOUSING STRATEGY

LBBD Housing Strategy commented as shown below in italics:

“We do not support the application for the following reasons:

Affordable Housing Percentage

The developer is proposing to provide 20% affordable housing (para 3.6 of the Affordable Housing Viability & Planning Obligation Assessment). We consider this to be unrealistically low bearing in mind that the GLA require 50% and the borough’s average is 35%. In our view anything below 35% should be strongly resisted as this figure is significantly below the London average.

Unit & Tenure Mix

The proposed unit mix by tenure is unacceptable for the following reasons:

Social Rented – 2 bed flats should be 2b4p only. All 3 and 4 bed units should be for social rent.

Shared Ownership – anything larger than 2b3p is unaffordable and therefore we only accept 2b3p flats in the main. The demand for 1 bed shared ownership flats is very low.

Intermediate Rent – this type of unit is aimed at single people and couples and therefore we would expect to see only 1 bed flats in this category.

A split of 50% social rented and 50% intermediate tenures is acceptable on this site.

Unit Sizes

The unit sizes for both the private and the affordable housing are on the small size. 1 bed units of 37sqm and 2b4p units of 56sqm should be reconsidered.

All 4 bed units should be either 7 or 8 person units. 4b6p units should be avoided.

Car Parking

(Paragraph 3.9 of the Affordable Housing Viability & Planning Obligation Assessment).

Car parking should be allocated on a pro rata basis.

Location of the Affordable Housing Units (Pepper Potting)

The location of affordable units in a mixed tenure development is important because it signals the importance the Council and the Developer gives to creating sustainable communities. None of the drawings that have been supplied show the location of the affordable housing. The developer should therefore be asked to provide a site plan which shows the location of the private and affordable units. As a guide based from the plans that have been provided if the affordable housing is in separate blocks, at least one of the blocks with a sea view should be affordable housing and the other affordable blocks should not be adjacent to each other.”

5.23 LBBB ENVIRONMENTAL PROTECTION

LBBB Environmental Protection commented as shown below in italics:

Noise

"The high levels of traffic noise is a major concern. The location, near the A406 will definitely fall within Categories C and D of PPG24. PPG24 says permission should not be given in such cases."

A number of conditions relating to noise have been proposed should planning permission be granted.

Land Quality

"The report supplied from Environ includes a technical appendix regarding ground conditions at the site which was prepared by Jacobs and utilises information from Jacobs own investigations and previous studies by others since 1997. This information is used as the basis for the risk assessment and subsequent recommendations for risk management/remediation put forward.

The report provided partially fulfils part (a) of the standard Land Quality condition but more detail and work is required before we could recommend discharge. It provides an outline of the remediation that could be undertaken, however, specific detail will need to be provided as part of a remediation method statement to fulfil the planning condition."

Air Quality

"The development site will:

- *Lead to a breach or worsening of a breach of an Air Quality objective, or cause a new Air Quality Management Area AQMA to be declared; and/ or*
- *Interfere with or prevent the implementation of actions within an Air Quality action plan; and/or*
- *Interfere with the implementation of a local Air Quality Strategy.*

The demolition and construction of this development will I believe have a detrimental impact on air quality within the area and I therefore recommend the following conditions be applied to any planning permission granted:

Condition:

Before the development hereby permitted commences a Method Statement detailing mitigation measures to minimise exposure to air pollution should be submitted to the Local Planning Authority for written approval (see informative).

Reason for condition is as follows:

In order to ensure that the development meets the local and national air quality strategic objectives, and in accordance with Policy G39 of this Council's Unitary Development Plan and/or Policy BR13 of this Council's Local Development Framework and/or Policy 4A.6 of the Mayor's London Plan.

Informative:

In producing the 'Method Statement' the applicant shall have due regard to Best Practice Guidance from the Greater London Authority 'The Control of Dust and Emissions from Construction and Demolition', November 2006" (ISBN: 1860816126).

This development will I believe have an impact on air quality. I therefore recommend

the following conditions to mitigate the impact:

Condition:

Before the development hereby permitted commences a scheme to monitor Air Quality during site works should be submitted to the Local Planning Authority for written approval (see informative).

Reason for condition is as follows:

In order to ensure that the development meets the local and national air quality strategic objectives, and in accordance with Policy G39 of this Council's Unitary Development Plan and/or Policy BR13 of this Council's Local Development Framework and/or policy 4A.6 & 4B.6 of the Mayor's London Plan.

Informative:

The Air Quality monitoring scheme should include:

The automatic real-time continuous monitoring of NOx shall be undertaken a minimum of 6 months prior to development to obtain baseline data, throughout the period of construction and then continue for 10 years after completion of the project. The data obtained should be available to be downloaded in real-time by the local authority and comply with the requirements of the London Air Quality Network.

The automatic real-time continuous monitoring of fine particulates including PM_{2.5}, and PM₁₀ shall be undertaken a minimum of 6 months prior to development to obtain baseline data, throughout the period of construction and then continue for 10 years after completion of the project. The data obtained should be available to be downloaded in real-time by the local authority and comply with the requirements of the London Air Quality Network. The measurements should be taken:

Along a transect across the construction site in the direction of the prevailing wind. A minimum of two automatic particulate monitors should be installed one at each end of this transect.

At a minimum of one location close to sensitive receptors (i.e. residential properties with gardens).

The monitoring of dust deposition and soiling rates using deposit gauges located at the nearest sensitive receptors.

The automatic real-time continuous traffic counting device to enable traffic flow data to be collected and compared with the NOx, PM_{2.5}, and PM₁₀ measurements

This development will I believe have an impact on air quality. I therefore recommend the following conditions to mitigate the impact:

Condition:

Before the development hereby permitted commences a planting scheme of trees and shrubs, to maximise vegetation absorption and filtration of air to improve air quality in areas adjacent to local traffic should be submitted to the Local Planning Authority for written approval (see informative).

Reason for condition is as follows:

In order to ensure that the development meets the local and national air quality strategic objectives, and in accordance with Policy G39 and G47 of this Council's Unitary Development Plan and/or Policy BR3 & BR13 of this Council's Local

Development Framework and/or policy 4A.6 & 3D.12 of the Mayor's London Plan.

Informative:

The trees and/or shrubs included in the planting scheme should be:

Species native to the area to ensure invasive non-native species do not compromise the local biodiversity.

Suitable for the physical conditions of the site, for example, soil type, drainage and exposure.

Where possible, taking into account species native to the area, be those with the greatest capacity to remove air pollution. Examples can be found in the guide, 'Trees and Sustainable Urban Air Quality,' by the Centre for Ecology and Hydrology.

Included in site maintenance plans for the future.

This development will I believe have an impact on air quality. I therefore recommend the following conditions to mitigate the impact:

Condition:

Before the development hereby permitted commences a scheme to utilise renewable energy sources which do not compromise air quality should be submitted to the Local Planning Authority for written approval (see informative).

Reason for condition is as follows:

In order to ensure that the development meets the local and national air quality strategic objectives, and in accordance with Policy G39 of this Council's Unitary Development Plan and/or Policy BR1, BR3 & BR13 of this Council's Local Development Framework and/or policy 4A.6 & 4A.7 of the Mayor's London Plan.

Informative:

The renewable energy plan should include the following in order of preference:

Solar Power

Ground Heat Source

Biomass – the whole of this Council is designated as a smoke control area (Clean Air 1993), therefore any fuel must be an authorised fuel burnt in an exempted fireplace."

5.24 LBBB AREA REGENERATION

No response.

5.25 LBBB ACCESS OFFICER

No response.

5.26 LBBB HIGHWAYS AND STREET CLEANSING

No response.

5.27 LBBB TRAFFIC AND ROAD SAFETY

No response.

5.28 LBBB CRIME PREVENTION OFFICER

The LBBB Crime Prevention Officer considered that the design as it stood could generate crime. The officer provided a report with some detailed design advice for the applicant to consider as a means of reducing the impact of crime on the development.

5.29 LBBB SPATIAL PLANNING AND ENVIRONMENTAL SUSTAINABILITY

LBBB Spatial Planning and Environmental Sustainability commented as shown below in italics:

- *“Preliminary EcoHomes assessment needs to show a ‘Very Good’ to ‘Excellent’ score. ‘Good’ is not acceptable for this site.*
- *Firmer commitments and targets needed on materials.*
- *A recovery target for the reusing / recycling of materials from the demolition site is needed.*
- *We need to see the schematic of the communal heating scheme within the development. Developer will have to commit to designing the communal heating network in accordance with our technical guidance in order to ensure compatibility with the future district heating network.*
- *Electrical distribution to be designed in accordance with our specifications to allow the possibility of a development-wide CHP system.*
- *Predicted water usage figures are too high – these need to be lower. Incorporate rainwater / grey water recycling.”*

5.30 LBBB STRATEGIC TRANSPORT

No response.

5.31 LBBB EDUCATION

No response.

5.32 LBBB POLICY AND PLANNING

LBBB Policy and Planning commented as shown below in italics:

Density

“While a higher density development is encouraged on this edge of centre site, the intensity of development is questionable bearing in mind the distance from Barking Station and overall PTAL levels.

The proposed development is 273 units per hectare (1,155 units on a 4.2 ha site). Clearly well over the adopted London Plan density targets in addition to the more generous targets set out in the draft London Plan Further Alterations and forthcoming

LDF Preferred Policy options.

I acknowledge that there will be higher PTAL levels with the planned transport improvements. As stated in the transport assessment, once bus improvements and the addition of East London Transit is in place, the site has the potential to reach PTAL level 4. Yet the proposed 273 units per hectare are still well beyond the acceptable density range with the ELT and bus improvements factored in.

When higher densities are sought it should be used as a tool to secure additional community benefits such as the provision of higher levels of affordable housing from the overall proposal; the demonstration of the highest quality urban design; and/or be of the highest environmental standard (environmental sustainability). When evaluating the level of social housing and family accommodation being proposed, higher densities are still not justified as they are well below local and regional policy.

The LTGDC consider that given the sites close proximity to the town centre shops and services, and to a range of public transport modes (albeit not on the immediate doorstep), it is considered that the proposed density could be acceptable on the site as long as the scheme can be seen to provide a suitable high-quality living environment.

Family Accommodation

The Barking Town Centre IPG has provided interim planning guidance on unit size mixes expected on sites in the town centre. However, since its publication, GLA's Housing Provision SPG, Barking & Dagenham's Housing Needs Survey, and draft LDF Core Strategy Policy CC1 have provided more up-to-date guidance in determining suitable housing unit size mixes.

The Barking and Dagenham Housing Needs Survey (2005) sets out that the overall shortfall relative to supply is greatest for 4 bedroom (or larger) accommodation, however there is a high need for 1 and 2 bedroom accommodation as well. It also states that there is a shortfall across all sizes of affordable housing.

The GLA's Housing Requirements Study indicates that Londonwide for the next 10 years, to meet both projected population growth and the backlog in unmet housing need, 30% of new provision should be 4 bedroom or larger; 38% should be 2 or 3 bedrooms and 32% should be 1 bedroom accommodation. For social housing, 41% needs to be 4 or more bedrooms. This guidance has been incorporated in the GLA Housing Provision SPG.

Furthermore, the LDF preferred policy for housing mix states that:

"...a minimum of 40 per cent family accommodation (defined as two bedroom accommodation with level access to external amenity space, three bedroom, four bedroom or larger accommodation), with the emphasis on the provision of three bedroom, four bedroom or larger accommodation unless the site is deemed unsuitable for such accommodation. This will apply to both affordable and market housing."

The affordable housing unit size mix is considered acceptable as it does exceed the 40% target set out in the LDF preferred option yet fails to meet the suggested level of 4 bedroom accommodations set out by GLA guidance. The market unit size mix is deficient in family accommodation as well, especially 4 bedroom accommodations.

Therefore, it is preferable that additional 4 bedroom market and affordable housing are included as part of the proposed development. Perhaps within the market housing mix,

less 2 and 3 bedroom units could be substituted for additional 4 bedroom units.

It is important to note that if ideal dwelling size mixes cannot be achieved at the density proposed (as density proposed is much greater than what is set out in the London Plan and draft LDF policy) then the proposed density of the development should be lowered. This would reflect a greater proportion of 4 bedroom accommodation than what is currently being proposed. The London Plan Housing Capacity Study (2005) sets out that “sites with densities at the lower end of ranges would in principle allow for an increase in the proportion of family type dwellings.”

In terms of the overall amount of affordable housing being proposed, it is much lower than the 50% target set out by the GLA and draft LDF, and the 35% being asked for currently within the Unitary Development Plan. The 70-30 (social rent to intermediate housing) split is also lower than what would be expected.

Building Heights

UDP Policy DE7 and draft Local Development Framework policy BP5 sets out the Council’s aspirations with regards to tall buildings.

Tall buildings are defined as “any building that is 6 or more storeys, significantly higher than its neighbours, and/or which recognisably changes the skyline”.

LDF policy suggests the following types of locations may be suitable for tall buildings:

- In high PTAL areas. The PTAL level in the Fresh Wharf area is 2-3 – i.e. between very low and moderate.*
- Where tall buildings would not significantly harm the skyline, locally important views or views into / out of heritage assets.*

It could be argued that the tower block N1 (22 storeys) would transform the local skyline, and harm the views from the scheduled ancient monument of Barking Abbey, and provide an overbearing presence on the Town Quay and Abbey Road Conservation Area across the Roding River.

I would point out that it may be advisable for block N1 to be at the minimum or lower than minimum of the proposed heights. Furthermore, where heights are judged to be too tall, range minimums should be inclusive of plant, parapets, and additional architectural detailing. These design details should not be lost as a result of any reductions in building height as these components significantly contribute to the overall aesthetic value of any tall building.

Social Infrastructure

In terms of setting out the need for social infrastructure, it must be expected that the proposed development will trigger the demand for additional facilities. Where these cannot be met off-site they will be expected to be incorporated into the scheme as set out in UDP Policy C5 and C17. C17 states that the Council will seek “the provision of community and other leisure facilities to serve the local area (e.g. community halls or religious buildings)...and training facilities.”

Furthermore, the draft LDF Core Strategy Policy CC4 states that:

“community facilities should be phased to ensure that the provision of additional

community facilities can be provided at the same time as new developments become occupied. The Council is currently producing a Social Infrastructure Framework which will inform the implementation of this policy through setting out the key trigger points and delivery mechanisms for many of the Community Facilities...

The Sub-Regional Development Framework for East London states that:

“for major new developments boroughs need to ensure an appropriate range of community facilities to meet the diverse needs of the local population. This needs to include appropriate religious facilities, as well as libraries, community centres, sports facilities and premises to encourage voluntary activity.”

We do not consider a private members gym (as proposed) to be a community facility in the spirit of the UDP or LDF policy. Abbey Leisure Centre which is in close proximity to the site is not at its capacity and the community priority for additional sports facilities in the area rather than an alternative community facility is questionable.

LDF Policy CC4 sets out that:

“community facilities include, but are not limited to children’s centres, children’s play and recreation facilities, health and social care facilities, education facilities childcare facilities, libraries, community halls, meeting rooms, sports and leisure facilities, religious meeting places and public conveniences.”

As there is no demand for a doctor’s surgery on the site, the provision of an alternative community facility must be considered. Planning Advice Note 4 sets out an identifiable need for religious meeting places and sites in and around the town centre provide an ideal location for such a community facility. I would suggest that such a facility be considered as part of the proposed development.

Internal Space Standards

UDP Policy H16 sets out the internal space standards for new development which are:

<i>1 bedroom</i>	<i>28.5 sqm</i>
<i>2 bedroom</i>	<i>40 sqm</i>
<i>3 bedroom</i>	<i>49 sqm</i>

The above standards do not include hallways / corridors, bathrooms / shower rooms, or kitchens. They are measurements of total habitable floor areas.

The proposed development provide for the following unit size ranges:

<i>1 bed unit</i>	<i>37 - 47 sqm</i>
<i>2 bed unit</i>	<i>51 - 71 sqm</i>
<i>3 bed unit</i>	<i>80 – 85 sqm</i>
<i>4 bed unit</i>	<i>94 – 111 sqm</i>

The proposed development sets out unit sizes which are inclusive of hallways / corridors / kitchen and bathroom areas. It is unclear whether or not the internal space of the proposed development will be able to meet UDP standards which calculate internal space by total habitable floor area. Further detail must be provided by the applicant in order to determine whether minimum requirements are capable of being satisfied.

It is important that minimum standards are reached as space available has implications for accessibility, sustainability, and for quality of life including health.

External Amenity Space

UDP Policy H15 sets out the residential amenity space standards expected from new development. The proposed development provides for approximately 30% as open space. There is no indication what proportion of this is open space would be classified as private amenity space - as defined by UDP Policy H15.

The site is 4.2 ha in size, and it is unlikely to meet the UDP's residential amenity standards. With the proposed development, the needs for adequate levels of amenity space must be balanced with the site size and location constraints. This is most important when providing for adequate amounts of amenity space in association with family housing. "The quantum, location, and quality of open space should have regard to the Mayor's Draft SPG 'Providing for Children and Young People's Play and Informal Recreation (October 2006). As it is not possible to meet the standards as set out in the UDP a contribution towards open space and / or children's play facilities will be expected.

Riverside Walk

UDP Policy E12 sets out that riverside walks "should incorporate provision for cycle routes where necessary". This is further repeated in London Plan Policy 4C.17 and 4C.20 and paragraph 3.3.2 of the Barking Town Centre IPG. So it is suggested that cycleways be incorporated within the pedestrian riverside walk rather than, or in addition to providing a separate path for cyclists in the centre of the site. Design elements can be incorporated in order to ensure no conflict arises between pedestrian and cyclist.

Air Quality

UDP Policy G39 sets out that "the Council will aim to reduce air pollution... and to minimise its detrimental effects by restricting sensitive development in areas where current pollution levels exceed World Health Organisation or UK Standards."

Parts of the proposed development exceed the annual limit values for the protection of human health. The areas that exceed the NO2 limits are as follows:

- 2004/05 Block A (ground and first floor);
- 2004/05 Block B (ground and first floor);
- 2004 Public Space (North)
- 2004 Community Area (Block I)
- 2004/05 Communal Garden

Even though the 2004/2005 levels are exceeded for several areas of the site, table 13.4 of the Environmental Statement sets out that by 2008, the NO2 baseline levels will have decreased and thus be below the threshold. It is unclear how 2008 baseline NO2 levels have been calculated.

Local Labour

Ensuring that local people and businesses benefit from the improvement of the area is a priority for the Council. The Council's Planning Advice Note 2: Local Labour Agreements sets out how new development can participate in local labour / business

agreements in order to provide:

- more jobs and training for local people; and
- more opportunities for local businesses to compete for contracts to work on new land developments.

UDP Policy E6 supports this by stating that the Council will promote employment and seek to ensure conditions for business enterprise to succeed in the Borough by:

- Supporting...local initiatives, public and private to promote business enterprise and employment consistent with community interests, and particularly those disadvantaged in the job market.”
- Working with employers, property owners, and public and private agencies to ensure that the use of all employment locations strengthens the local economy and improves the prospects of Barking and Dagenham’s workforce.

The draft LDF preferred Policy CE5 sets out that “on major development proposals there is an expectation that developers will enter into local labour and local business agreements with the Council”. These agreements will:

- Secure contributions from developers towards the costs of training local people, including the capacity / infrastructure needed to support the Local Enterprise Growth Initiative (LEGI) and its aims to improve the skills base amongst the adult population of the Borough;
- Enable local people to access jobs, apprenticeships or job placements in the construction and / or end use phases of developments in order to meet the wider needs of the community; and
- Provide local businesses with opportunities to compete for contracts in developments by highlighting the procurement opportunities for the borough’s small businesses and building the capacity of small businesses to compete for contracts.

Further details are required so that the needs of local labour and enterprise are fully considered. We will expect that the proposed development demonstrate how Planning Advice Note 2 has been addressed through the development.

These matters can be secured through a S106 Agreement if planning permission is granted.

Conclusion

There are a number of issues that must be resolved before the planning proposal (as submitted) would be considered acceptable. The primary concern is associated with the density proposed. The site has been earmarked for regeneration and the Interim Planning Guidance does suggest high quality, high density development may be considered to make the best use of the site. However, achieving the densities proposed should not be at the expense of a host of other planning concerns such as the delivery of affordable housing, the delivery of family housing and the provision of open space and social infrastructure. This site is set to be a landmark development and must set the precedent for regeneration along the Upper Roding Valley Area.”

6. APPLICATION PUBLICITY

- 6.1 Site Notice Expiry:** 10 May 2007 &
31 July 2007 (Duplicate application)

6.2 Press Notice Expiry: 9 May 2007 &
11 July 2007 (Duplicate application)

Both applications were advertised by way of site notices and a press notice in the Barking and Dagenham Post. The notices specified that the application was accompanied by an environmental statement; that the proposal is a departure from the development plan; and that it affects the setting of 2 Conservation Areas and 4 Listed Buildings.

6.3 Neighbour Notification:

A total of 488 neighbouring properties were consulted on 19 April 2007 in respect of the first application. One letter of objection was received from a resident of Whalebone Grove, Chadwell Heath.

It was decided not to notify neighbouring properties on the duplicate application.

7. REPRESENTATIONS

7.1

SUMMARY OF REPRESENTATIONS	
<i>Number of letters sent</i>	488
<i>Number of responses received</i>	1
<i>Number in support</i>	0
<i>Number of objections</i>	1

INDIVIDUAL COMMENT:

RESPONSE TO COMMENT:

- Too dense.
 - Too high.
- The London Plan identifies density ranges of 150-200 habitable rooms per hectare for locations such as the proposed site. The proposed density of the development is 273 units per hectare. Given the sites close proximity to the town centre shops and services, and to a range of public transport modes (albeit not on the immediate doorstep), it is considered that the proposed density could be acceptable on the site as long as the scheme can be seen to provide a suitable high-quality living environment.
 - CABE has advised that they are content with the presence of a tall building on the site in principle, despite the fact that they do not support the

application because it is wholly in outline. The authorities have generally accepted the principle of a tall building on the site also, however further details regarding design and height would be required to determine what is appropriate and where it should be located on the site.

- Subject to severe aerial pollution from the A406 highway.
- It is accepted that the site currently experiences poor air quality as a result of vehicle emissions, mainly from the A406. The Environmental Statement accompanying the application further concludes that air quality is unlikely to improve significantly in the short term.
- The GLA have advised that the approach and methods used in the applicant's assessment of air quality has been appropriate, comprehensive and thorough, and as such the proposed development does not appear to present a significant risk to local air quality.

8. RELEVANT PLANNING POLICY

8.1 Planning Policy Guidance

PPS1 – Delivering Sustainable Development
PPS3 – Housing
PPG4 – Industrial, Commercial Development and Small Firms
PPS6 – Planning for Town Centres
PPS9 – Biodiversity and Geological Conservation
PPS13 – Transport
PPG15 – Planning and the Historic Environment
PPG16 – Archaeology and Planning
PPS22 – Renewable Energy
PPS23 – Planning and Pollution Control
PPG24 – Planning and Noise
PPS25 – Development and Flood Risk

8.2 The London Plan (adopted February 2004)

Policy 2A.1 - Sustainability Criteria
Policy 2A.4 – Areas for Regeneration
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
Policy 3A.6 – Definition of Affordable Housing
Policy 3A.7 - Affordable Housing Targets

Policy 3A.8 – Negotiating Affordable Housing in Individual Private Residential and Mixed-Use Schemes
 Policy 3A.15 - Protection and Enhancement of Social Infrastructure and Community Facilities
 Policy 3A.18 – Locations for Health Care
 Policy 3B.1 – Developing London’s Economy
 Policy 3B.2 – Office Demand and Supply
 Policy 3B.12 - Improving the Skills and Employment Opportunities for Londoners
 Policy 3C.1 – Integrating Transport and Development
 Policy 3C.3 – Sustainable Transport in London
 Policy 3C.19 – Improving Conditions for Buses
 Policy 3C.20 – Improving Conditions for Walking
 Policy 3C.21 – Improving Conditions for Cycling
 Policy 3C.22 - Parking Strategy
 Policy 3C.23 – Parking in Town Centres
 Policy 3D.1 - Supporting Town Centres
 Policy 3D.2 – Town Centre Development
 Policy 3D.12 – Biodiversity and Nature Conservation
 Policy 4A.6 – Improving Air Quality
 Policy 4A.7 - Energy Efficiency and Renewable Energy
 Policy 4A.8 - Energy Assessment
 Policy 4A.9 - Providing for Renewable Energy
 Policy 4A.11 – Water Supplies
 Policy 4A.12 – Water Quality
 Policy 4A.13 – Water and Sewerage Infrastructure
 Policy 4A.14 - Reducing Noise
 Policy 4A.16 – Bringing Contaminated Land Into Beneficial Use
 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.7 – Respect Local Context and Communities
 Policy 4B.8 - Tall Buildings - Location
 Policy 4B.9 - Large Scale Buildings – Design and Impact
 Policy 4B.14 – Archaeology
 Policy 4C.1 – The Strategic Importance of the Blue Ribbon Network
 Policy 4C.2 – Context for Sustainable Growth
 Policy 4C.3 – The Natural Value of the Blue Ribbon Network
 Policy 4C.6 – Flood Plains
 Policy 4C.7 – Flood Defences
 Policy 4C.8 – Sustainable Drainage
 Policy 4C.10 – Historic Environment
 Policy 4C.11 – Conservation Areas
 Policy 4C.12 – Sustainable Growth Priorities for the Blue Ribbon Network
 Policy 4C.17 – Increasing Access Alongside and to the Blue Ribbon Network
 Policy 4C.19 – Mooring Facilities on the Blue Ribbon Network
 Policy 4C.20 – Design – Starting From the Water
 Policy 4C.21 – Design Statements
 Policy 5C.1 – The Strategic Priorities for East London

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

Strategic Policy B - Housing

Strategic Policy E - Employment
 Strategic Policy F - Employment
 Strategic Policy H - Shopping
 Strategic Policy Y – Transportation and Movement
 Policy H8 – Dwelling Mix
 Policy H14 - Environmental Requirements
 Policy H15 - Residential Amenity
 Policy H16 - Internal Design
 Policy H18 – Amenity Open Space
 Policy H19 – Noise Attenuation
 Policy E1 – Employment Development Within Employment Areas
 Policy E2 - Change of Use From Employment
 Policy E4 – Access For People With Disabilities
 Policy E8 – Upper Roding Valley Area
 Policy E9 – Upper Roding Valley Area: Environmental Requirements
 Policy E10 – Existing Uses Within the Upper Roding Valley
 Policy S8 – Food and Drink Uses
 Policy BTC1 - Town Centre
 Policy BTC12 - Environmental Improvement
 Policy G28 – Contaminated Land
 Policy G32 - Litter and Flytipping
 Policy G33 - Flooding
 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 DE3 – Nature Conservation and the Built Environment
 Policy DE6 - Safety and Security
 Policy DE7- High Buildings
 Policy DE9 – Energy Conservation
 Policy DE16 - Hard Landscape
 Policy DE17 – Soft Landscape
 Policy DE28 – Development Adjacent to Conservation Areas
 Policy DE33 – Setting of Listed Buildings
 Policy DE36 - Development on Sites of Archaeological Significance
 Policy DE37 – Protection of Archaeological Sites
 Policy C2 – Premises For Facilities For the Community
 Policy C5 – Facilities Incorporated in New Developments
 Policy C6 – New Health and Social Services Facilities
 Policy C9 – Provision of Childcare Facilities
 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 T24 – New Road Layout
 Policy T32 - Service Areas

8.4 Other Relevant Planning Policies & SPGs

LBBB Interim Parking Standards (January 2002)

Barking Town Centre Interim Planning Guidance (IPG) (December 2004)

CABE and English Heritage “Guidance on Tall Buildings” (July 2007)

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)

Draft River Roding Masterplan (2007) – a masterplan has been commissioned by the LTGDC to look at the area to the west of the town centre. The masterplan is being taken forward jointly by LTGDC officers in conjunction with London Borough of Barking and Dagenham and Rick Mather Architects. The masterplan will have an influence on the Barking Town Centre Area Action Plan.

9. ASSESSMENT OF MAIN ISSUES

9.1 Principle of Uses

- 9.1.1 The application site is allocated in the London Borough of Barking and Dagenham Unitary Development Plan (1996) as an employment area (Policies E8, E9, and E10). As such the application, which is primarily residential in nature, was advertised as a departure from the development plan.
- 9.1.2 The application site falls within Key Area 2 “A406 Strip” in the Barking Town Centre Interim Planning Guidance (IPG) (December 2004). The application site is identified for mixed-use development within the IPG. The IPG considers the area to be an opportunity to introduce a mix of uses, including residential, to the land south of Highbridge Road. The IPG further encourages leisure and public uses to be close to the River Roding to complement the creative complex on the left bank. New development is expected to be of high architectural quality that creates landmark developments and reinforces its gateway status. It is also expected that new development will improve the environmental quality of the area.
- 9.1.3 As well as providing up to 1,155 new homes, the proposal would provide up to 2,861 square metres of neighbourhood retail and food and drink uses (Use Classes A1, A3, A4, and A5) at ground floor level in the northern part of the site, adjacent to Town Quay. It is proposed to develop small retail outlets to meet locally generated neighbourhood needs without competing or detracting from the retail offer that exists within Barking Town Centre itself. The retail provision within the application will provide for convenience and local shopping to serve the needs of the immediately surrounding community and should not in itself become a retail destination. These uses will help to animate the northern part of the site and the riverwalk.

- 9.1.4 The application also proposes up to 1,203 square metres of community facilities (Use Class D1) including a doctor's surgery / healthcare centre (subject to demand). A creche space is also proposed. It is proposed that these community facilities will be located around the southern square. Such uses would help to bring life to this large square. However, the planning and public authorities have maintained concerns regarding the southern square throughout the application process. Officers are not confident as to whether there will be sufficient demand for the surrounding community facilities and whether the large square will become a well-used space, or whether it will become an unused and uninviting space.
- 9.1.5 A small health and fitness facility (424 square metres) (Use Class D2) to meet the needs of the residents is also proposed adjacent to the southern square.
- 9.1.6 Up to 1,248 square metres of business floorspace (Use Class B1) is also provided as part of the development. This space is proposed at ground floor level along the western and southern frontages of the site.
- 9.1.7 The existing levels of employment on the site are approximately 100 jobs. The new development will create a wide range of new jobs through the provision of business and retail space and this is expected to result in a net increase of 150 new jobs.
- 9.1.8 The scheme assists in meeting the Borough's vision of providing an extra 4,000 homes within the town centre over the next 10 years.
- 9.1.9 Despite the application being a departure from the current UDP, it is considered that the development is acceptable in principle given that the Barking Town Centre IPG (2004) identifies the site for mixed-use development, including residential; that the need for housing is identified as a key priority for the Borough; and that the new development will create a wide range of new job opportunities which would deliver more jobs than what is currently provided on the site.

9.2 Housing

- 9.2.1 The application proposes that up to 1,155 residential units will be provided as part of the mixed-use development on the site.
- 9.2.2 The Mayor's Supplementary Planning Guidance on Housing (2005) seeks a balanced mix of unit sizes with a target of 32% one bed, 38% two and three bed, and 30% four bed units.
- 9.2.3 The Borough indicated during the application process that a mix of 35% 1 bed, 35% 2 bed, 20% 3 bed and 10% 4 bed units was the Borough's preferred mix for the proposed development. This is also stated in the Barking Town Centre IPG.
- 9.2.4 The proposed development will provide 32% one bed, 39% 2 bed, 23% 3 bed, and 6% 4 bed units.
- 9.2.5 The site is considered an appropriate location for family housing and accordingly the GLA are of the view that more family housing, above that already proposed, should be provided. The GLA have recommended that the applicant reduces the number of smaller units and increases the number of large (3 bed +) family

units.

9.2.6 The proposed housing mix for the development is shown below:

UNIT SIZE	PROPOSED NUMBER OF UNITS	% OF TOTAL
1 bed unit	367	32%
2 bed / 3 person unit	110	10%
2 bed / 4 person unit	331	29%
3 bed unit	268	23%
4 bed unit	79	6%
Total Number of Units	1,155 units	
Total Number of Family Housing Units	347 units	30%

9.2.7 Each of the four phases of the development will provide between 140 and 390 new homes over an anticipated period of 8 years from commencement of construction.

9.2.8 The housing will be designed to allow for the integration of a range of sizes and tenures. In particular, the affordable housing components will be integrated through the site and it will not be possible to distinguish the difference between tenure types externally.

9.2.9 The applicant is seeking to provide 20% of the units on site as affordable housing provision, including provision for intermediate housing with a split of 50:50 intermediate and social rented. By habitable rooms, the amount of affordable housing provision will be 22%. The proposed affordable housing mix is shown below:

UNIT SIZE	PROPOSED NUMBER OF AFFORDABLE HOUSING UNITS	% of TOTAL
1 bed unit	46	20%
2 bed / 3 person unit	45	19.5%
2 bed / 4 person unit	45	19.5%
3 bed unit	68	29%
4 bed unit	27	12%
Total Affordable Housing Units	231	
Total Affordable Family Housing Units	95	41%

9.2.10 The proposed tenure of the affordable units is set out below:

UNIT SIZE	AFFORDABLE RENTED	INTERMEDIATE	NEW BUILD HOME BUY (NBHB)	80% OPEN MARKET VALUE (OMV)	TOTAL
1 bed unit	7	0	16	23	46
2 bed / 3 person unit	24	0	16	5	45
2 bed / 4	25	7	7	6	45

person unit					
3 bed unit	30	9	12	17	68
4 bed unit	27	0	0	0	27
Total	113	16	51	51	231
Total Family Housing	57	9	12	17	95

- 9.2.11 Policy 3A.7 of the London Plan sets out the Mayor’s strategic target for affordable housing provision that 50% of provision should be affordable and, within that, the London wide objective of 70% social housing and 30% intermediate provision.
- 9.2.12 The Borough has sought 35% affordable housing provision during the application process which they have suggested they would find acceptable on a habitable room basis. They have also sought a split within the affordable tenures of 50% social rented and 50% intermediate tenure.
- 9.2.13 The Borough has further advised that the social rented 2 bed flats should be 2 bed / 4 person units only.
- 9.2.14 With regard to the shared ownership tenures the Borough has advised that anything larger than 2 bed / 3 person is unaffordable for local income levels and therefore they only accept 2 bed / 3 person in the main. The demand for 1 bed shared ownership flats is apparently very low.
- 9.2.15 The Borough has advised that intermediate units are aimed at single people and couples and therefore they would expect to see only 1 bed flats in this category.
- 9.2.16 The applicant has submitted a financial appraisal which seeks to demonstrate that the affordable housing offer is the best that the scheme can deliver and remain viable. The authorities are concerned, however, about some of the exceptional costs which are stated in the appraisal and which have a significant impact on the affordable housing offer. These exceptional costs include an LDA subsidy of £5 million which the applicant claims it must pay back, and £4.6 million relating to upfront infrastructure costs for the whole of the Fresh Wharf development.
- 9.2.17 The LTGDC and the GLA have been in discussion with the LDA to understand what the applicant is expected to pay back to the LDA. It is understood so far from those discussions that the amount that the applicant is required to pay back is significantly lower than that stated in the appraisal. Further clarification is being sought on this matter and any received will be reported to the Committee as late information.
- 9.2.18 With respect to the upfront infrastructure costs which relate to the whole Fresh Wharf development, it is considered that these costs should be apportioned between the various developments within the Fresh Wharf Estate rather than the total being included as part of the current proposal.
- 9.2.19 The GLA has advised the applicant that all intermediate housing within the scheme will be expected to be affordable at the levels set out in the Mayor’s Supplementary Planning Guidance Note “Housing” (2005).
- 9.2.20 The affordable housing offer 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. The proposed affordable housing provision is considered to be inadequate and contrary to Policy 3A.7 (Affordable Housing Targets) of the London Plan.

- 9.2.21 The LTGDC considers that the proposed housing mix is generally acceptable and in line with the guidance on housing mix set out in the Barking Town Centre IPG. The inclusion of a greater proportion of affordable housing within the development could provide an increased proportion of larger units.
- 9.2.22 The affordable housing offer at present is inadequate in terms of quantum as discussed above and this is considered to be a ground for refusal of the application.

9.3 Density and Design

- 9.3.1 The area of the site is 4.2 ha based on the red line boundary. The total number of residential units proposed is 1,155 and therefore the density will be 273 units per hectare.
- 9.3.2 Policy 4B.3 of the London Plan states that the Mayor will, and Boroughs should, ensure that development proposals achieve the highest possible intensity of use compatible with local context, the design principles in Policy 4B.1 of the London Plan, and with public transport capacity.
- 9.3.3 Table 4B.1 of the London Plan identifies density ranges of 150-200 habitable rooms per hectare for locations such as the proposed site. Given the site's close proximity to the town centre shops and services, and to a range of public transport modes (albeit not on the immediate doorstep), it is considered that the proposed density could be acceptable on the site as long as the scheme can be seen to provide a suitable high quality living environment and a high quality of design.
- 9.3.4 The application was submitted wholly in outline and the authorities and other consultees have raised concerns with the applicant regarding the design of the proposed tall building (Block N1) at the northern end of the site, which is expected to be up to 22-storeys in height.
- 9.3.5 As detailed in Section 5 of this report, the Commission for Architecture and the Built Environment (CABE) have advised that they are not able to support an outline application for the whole site. They have advised that the current approach of submitting an outline application comprising drawings and design principles is not appropriate for a site of this size and nature, for the quantum and type of development proposed. They have advised that at the very least the planning authorities should demand a detailed application for Phase 1 and the tower.
- 9.3.6 The LTGDC is currently in the process of acquiring the parcel of land to the north-east of the Blocks N1 and N2 which has been in the ownership of the Environment Agency. The LTGDC sees this piece of land as being important for providing a successful Town Quay area for the Fresh Wharf development. The applicant has failed to pursue acquisition of the land themselves in the past despite recommendations from the authorities that they should do so in order provide an improved scheme in relation to the northern end of the site. The LTGDC considers that the development should address this land to secure a

satisfactory development. The ownership of the land is immaterial for planning purposes.

- 9.3.7 One of the main concerns relating to Blocks N1 and N2 regards the orientation of the building which significantly overshadows the Mill Pond and Town Quay area. It is considered that the Environment Agency land, which the LTGDC is in the process of negotiating to acquire, should be incorporated into the scheme so as to provide further space to accommodate a re-orientated building and to provide a more open linkage through the site. At present Block N1 is positioned in a way that does not provide a clear and easily visible path through the Town Quay into the rest of the development. Given that the Town Quay area would be the closest element of the scheme to the town centre, it is important that the linkages from the northern end of the site are legible.
- 9.3.8 The authorities have requested a detailed application for Blocks N1 and N2 but this has not been forthcoming. Furthermore, the applicant has been advised that the detailed application should provide a re-orientation and re-configuration of Blocks N1 and N2, incorporating the Environment Agency land, whilst establishing an overall figure for units including types. The lack of a detailed comprehensive scheme for this northern end of the site is considered to result in a poor quality design and environment and this is considered to be a ground for refusal.
- 9.3.9 The GLA / Design for London have also raised concerns about the orientation of Block N1 in relation to passive solar design. By having the two main facades facing north and south the blocks will have single aspect flats facing north and south. It is considered that the south facing units would easily overheat and therefore would not implement passive design measures which are at the top of the Mayor's energy hierarchy.
- 9.3.10 The GLA / Design for London have raised concerns about the proposed heights of buildings surrounding the southern square. Three of the buildings surrounding the square will be between 10 and 14-storeys in height. It is considered that the height, width, and depth of these blocks could result in the blocks appearing bulky. The proposed similar façade treatments and similar heights are considered to have an overbearing effect on the southern square which is an important public space within the proposed development. The GLA / Design for London have recommended that a varied building typology or varied massing concept could overcome this concern.
- 9.3.11 The authorities have raised concerns with respect to the design of the proposed riverwalk in so far as the buildings are set back approximately 16 metres from the River Roding resulting in a very wide riverwalk which is linear in nature. The authorities have not been convinced that this large space would receive the footfall that the applicant envisages and accordingly it would be easy for the riverwalk to become an uninviting space. The riverwalk would benefit from some of the buildings being brought closer to the water's edge so as to create a variety of spaces along the riverwalk, rather than a riverwalk that is wide throughout and uninteresting in its linear form.
- 9.3.12 The applicant has advised that the requirement for the set back from the river wall results from the need to comply with Environment Agency requirements. The LTGDC has sought clarification from the Environment Agency regarding these requirements. It is understood that the buildings could be moved closer to the waters edge only as long as the applicant receives the approval of the

Environment Agency. In order for the Environment Agency to consider this, the applicant would need to commission surveys of the river wall, amongst other things to satisfy the Environment Agency that the development will not have an adverse effect on the river wall or the land anchors. There is no reason why the applicant should not do this.

9.3.13 The applicant has sought to address the authorities' concerns by providing reed bed terracing and hyper-meadows along the river edge. These help to break up the otherwise barren landscape along the river edge, but are not sufficient alone to assure the authorities that the riverwalk will be successful in its current form. This would need to be balanced with the PLA's concerns.

9.3.14 The authorities and the applicant have been in discussions with Transport for London regarding the proposed route of Phase 2 of East London Transit (ELT) which is proposed to run adjacent to the southern boundary of the site and cross the River Roding at this point on a new purpose built bridge. It is likely that the ELT bridge will also include a pedestrian/cycle path. The impact of the ELT route on the proposed development is still uncertain given that Phase 2 of ELT is still in its design stage. The applicant has requested that the layout of Blocks F and H be reserved for future determination due to the uncertainty of the ELT route. Further discussions are required between the applicant and Transport for London as the ELT design evolves to ensure that an acceptable form of development can be provided at the southern end of the site. It is important to understand how the proposed development will interact with the ELT bridge as regards the road up to the bridge and how the riverwalk will continue under the bridge to ensure a continuous footpath along the river. These will be matters that will be resolved as the ELT design progresses.

9.3.15 The design principles document proposes 9 different home typologies for the development, namely 4 bed duplex, 4 bed, 4 bed triplex, 4 bed townhouse, 3 bed duplex, 3 bed, 2 bed duplex, 2 bed, and 1 bed. It is not clear however how these typologies will be arranged within each block.

9.3.16 The GLA has advised that the proposed development will be expected to contribute towards overcoming the severance caused by the A406. This would involve improving pedestrian and cycle connections westwards across the A406. The existing pedestrian bridge across the A406 was adapted during an earlier phase of development on the Fresh Wharf Estate. This has resulted in a long winding ramp on the eastern side of the A406. The western side of the pedestrian bridge still has stairs and therefore is not fully accessible.

9.3.17 It is proposed in this application that a green screen wall / fence will be constructed adjacent to the A406 North Circular Road in order to mitigate against noise impacts from the road. The applicant has submitted a separate planning application (07/01010/FUL) for this green screen and it is pending a decision by the LTGDC. An associated application for advertisement consent for advertisement hoardings which form part of the green screen (07/01069/ADV/LBBD) is pending a decision by the London Borough of Barking and Dagenham.

9.3.18 The applicant has previously been advised by the LTGDC that advertisement hoardings would not comprise a suitable boundary treatment for the proposed development. This is because advertisement hoardings are considered to be an unattractive boundary treatment for a high quality development of this nature. The proposed development would be very prominent in its location adjacent to

the A406 and therefore it is very important that the boundary treatment is both attractive and of a high quality. The boundary treatment should also serve a function as a noise barrier from road noise associated with the A406. The boundary treatment is an important part of the development and accordingly it should form part of the subject application, rather than be the subject of a separate application.

9.3.19 The applicant has failed to provide a comprehensive scheme in relation to the treatment of the A406 boundary of the site and this is considered to be a ground for refusal of the application.

9.4 Children's Play Space Provision / Amenity Space

9.4.1 The Mayor of London has produced a draft 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.

9.4.2 The Mayor's Draft SPG 'Providing for Children and Young People's Play and Recreation' sets a benchmark standard of a minimum of 10m² of play space per child. The proposed development would generate approximately 818 children and therefore the required play space for the development would be a minimum of 8,180m².

9.4.3 The largest open space within the town centre is Abbey Green which provides grass space which would be more suitable for older children to use for play. It is noted that there is no play equipment available within the Green though for younger children. Cuckolds Haven which is a nature reserve is located to the south of the site. A number of other open spaces are located the surrounding area.

9.4.4 On-site play provision will include a number of locations providing facilities equating to the doorstep playable space typology. These spaces comprise roof gardens (Building N) which will be communally accessed and will provide facilities including play equipment for 0-5 age groups. The Mews and Mews Gardens have been designed as "Home Zones" and will provide playable space, including publicly accessible equipped play areas. The Linear Gardens will provide communal playable space, and the Avenue Gardens will provide both publicly accessible and communally accessible gardens. The southern square, Town Quay, and riverwalk provide further public spaces within the development. While it is recognised that the proposed development could deliver a variety of play spaces for children, this would need to be worked up further into a detailed play strategy to satisfy the Mayor that the development can deliver adequate play spaces for the proposed child occupancy of the development.

9.4.5 The London Borough of Barking and Dagenham UDP seeks to provide specific levels of amenity space based on the size of the homes. The Barking Town Centre Interim Planning Guidance recognises that within the town centre these standards need to be applied flexibly, the aim being to provide some form of useable amenity space for the residents.

9.4.6 The Design Principles Document that accompanied the application recognises

the change in requirements for amenity space dependent on the nature of the housing proposed (for example wherever possible family housing has a greater amount of amenity space).

- 9.4.7 The application proposes public spaces, as well as a hierarchy of amenity spaces which the applicant considers will meet the needs of the residents of the development including private balconies, communal terraces, and communal gardens. Further detail would be required as to the quality and quantum of the proposed amenity space so that the authorities can be satisfied that a high quality standard of development is proposed.

9.5 Noise

- 9.5.1 The noise assessment which formed part of the Environmental Statement submitted by the applicant identifies that the western façade of the blocks fronting the A406 fall within noise exposure category D. Noise exposure category D as defined by PPG24 "Planning and Noise" represents a situation where planning permission should normally be refused. This is a significant issue and therefore the LTGDC appointed a noise consultant to review the noise assessment and make recommendations.
- 9.5.2 Further consideration needs to be given towards the treatment of the site's boundary with the A406 to help minimise the impact of the road. As mentioned previously in this report, the applicant has submitted a separate planning application (07/01010/FUL) for a green screen wall / fence and it is pending a decision by the LTGDC. An associated application for advertisement consent for advertisement hoardings which form part of the green screen (07/01069/ADV/LBBD) is pending a decision by the London Borough of Barking and Dagenham. The applicant has previously been advised by the LTGDC that advertisement hoardings would not comprise a suitable boundary treatment for the proposed development. The noise consultant appointed by the LTGDC has been asked to advise appropriate barrier measures to mitigate noise from the A406 North Circular Road and his report is awaited.
- 9.5.3 The noise consultant has identified a number of important issues relating to the noise assessment and has sought clarification on a number of points with the consultant who prepared the noise assessment on behalf of the applicant. While discussions are still ongoing between the noise consultants, it would appear that no account has been taken of the proposed green screen in the applicant's predicted noise levels which gives a false impression of noise levels at ground floor amenity spaces, in particular. Also the model is relatively simplistic in that the presence of other potential screening buildings, such as the nearby hotels, have not been taken into account. The noise and vibration results in the Environmental Statement therefore do not reflect the proposed scheme (particularly at low elevations).
- 9.5.4 The LTGDC's noise consultant has recommended that the gap between Blocks A and B of the proposed development would benefit from a high level noise barrier being constructed between the two blocks. This could improve the noise environment for the units to the rear of these blocks.
- 9.5.5 The application proposes an internal noise target of a "reasonable" standard of noise and not a "good" standard. Given the location of the proposed development adjacent to the A406 North Circular Road, this is understandable; however it reinforces the need to be sure that a "reasonable" standard can be

achieved.

- 9.5.6 The LTGDC's noise consultant has requested an example calculation as to what might be required in the design to achieve a "reasonable" internal noise environment particularly for Blocks A and B, given the high external noise levels predicted on these facades. This has not been provided by the applicant. This lack of clarity regarding proposed noise levels is considered to be a ground for refusal of the application.
- 9.5.7 Policy 4A.14 of the London Plan and PPG24 state that new noise sensitive development should be separated from major noise sources wherever practicable.
- 9.5.8 The GLA have advised that residential development would be more acceptable in terms of London Plan Policy 4A.14 if at least one aspect of each habitable room were not exposed to high noise levels. They consider that this could be achieved either by placing only non-habitable rooms on the noisiest facades (western and southern facades of Blocks A, B, C and F), or by any habitable room on those facades having a dual aspect such that one aspect is quiet and the other has a high standard of sound insulation (glazing). Additionally, the GLA recommend that a more substantial acoustic screen than the two to three metre "green screen" currently proposed be erected along the A406 boundary of the site.
- 9.5.9 The GLA recommends in respect of ventilation, that where windows cannot be opened for rapid ventilation due to high external noise levels, systems providing a positive airflow, rather than trickle vents, should be provided. Ideally, systems such as passive stacks that can achieve a positive flow without additional energy consumption should be utilised.
- 9.5.10 Noise levels from plant and noise levels from deliveries, especially in the evenings or night time, would also need to be controlled to ensure that particularly the residential elements of the scheme are not unduly disturbed.
- 9.5.11 Any further developments in the discussion between the LTGDC's consultant and the applicant regarding noise issues will be reported to the Committee. In the current information, it is considered that the proposal is in breach of guidance set out in PPG24 regarding exposure to noise and therefore refusal is recommended on that ground.

9.6 Air Quality

- 9.6.1 The Environmental Statement states the site experiences poor air quality as a result of vehicle emissions, mainly from the A406. It concludes that assuming projected future traffic flows, air quality is unlikely to improve significantly in the short term.
- 9.6.2 The Environmental Protection Officer in the Borough has advised that the proposed development will lead to a breach, or worsening of a breach, of an Air Quality objective, or cause a new Air Quality Management Area (AQMA) to be declared; and / or interfere with or prevent the implementation of actions within an Air Quality action plan; and / or interfere with the implementation of a local Air Quality Strategy. The Borough considers that the demolition and construction of the proposed development would have a detrimental impact on air quality within the area. The Borough has recommended a number of conditions relating to air

quality should the proposed development be permitted.

- 9.6.3 The Environmental Statement states that predictive modelling of air pollutant concentrations associated with traffic movements arising on the local road network has indicated that the additional movements associated with the development will not result in a significant increase in pollutant concentrations. Nitrogen dioxide concentrations are predicted to increase by less than $0.5 \mu\text{gm}^{-3}$ at all locations. The Environmental Statement concludes that based on the criteria for determining significance in the Association for London Government (ALG) guidance, air quality is not a significant consideration with respect to the proposed development. It is noted, however, that if the proposed development was to contribute to air quality exceedances or lead to the designation of a new AQMA, as suggested by the Borough, then the conclusion in the Environmental Statement would be inaccurate and air quality would be a highly significant consideration.
- 9.6.4 The ALG Air Quality and Planning Guidance identifies Air Pollution Exposure Criteria (APEC) and makes recommendations as to how the different APEC levels should be treated. APEC-A relates to a situation where there are no air quality grounds for refusal. However mitigation of any emissions should be considered. APEC-B relates to a situation where there may not be sufficient air quality grounds for refusal, however appropriate mitigation must be considered. APEC-C relates to a situation where refusal on air quality grounds should be anticipated, unless the Local Authority has a specific policy enabling such land use and ensures best endeavours to reduce exposure are incorporated.
- 9.6.5 The Environmental Statement further states that the development will, however, result in the introduction of a large number of residential units to the area. Based on the ALG guidance and worst case assumptions, the western boundary of the site will fall within APEC-C. Part of the site will also fall within APEC-B. The development has been designed in a way as to minimise exposure of future occupants to air pollutants, including a buffer zone along the western boundary of the site. Units A and B, parts of which fall within APEC-C, have also been specifically designed to reduce the ingress of pollution and prevent exposure of occupants to elevated pollution concentrations.
- 9.6.6 The GLA have advised that the approach and methods used in the assessment of air quality has been appropriate, comprehensive and thorough, and as such the proposed development does not appear to present a significant risk to local air quality.

9.7 Energy

- 9.7.1 The proposals for Fresh Wharf will meet the requirements of the London Plan by connecting to the future Barking Town Centre district heating scheme when it is operational. The applicant would need to make a formal commitment through a Section 106 agreement to connect to the district heating scheme when it comes forward.
- 9.7.2 The Energy Statement accompanying the application identifies the measures that are proposed with respect to reducing energy consumption. These include improvements to the building performance as follows:
- wall thermal insulation - 60% improvement on Part L;
 - window thermal insulation – 20% improvement on Part L;

- air tightness – 30% improvement on Part L;
- energy efficiency measures reduce carbon emissions by 14.9% per annum.

9.7.3 In terms of renewable energy requirements, the scheme has adopted four strategies:

- electricity generation, a scheme of street lighting via photovoltaics and wind turbines, has been adopted, providing a 0.08% CO₂ saving;
- cooling energy, in non-residential areas, uses a ground source heat pump scheme providing a 2.5% CO₂ saving;
- energy heating, the development will use bio-mass boilers in the interim period until the district heating system becomes available, providing a 6.8% CO₂ saving;
- wind turbines supplying electricity for lighting in landlords areas, provide a 3.4% CO₂ saving.

9.7.4 The proposed combined carbon emissions reduction equates to approximately 12.8%. The GLA have advised that assuming a connection to the future Barking Town Centre district heating scheme, the applicant should consider the possibility of achieving 20% carbon emissions reduction through renewable energy sources in line with recommendations provided in the Further Alterations to the London Plan.

9.8 Biodiversity

9.8.1 The development site is adjacent to a Site of Importance for Nature Conservation (SINC), being the tidal section of the lower River Roding, which is included within the River Thames and Tidal Tributaries Metropolitan SINC. Part of the actual development site consists of a habitat typical of brownfield sites, which holds some ecological significance.

9.8.2 The applicant has submitted a chapter on ecology as part of their Environmental Statement supporting the application. This is considered adequate to evaluate the impacts of the proposal on biodiversity. Biodiversity impacts fall into two main areas, being the permanent loss of wasteland habitat on the development site itself, and the temporary impacts on the western bank of the River Roding.

9.8.3 To mitigate for the loss of the wasteland habitat (which is essentially minor in scale), the developer proposes a landscaping strategy to include various features intended to present suitable habitat to the rare and uncommon invertebrates important to the East Thames corridor area. These include simulated brownfield habitats at both ground level (hyper-meadows) and on roof-tops in the form of green roofs. Buildings are also to incorporate bird boxes and bat roosting structures.

9.8.4 The River Roding frontage is to be treated as a buffer zone between the river and the development. The “hyper-meadows” will be created within the buffer zone and will be managed to promote native flora. They will include native wildflower species, non native herb species which specifically attract invertebrates, some grass species and sandy substrate for invertebrates to utilise for burrowing. The river frontage will also include riverside pedestrian access.

- 9.8.5 Two areas of reedbed terracing, totalling approximately 105m² of habitat will be created along the eastern boundary edge, along the River Roding. The first terrace will be adjacent to Block L of the development. It is anticipated to be 15 metres long and 3 – 4 metres wide. The second area will be the same width and 15 metres long. These areas of reedbed will provide valuable habitat for invertebrates, small fish, and smaller bird species associated with river margins. They will also act as stepping stone areas which will provide refuge to species that are moving along the river corridor.
- 9.8.6 The introduction of new lighting is identified as a potential biodiversity issue, especially impacting on the use of the river corridor by bats. Various principles are proposed to be implemented to prevent such impacts occurring.

9.9 Flood Risk / Blue Ribbon Network

Flood Risk

- 9.9.1 The site is located within Flood Zone 3 (land assessed as having a 1 in 100 or greater chance of river flooding and a 1 in 200 or greater chance of tidal flooding in any year) and a Flood Risk Assessment (FRA) accompanied the planning application.
- 9.9.2 The surface topography of the site and surrounding area suggests that it generally slopes slightly from east to west, with ground levels varying from 5.6 metres to 4.5 metres AOD (Above Ordnance Datum); with the higher ground being closest to the river; there is an area of low ground around the north-west corner of the site, ranging around 2.5 metres to 3.5 metres AOD. The proposed ground floor levels of the proposed buildings will range from 3.5 metres to 7.9 metres AOD.
- 9.9.3 The site is currently protected by a river wall. The current proposals for redevelopment of the site include the immediate replacement of a section of river wall rather than maintenance for its remaining expected life, as envisaged in the River Wall Maintenance Strategy which has been drawn up on behalf of the applicant. Intertidal terraces will be constructed along two 15 metre stretches of the wall. Provision has been made for a continuous maintenance access strip, between the landward face of the wall and any built development. The space provided is approximately 16 metres in width and comprises the riverside walk amenity area with footpath and landscape area.
- 9.9.4 The FRA concludes that due to the level of the car parks, invert levels of the outfalls and the invert levels of Thames Water's surface water system, pumping chambers will need to be installed.
- 9.9.5 The FRA further concludes that taking into account the river wall flood defences, the site lies in an area with High Residual Risk. This dictates an area at risk of flooding should the defences be breached or subsequently fail (an area that would normally flood without the protection of the river walls).
- 9.9.6 The GLA has advised that the FRA is unsatisfactory in that it does not address the sequential test, or the exceptions test as required by Planning Policy Statement 25 (PPS25).
- 9.9.7 The GLA have also advised that the FRA is not considered satisfactory in

addressing emergency measures in the unlikely event of a flood. The assessment concludes that the main site access is at the lowest point in the site, and is therefore most likely to be affected by floodwaters. The FRA then recommends that people can escape to the west of the site along the podium and the central access road (formerly Fresh Wharf Road). This area is shown to be at the same level of flood risk as the rest of the site. Even the area to the south and west of the site, which is shown as outside the flood zone will be unsatisfactory as this will effectively be a remote and marooned island in the event of a major flood.

9.9.8 The applicant has been requested to provide a satisfactory flood risk assessment, including a suitable emergency flood plan and warning system to satisfy the Mayor that the development is appropriate in the flood zone.

9.9.9 The FRA considers that many Sustainable Urban Drainage System (SUDS) measures are not considered viable at this site due to constraints associated with ground conditions and space. It concludes that the only possible measure that could be adopted to further reduce run-off rates is the use of oversized pipes to 'balance' surface run-off prior to discharge. In order to comply with the sustainable drainage hierarchy set out in the Further Alterations to the London Plan, the GLA has advised that the site should also capture clean rainwater for non-potable use on site.

9.9.10 Despite the concerns of the GLA, the Environment Agency has raised no objection to the development in principle, but has requested that any planning permission be subject to conditions which relate to matters including flood risk.

Blue Ribbon Network

9.9.11 The London Plan includes a number of policies relating to the Blue Ribbon Network (Chapter 4C of the London Plan). These policies seek to maximise the potential of London's waterways and open spaces to provide linkages through the city both for biodiversity, recreation and amenity.

9.9.12 The planning statement states that the historic nature of the Town Quay has been respected through the provision of a hard edge which enables the original dock edge to be retained. This also provides an edge against which boats can be moored creating activity and interest on the river and allowing people to interact with the water environment. To reflect the importance of the river corridor for nature conservation, terraced areas have been provided to create a natural habitat for flora and fauna.

9.9.13 The GLA has advised that the provision of the riverside walk is welcomed and is in line with London Plan Policy 4C.18.

9.9.14 The planning statement also refers to the ability of the development to accommodate moored vessels along the river wall and refers to the added interest that this will deliver. The GLA has advised that this would be welcomed and is in line with London Plan policy, particular for visitor moorings. However, details relating to this aspect of the proposed development appear to be deficient in the application. This would mean that there will be no infrastructure, such as power, pump out, mooring posts etc to enable this and furthermore no planning permission to allow this use of land. The GLA has further advised that such mooring facilities will only be successfully implemented if they are an integral part of the wider development and have a management regime set up

to ensure their satisfactory operation. The application should therefore be amended to include details of the proposed moorings. However, the PLA notes that these items would require appropriate licences.

9.9.15 The GLA has commented that while the riverside location is a potential source of leisure / recreational uses of the river (e.g. rowing / boating) the application does not recognise such potential.

9.9.16 The development will require a significant amount of bulk construction materials and may necessitate the removal of large amounts of demolition material. In line with London Plan policies, the majority of these materials should be transported using river transport which is considered to be more sustainable.

9.10 Access

9.10.1 Policy 3A.4 of the London Plan requires all new housing to be built to Lifetime Homes standards and 10% of all new housing to be designed to be wheelchair accessible to meet the full range of housing needs.

9.10.2 The Access Statement which accompanied the application states that all housing will meet the Lifetime homes standards, wherever possible within the context of high rise residential and the site constraints, and further detail will be provided at the appropriate stage.

9.10.3 The Access Statement also states that 10% of all the housing will be to wheelchair housing standard and will be distributed amongst several of the housing types in suitable locations.

9.10.4 The GLA have advised that in order to satisfy London Plan policy requirements the applicants will need to make a firm commitment to provide 100% Lifetime Homes, rather than “wherever possible” as they have suggested.

9.10.5 The GLA have requested that the applicants provide a more comprehensive Access Statement, showing how the proposals will promote an inclusive environment.

9.11 Transport Matters

9.11.1 The site is currently accessible by public transport. Barking Rail Station is located approximately 1,000 to 1,200 metres (12 to 14 minute walk) north-east of the site and caters for both overland trains and the London Underground (District Line and Hammersmith and City Line) services. There are also nine bus services operating close to the site. These bus services link Barking with the surrounding areas of East Ham, Stratford, Canning Town, Cyprus, Rainham, Dagenham, Romford, Ilford, Barking, Woodford and Redbridge.

9.11.2 There are good pedestrian links to nearby facilities and the town centre. The eastern continuation of Highbridge Road has been traffic calmed in recent years and a controlled pedestrian crossing on Abbey Road provides a link to the footpaths that criss-cross the adjacent Abbey Green. It is a short walk across Abbey Green to the town centre and the bus stops serving the local area.

9.11.3 There are also footways running alongside nearby roads such as Highbridge Road and Abbey Road. The riverwalk available along the eastern side of the Tesco site, with a link to Highbridge Road, provides a route for pedestrians from

Fresh Wharf to London Road.

- 9.11.4 There are local cycle facilities, including a dedicated off-road cycleway along Highbridge Road to the north of the site. Cyclists are also able to use the riverwalk towards London Road. In addition, nearby traffic signal junctions have advanced stop lines for cyclists and there are signed cycle routes.
- 9.11.5 The A406 North Circular Road forms an orbital route around central London and thus plays an essential role in connecting the various areas within London. It continues north and there are regular interchanges providing access to areas such as Ilford, Leyton, Walthamstow and Woodford. To the south, the A406 North Circular Road meets the A13 Alfred's Way at a grade separated junction. The road continues south as the A1020, providing a link to Beckton, City Airport and the Woolwich Ferry.
- 9.11.6 The main pedestrian access to the development will be via Highbridge Road and Town Quay at the northern end of the site. However, additional pedestrian facilities will provide links to and from the site, such as the A406 footbridge, the riverwalk (providing links to the north and south), and at the bus-only road link to the south of the site on Jenkins Lane.
- 9.11.7 Pedestrian routes will be provided throughout the site in order to maximise permeability. This will also incorporate the completion of the river walk on the eastern side of the site adjacent to the River Roding, providing a continuous route between Hand Trough Creek and London Road.
- 9.11.8 Secure cycle storage spaces will be provided for the residential units on the site at a ratio of 1 space per unit. These would be located in dedicated areas within the car parks. In addition, there will be public cycle parking provided throughout the site, particularly in locations close to the community, leisure, retail and bar/restaurant facilities.
- 9.11.9 It is planned that bus route 366 will be diverted through the site from its existing route. In a southbound direction, the service currently passes the site on the A406 on-slip having travelled along Highbridge Road. In the northbound direction, the service continues along the A406 from Beckton to the junction with London Road. There are therefore no stops between London Road and the Showcase Cinema at East Beckton on Jenkins Lane.
- 9.11.10 It was previously agreed to divert bus route 366 in association with the 2000 outline planning permission for redevelopment of the entire Fresh Wharf site. It is seen as an integral part of ensuring the current development proposals maximise the opportunities to travel by non-car modes. The diverted route will allow new bus stops to be incorporated in both directions. Bus stops will be provided on the new internal access road through the application site.
- 9.11.11 A bus-only link will also be created at the southern end of the existing estate road that runs along the western edge of the site. This would join Jenkins Lane to the south and buses will continue along this road to the Gallions Reach Retail Park and beyond. The creation of the bus-only link will also allow pedestrian access to Jenkins Lane, where bus route 325 currently operates.
- 9.11.12 It is proposed that Phase 2 of East London Transit (ELT) would pass the development site on the existing east/west access road immediately to the south of the site. The applicant is in discussions with Transport for London

(TfL) regarding the impact of the ELT proposals on the Fresh Wharf development to ensure a successful relationship between the two proposals.

- 9.11.13 The existing vehicular access to site from Highbridge Road will be retained, including the main estate road along the western edge of the site. It is proposed that this road would be used by the majority of vehicles associated with the development.
- 9.11.14 In addition, an internal access road will be provided through the site, along the approximate line of the historic estate road known as Fresh Wharf Road. It will re-join the main estate road on the western side of the site between Blocks A and B.
- 9.11.15 The majority of the residential parking spaces on the site will be provided in lower ground floor car parks below the main podium area. There would be three main car park access points. Two of these will be accessed directly from the main estate road to the west of the site and would serve approximately 70% of the total car parking provision. The third car park would be accessed from the internal access road through the centre of the site, approximately 40 metres to the south east of the junction with the main estate road. This access would serve the remaining 30% of car parking spaces.
- 9.11.16 The internal access road will also be used for servicing vehicles, such as for deliveries and refuse collection, and the buses that will pass through the site. In addition, the road will provide access to disabled parking spaces close to the southern square and car parking associated with the residential units in Blocks D and E.
- 9.11.17 A total of 547 car parking spaces will be provided to serve the proposed residential uses on the site, which translates to a ratio of 0.47 spaces per unit. It is anticipated that at least 10% of these spaces will be for use by people with disabilities and will be provided adjacent to the main pedestrian access points in the car park. 19 of these residential parking spaces will be provided in the form of garages associated with units in Blocks D and E.
- 9.11.18 It is currently anticipated that 16 parallel parking spaces will be provided alongside the internal access road. Of these spaces, it is anticipated that 6 will be allocated for a car club on the site. Although not specifically designated for visitor parking, the remaining 10 spaces will be available to people using the community facilities and potentially for those visiting residents on the site.
- 9.11.19 In addition, some 16 spaces will be provided on the main estate road running along the western boundary of the site. These spaces could be used in association with the employment units on the site as well as for additional visitor parking.
- 9.11.20 The parking provision for the affordable housing is 109 car parking spaces (47%) (just under 1 space per 2 units). This level of provision was based on feedback from potential housing organisations that are considering operating at Fresh Wharf.
- 9.11.21 There would be 438 car parking spaces allocated to individual private residential units (at a ratio of 47%).
- 9.11.22 The internal access road through the centre of the site would be used by

service and delivery vehicles. This route will provide the necessary access for refuse and emergency service vehicles to reach all of the residential buildings throughout the site.

9.11.23 In addition, the route through the centre of the site will allow access for vehicles that are required in association with the maintenance of the river wall. It is understood that rigs and cranes could be delivered to the site, if necessary, using articulated low loaders. It is anticipated that the low loaders would unload the vehicles on the internal access road.

9.11.24 Transport for London has provided a detailed response on transport matters associated with Fresh Wharf and their response is detailed in Section 5.18 of this report. Many of these matters are outstanding and require a response from the applicant. Transport for London is also seeking financial contributions towards transport improvements as detailed in their response.

9.11.25 It is considered that in principle transport matters associated with the development are acceptable. Transport for London has sought further information from the applicant on a number of matters relating to data in the Transport Assessment, but they appear to support the development in principle subject to conditions and S106 agreements.

9.12 Section 106 / Planning Obligations

9.12.1 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.

9.12.2 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. The standard charge is £30,000 per residential unit.

9.12.3 Currently the proposed offer put forward by the applicant for planning obligations is £4,900,000 which equates to £4,242 per unit (71% of the discounted standard charge), which does not meet the provisions of the Corporation's Strategy.

9.12.4 The Corporation's Planning Obligations Community Benefit Strategy also provides for recapturing the discount, where future values allow. Any S106 Agreement should comply with the Corporation's Strategy in this regard, in which case the amount payable in respect of the standard charge may increase beyond the discounted standard charge.

9.12.5 The Strategy assumes a 35% affordable housing provision on-site.

9.12.6 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 identified on-site benefits arising from the proposed development.

9.12.7 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". Officers do not consider that the circumstances claimed by the

applicant justify any reduction in this case. The authorities have raised concerns about some of the exceptional costs which are stated in the applicant's financial appraisal. These exceptional costs include an LDA subsidy of £5 million which the applicant claims it must pay back, and £4.6 million relating to upfront infrastructure costs for the whole of the Fresh Wharf development. The applicant has failed to provide sufficient justification during the application process to satisfy the authorities regarding this matter. Any further information on this will be reported to the Committee.

9.13 Impacts on Nearby Conservation Areas and Listed Buildings

9.13.1 To the east of the application site, the Mill Pool and Town Quay fall within the East Street and Abbey Green Conservation Area.

9.13.2 The Abbey Road Conservation Area is located further to the south, on the eastern bank of the River Roding and opposite the proposed development.

9.13.3 The application was advertised as affecting the setting of the East Street and Abbey Green Conservation Area and the Abbey Road Conservation Area.

9.13.4 The Abbey ruins to the north-east of the site and the associated open space adjoining these are designated as a Scheduled Ancient Monument.

9.13.5 The application was also advertised as affecting the setting of four Listed Buildings in the vicinity of the application site. These are The Old Granary, Town Quay; the remains of Barking Abbey and old churchyard walls, Broadway; Parish Church of St. Margarets, Broadway; and the Fire Bell Gate (Curfew Tower), Broadway.

9.13.6 A map showing the location of these Conservation Areas and Listed Buildings is included in Appendix 7 of this report.

9.13.7 The LTGDC has considered the impact of the proposed development on the Listed Buildings and Conservation Areas in the vicinity of the application site. It is considered that the impact of the tall building element of the scheme would adversely affect the setting of the Mill Pool area which forms part of the East Street and Abbey Green Conservation Area and consequently also, but to a lesser extent, would adversely affect the setting of the Grade II listed Old Granary building on the eastern side of the Mill Pool. The proposed tall building element of the scheme significantly overshadows the Mill Pool and therefore does not contribute to a high quality environment that one would expect adjacent to a Conservation Area and Listed Building.

9.13.8 It is considered that this adverse impact on the settings of the Conservation Area and Listed Building is a ground for refusal of the application.

10. CONCLUSION

10.1 Despite the application being a departure from the current UDP, it is considered that the principle of this scale of development and these uses are acceptable at this location given that the Barking Town Centre IPG (2004) identifies the site for mixed-use development, including residential; that the need for housing is identified as a key priority for the Borough; and that the new development will create a wide range of new job opportunities which would deliver more jobs than

what is currently provided on the site.

- 10.2 The LTGDC considers that the proposed housing mix is generally acceptable and in line with the guidance on housing mix set out in the Barking Town Centre IPG.
- 10.3 The proposed affordable housing offer 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. The proposed affordable housing provision is considered to be inadequate and contrary to Policy 3A.7 (Affordable Housing Targets) of the London Plan. This is considered to be a ground for refusal of the application.
- 10.4 Given the site's close proximity to the town centre shops and services, and to a range of public transport modes (albeit not on the immediate doorstep), it is considered that the proposed density could be acceptable on the site as long as the scheme can be seen to provide a suitable high quality living environment and a high quality of design, and suitable contributions are made to infrastructure including transport infrastructure.
- 10.5 The authorities have requested a detailed application for Blocks N1 and N2 but this has not been forthcoming. Furthermore, the applicant has been advised that the detailed application should provide a re-orientation and re-configuration of Blocks N1 and N2, incorporating the Environment Agency land, whilst establishing an overall figure for units including types. The lack of a detailed comprehensive scheme for this northern end of the site is considered to result in a poor quality design and environment and this is considered to be a ground for refusal.
- 10.6 The applicant has failed to provide a comprehensive scheme in relation to the treatment of the A406 boundary of the site and this is considered to be a ground for refusal of the application.
- 10.7 The application proposes public spaces, as well as a hierarchy of amenity spaces which the applicant considers will meet the needs of the residents of the development including private balconies, communal terraces, and communal gardens. Further information regarding the quality and quantum of the proposed amenity space is required so that the authorities can be satisfied that a high quality standard of development is proposed.
- 10.8 While it is recognised that the proposed development could deliver a variety of play spaces for children, this would need to be worked up further into a detailed play strategy to show that the development can deliver adequate play spaces for the proposed child occupancy of the development.
- 10.9 The noise assessment which formed part of the Environmental Statement submitted by the applicant identifies that the western façade of the blocks fronting the A406 fall within noise exposure category D. Noise exposure category D as defined by PPG24 "Planning and Noise" represents a situation where planning permission should normally be refused. This is a significant issue. The LTGDC's noise consultant has requested that the applicant provide an example calculation as to what might be required in the design to achieve a "reasonable" internal noise environment as proposed, particularly for Blocks A and B, given the high external noise levels predicted on these facades. This has not been provided by the applicant. This lack of clarity regarding proposed noise levels, in the context of the site's location within a Noise Exposure

Category D area as defined in PPG24, is considered to be a ground for refusal of the application.

- 10.10 The GLA have advised that the approach and methods used in the assessment of air quality has been appropriate, comprehensive and thorough, and as such the proposed development does not appear to present a significant risk to local air quality.
- 10.11 The proposed combined carbon emissions reduction equates to approximately 12.8%. The GLA have advised that assuming a connection to the future Barking Town Centre district heating scheme, the applicant should consider the possibility of achieving 20% carbon emissions reduction through renewable energy sources in line with recommendations provided in the Further Alterations to the London Plan.
- 10.12 The applicant has submitted a chapter on ecology as part of their Environmental Statement supporting the application. This is considered adequate to evaluate the impacts of the proposal on biodiversity.
- 10.13 Despite the concerns of the GLA, the Environment Agency has raised no objection to the development in principle, but has requested that any planning permission be subject to conditions which relate to matters including flood risk.
- 10.14 The application fails to recognise the potential of the riverside location as a source of leisure / recreational uses of the river and fails to provide details of the proposed moorings.
- 10.15 The applicants have failed to provide a comprehensive Access Statement showing how the proposals will promote an inclusive environment.
- 10.16 It is considered that in principle transport matters associated with the development are acceptable. Transport for London has sought further information from the applicant on a number of matters relating to data in the Transport Assessment, but they appear to support the development in principle subject to conditions and S106 agreements.
- 10.17 The proposed offer put forward by the applicant for planning obligations is £4,900,000 which equates to £4,242 per unit (71% of the discounted standard charge) and does not meet the provisions of the Corporation's Planning Obligations and Community Benefit Strategy. This is considered to be a ground for refusal.
- 10.18 It is considered that the impact of the tall building element of the scheme would adversely affect the setting of the Mill Pool area which forms part of the East Street and Abbey Green Conservation Area and consequently also, but to a lesser extent, would adversely affect the setting of the Grade II listed Old Granary building on the eastern side of the Mill Pool. The proposed tall building element of the scheme significantly overshadows the Mill Pool and therefore does not contribute to a high quality environment that one would expect adjacent to a Conservation Area and Listed Building. This is considered to be a ground for refusal.
- 10.19 It is recognised that there is a need to provide more housing in the Thames Gateway overall and in the Barking area specifically as set out in the London Plan. However it is not considered that the need outweighs the planning

problems identified with these proposals.

11. RECOMMENDATION

11.1 The application is recommended for **refusal**.

12. REASONS FOR REFUSAL

1. The proposed affordable housing provision is considered to be inadequate and contrary to Policy 3A.7 (Affordable Housing Targets) of the London Plan (adopted February 2004) and Core Policy 4.3.6 (Affordable Housing) of the Barking Town Centre Interim Planning Guidance (December 2004).
2. The design of the development is deficient for reasons including:
 - (i) Failure to provide a detailed application for Blocks N1 and N2, incorporating the Environment Agency land. The lack of a comprehensive scheme for this northern end of the site is considered to result in a poor quality design and environment;
 - (ii) The applicant has failed to provide a comprehensive scheme in relation to the treatment of the A406 boundary of the site; and
 - (iii) It is considered that the impact of the tall building element of the scheme (Block N1) would adversely affect the setting of the Mill Pool area which forms part of the East Street and Abbey Green Conservation Area and consequently would also adversely affect the setting of the Grade II listed Old Granary building on the eastern side of the Mill Pool.

The proposal is contrary to Policies 4B.1 (Design Principles for a Compact City), 4B.8 (Tall Buildings – Location), and 4B.9 (Large-Scale Buildings – Design and Impact) of the London Plan (adopted February 2004). The proposal is also contrary to CABE and English Heritage's "Guidance on Tall Buildings" (July 2007).

3. Information relating to the noise climate at the development is deficient for reasons including that the applicant has failed to provide an example calculation as to what might be required in the design to achieve a "reasonable" internal noise environment as proposed, particularly for Blocks A and B, given the high external noise levels predicted on these facades. The lack of clarity regarding proposed noise levels is considered to be unacceptable. The proposal is contrary to PPG24 (Planning and Noise), Policy 4A.14 (Reducing Noise) of the London Plan (adopted February 2004), and Policy H19 (Noise Attenuation) of the London Borough of Barking and Dagenham Unitary Development Plan (1996).
4. The applicant has failed to meet the provisions of the Corporation's Planning Obligations and Community Benefit Strategy which requires a tariff of £6,000 per residential unit and that further portions of the standard charge should be capable of being recovered.

5. The applicant has failed to provide sufficient information regarding:
- a) the quality and quantum of the proposed amenity space for the development;
 - b) the potential of the riverside location as a source of leisure / recreational uses of the river;
 - c) the proposed moorings associated with the development;
 - d) how the proposals will promote an inclusive environment;
 - e) how the proposed development will affect any bats on the site;
 - f) how the southern square will be animated; and
 - g) how the riverwalk will provide a high quality environment.

CASE OFFICER: Adele Williamson

Appendix 1: Site Location Plan

Appendix 2: Demolition Plan

Appendix 3: Masterplan (for “Block H Variant Scheme”)

Appendix 4: Proposed Layout Plans

Appendix 5: Sections

Appendix 6: Proposed Phasing Plan

Appendix 7: Map of Listed Buildings and Conservation Areas in the Vicinity of the Fresh Wharf Application Site