

## Planning Committee Report

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### London Thames Gateway Development Corporation

### Planning Application for Determination by the LTGDC

### Report of the Director of Planning

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<b>UDC CASE NUMBER:</b>	LTGDC-07-295-FUL	<b>DATE MADE VALID:</b>	20/12/2007
<b>APPLICATION NUMBER:</b>	07/01359/REG3/LBBD	<b>TARGET DATE:</b>	20/03/2008

<b>APPLICANT:</b>	London Borough of Barking and Dagenham Housing Strategy and Property Services
<b>AGENT:</b>	Halcrow
<b>PROPOSAL:</b>	Erection of 4 / 5 / 18 storey building plus basement comprising offices (Class B1), cafe (Class A3) and 70 one and two bedroom flats (Class C3).
<b>LOCATION:</b>	Former site of the Lintons, Linton Road, Barking, Essex

#### 1. SUMMARY

1.1 The proposed application was submitted by London Borough of Barking and Dagenham Housing Strategy and Property Services.

1.2 The proposal is for the redevelopment of the southern part of the former Lintons Estate to provide a mixed-use development comprising use classes B1 (business), A3 (café) and C3 (residential). This is the first phase of the redevelopment of the Lintons Estate. The second phase which will be the subject of a later application proposes a large housing development.

1.3 The proposed building will be part 4 / part 5 / part 18 storeys and will provide a total of 5,972 square metres gross of B1 (business) floor space at basement level through to the 4th floor and 70 residential units will be provided on the 4<sup>th</sup> to 17<sup>th</sup> floors. A 98 square metre café will be provided on the ground floor.

1.4 The main considerations are the principle of the uses, housing, density and design, children's play space provision / amenity space, noise, environmental sustainability, energy, inclusive access, transport matters, and Section 106 / planning obligations.

1.5 The proposal is considered to accord generally with the London Borough of Barking and Dagenham Unitary Development Plan (1996) policies and those of the London Plan (2004). Accordingly, the application is recommended for approval subject to conditions, any direction from the Mayor of London, and a S106 Agreement.

## **2. SITE AND PROPOSAL**

### **2.1 Description of Site & Surroundings**

2.1.1 The application site comprises a 0.2 hectare section of land on the south-east of the Lintons Estate. The site forms part of the central green space that was provided to the south of the Lintons Estate.

2.1.2 The site is bounded by the 4-storey Hapag-Lloyd office building to the north-east, Cambridge Road to the south-east, Linton Road to the west, and the Lintons Estate to the north.

2.1.3 A landscape strip fronts Cambridge Road, with trees comprising the eastern boundary with the former Abbey Works. Two diagonal footpaths cross the site providing access to the station and town centre. These are permissive routes following pedestrian desire lines which the public may use, however the route is not vital as other suitable alternative routes are available. Furthermore, once the scheme is completed there will be a public route through the middle of the development.

2.1.4 The site is highly accessible by public transport. The Lintons is a 5 – 10 minute walk away from Barking Station. The station provides C2C and Silverlink train services, as well as access to the District and Hammersmith & City London Underground Lines, and the Overground service.

2.1.5 To the front of Barking Station are a number of bus stops providing convenient linkages between road and rail transport.

2.1.6 To the south-east of the site on Cambridge Road is a terrace of former dwellings. The majority of these are now vacant although numbers 42-44 are still in use as a primary school (the temporary planning permission for this use expired on 31 July 2007 and the school is actively seeking to move to new premises).

2.1.7 To the south-east of the site on the opposite side of Cambridge Road is a public car park that is also used 3 times a week for trader's vehicles for stallholders at Barking market. A 15-storey office building, Crown House, is located further south-east of the site between Cambridge Road and Linton Road.

2.1.8 To the north-west of the site is the Catholic Church of St Mary and St Ethelburga.

2.1.9 Cambridge Road is a busy bus route and is also used by heavy goods vehicles accessing one of the service yards for the Vicarage Field shopping centre (including the main food operator Asda). Parking is prohibited by double yellow lines throughout. There is a mini-roundabout adjacent to the south-east of the site frontage.

2.1.10 The site falls within Key Area 1 (High Street Network) in the Barking Town Centre Interim Planning Guidance.

2.1.11 The proposed development falls within Barking's 'Station Quarter' area which is currently being masterplanned by the Corporation. It is expected that this area will become a lively urban interchange, with new, high density, high-quality development surrounding the station.

## **2.2 Description of Proposal**

2.2.1 The proposal is for the redevelopment of the southern part of the former Lintons Estate to provide a mixed-use development comprising use classes B1 (business), A3 (café) and C3 (residential). This is the first phase of the redevelopment of the Lintons Estate. The second phase which will be the subject of a later application proposes a large housing development.

2.2.2 The proposed building will be part 4 / part 5 / part 18 storeys and will provide a total of 5,972 square metres gross of B1 (business) floor space at basement level through 4th floor and 70 residential units will be provided on the 4<sup>th</sup> to 17<sup>th</sup> floors. A 98 square metre café will be provided on the ground floor.

2.2.3 The proposed residential units will be 50% shared ownership and 50% market sale and will comprise 42 x 1 bed units and 28 x 2-bed units.

2.2.4 The B1 floor space has been designed particularly to support business start-ups. Space will be provided on a short-lease basis and will provide serviced accommodation with additional provision for reception and communal facilities including meeting rooms, break-out areas, and a café.

2.2.5 Within the office space the individual units are proposed to be between 9.2 square metres and 36.2 square metres with the ability to combine and deliver flexible space as needs change.

2.2.6 The proposed office accommodation has been designed to meet BREEAM 'Excellent' while the residential units meet the requirements of level 4 to 5 of the Code for Sustainable Homes.

2.2.7 The basement level will comprise an energy centre which will serve the whole Lintons Estate in the future. The basement also includes the refuse and recycling areas for the business centre and the residential units.

2.2.8 The application proposes 77 cycle parking spaces for the residential element and 49 spaces for the business centre, all at basement level. A shower and locker room is also provided adjacent to the business centre cycle parking area.

2.2.9 No car parking spaces are provided due to the excellent public transport accessibility of the site.

2.2.10 The proposed redevelopment of the remainder of the Lintons Estate will be submitted as a separate planning application in approximately April 2008.

### **3. MAIN ISSUES**

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

### **4. RELEVANT SITE HISTORY**

4.1 Application No. 57/00043/BAR in respect of 'Layout for mixed developments' at the Lintons, George Street and Cambridge Road Development Area. No information on the status of this application has been obtained. However, this is not material to the present application.

### **5. CONSULTATIONS / NOTIFICATIONS**

#### **5.1 Thames Water**

General guidance provided including, in respect of surface water drainage, a recommendation that storm flows are attenuated or regulated into the receiving public network through on or off-site storage.

#### **5.2 London City Airport**

No safeguarding objection. In the event that during construction, craneage or scaffolding is required at a higher elevation this must be subject to a separate consultation.

#### **5.3 Environment Agency**

No objection in principle subject to the imposition of conditions relating to the submission of details of the surface water drainage works and of the measures to improve water efficiency including rainwater harvesting and greywater reuse.

#### **5.4 Greater London Authority – Policy and Partnerships Directorate**

The application forms the first phase of an estate renewal development. In this context this application must be considered along with the masterplan parameters for the entire estate development. Therefore, the provision of housing, play space, and energy for the entire masterplan area, including this application, should be agreed and secured at this stage. Of particular concern regarding the overall development is the proportion of

replacement social rented family housing, the lack of a site-wide play strategy, the nature of the energy proposal and the need to ensure sufficient plant space within this first proposal for the further phases of estate redevelopment.

**NOTE: Many of the comments in the Stage 1 report relate to the overall Lintons development. The applicant has submitted some revised documentation and provided a draft masterplan, so we are confident that the points raised above can be addressed. Further information in response to the GLA's comments is still awaited and an update will be provided to Committee.**

**With regard to this application we do not believe it is necessary for certain matters to be secured at this stage (e.g. estate-wide housing split, estate-wide play strategy, and energy).**

The first phase proposal includes an element of small-scale business units, which is supported. However, the submission does not contain adequate information regarding sustainability, Lifetime Homes and wheelchair housing, energy and noise.

**NOTE: The various sections of this report contain discussion on sustainability, Lifetime Homes, wheelchair housing, and noise, and relevant conditions have been proposed regarding these matters to ensure that the proposed development is acceptable. Further information is also expected from the applicant shortly and an update will be provided to Committee.**

An employment strategy detailing how locals will benefit from opportunities created by the construction and operation of the development is also required.

**NOTE: The applicant has now submitted a "Business Centre Management / Business Support Statement".**

In addition, the applicant should consider improving the relationship of the tower with the podium.

**NOTE: The applicant has responded as follows:**

**"The Barking Business Centre was designed to be read as a single articulated urban block. The scheme has been developed through a series of models and has been designed to respond to the environmental requirements to meet Level 5.**

**The design ramifications of Level 5 require a very different architecture to what we currently see in London or Internationally. The stringent targets that come from the Code for Sustainable Homes help create distinctiveness in design that moves away from conventional architectural norms to an architecture that is distinctive and responds to both urban and environmental contexts.**

**The debate over the relationship between the lower and upper parts has created much discussion as it is a slightly un-conventional approach, it moves the debate on from 'podium and tower' and architecture as a series of elevational treatments to make the buildings look more 'slender'.**

**We have had several very positive discussions with Design for London (DfL) and the approach has been strongly supported by them and following the CABE meeting this was reinforced. DfL encouraged us not to adopt the comments regarding the vertical definition of the tower from CABE.**

***There is a façade change at the junction between the business centre and the residential upper parts that responds to the need for the wintergardens on the southern elevation and the articulation of the photo-voltaic cells.***

***The difference between the outer glazing systems of the residential parts and the translucent glazing of the business centre will generate shifting light patterns and articulation by day and night.”***

TfL accepts the development in principle, subject to the provision of disabled car parking, a travel plan, and further information about cycle parking and vehicular servicing arrangements.

***NOTE: One disabled car parking space is shown on Drawing Number 139-A-P-100-02 on Linton Road (opposite the proposed development).***

***The applicant has confirmed that a travel plan for the wider Lintons masterplan site will be submitted shortly and this can be secured by a S106 Agreement.***

***In response to the matters concerning cycle parking, the applicant has advised that:***

***“Technical specifications of security, monitoring and access arrangements will be designed at the next stage. We suggest that a suitable condition is applied to any subsequent planning permission relating to security, monitoring, and access arrangements for the cycle parking.”***

***The requirement for further information regarding cycle parking and vehicular servicing arrangements can be secured by the proposed conditions.***

## **5.5 London Fire and Emergency Planning Authority**

Access should comply with approved document B5 of the Building Regulations.

## **5.6 Commission for Architecture and the Built Environment (CABE)**

No response to the planning application consultation. However, this proposal together with the masterplan for the wider Lintons Estate, was the subject, inter alia, of a presentation to CABE’s design review panel on 16 January 2008. At the time of completion of this report a response had not yet been received from CABE.

## **5.7 Essex and Suffolk Water / Network Rail / English Heritage (Archaeology)**

No comments received.

## **LBB INTERNAL CONSULTEES**

### **5.8 Crime Prevention Design Advisor**

It is important that the commercial activities and residential uses are kept completely separate and that the two uses do not compromise each other. I note from the drawings

that the stairs and lifts for the residential units provide access to the commercial floors. There is a risk that offenders could use this to their advantage and dishonest residents could force entry to the commercial space and escape back to their flats before the police or security arrives. Equally users of the commercial floors could access the residential blocks or bicycle parking area bypassing the ground floor security arrangements and commit crime.

I recommend that the residential development should have its own dedicated staircase. I do not believe that it would be appropriate to simply rely on access control systems on the doors of each floor. Access control systems can fail or offenders could simply tailgate their way through the door.

The design of the residential main entrance is a good crime prevention measure and I recommend that electronic locks and a voice and video transfer system are used on both the outer and inner doors of the post room to restrict the opportunity for offenders to access the lifts.

Burglary relating to bogus officials accounts for 30% of all residential burglary within the Borough of Barking and Dagenham and it is important to restrict the opportunity for casual intrusion. I recommend that all of the residential utility meters should be located either outside the building or within the communal/service area of the commercial part of the development.

The drawings illustrate that access to the residential stairs is from the commercial area. This creates the opportunity for casual intrusion to all of the floors. I recommend the stairs should be accessed from the secure lobby together with the lifts, and the stairs should be dedicated to the residential units.

I recommend that all external doors should be tested to PAS23/24 or LPS1 1 75SR3 security standards. Consider replacing the double doors with one large door. Two doors are inherently harder to secure than a single leaf door.

I recommend that all windows should be tested to BS7950 security standards and that laminated glass is used in the outer pane of the ground floor windows.

I recommend that the front doors to each individual apartment should be tested to PAS 24 or LPS1 175 SR2 security standards and they should be fitted with door chains or an opening restrictor and a wide angle door viewer.

I note that the resident's cycle parking gives ingress directly to the lifts and stairs. If an intruder gains access to this area they then can access all of the development. I recommend that the internal ingress to the stairs/lift should not be included. I recommend that access to the cycle parking should be controlled using a PAC entry system.

The housing refuse/recycle area could also potentially create access between the two uses and if it is not possible to change the design I recommend that the doors ingressing the loading zone should be secured with access for staff only and fitted with contacts that are integrated into the intruder alarm.

Recommend that the commercial entrances and all communal areas should be alarmed and monitored using close circuit Television (CCTV).

***NOTE: The applicant has yet to respond to the Design Advisor's comments. An update will be provided to Committee.***

## 5.9 Access Officer

It is essential that accessible parking facilities for residents, community transport and staff members are provided.

Detailed comments are required regarding size, location and layout of accessible toilets. Entrance doors need to be wider/fire exit doors need to open outwards. Corridors in the business centre need to be wider. Bathrooms must achieve Lifetime Homes standards. Why do the balconies in the Lifetime Homes dwellings have a stepped access?

***NOTE: These matters have been the subject of a detailed response from the agents for the application and the Access Officer is now satisfied with the proposal.***

## 5.10 Planning Policy and Strategy

The principle and proposed location for a business centre in the town centre is consistent with UDP Policy (E3 and E6), draft LDF Core Strategy policy (CE1, CE2, and CE5) and forthcoming Area Action Plan (AAP) policies. The draft AAP indicates that there is wide support for locating a business centre within the Linton's redevelopment. The former Linton's site is also preferred because it is located in the heart of one of the Borough's most deprived wards, is located in a central location in the town centre and adjacent to Barking Station, and has good public transport accessibility to most of the Borough and central London/Canary Wharf. Therefore we support the principle for a business centre along with its proposed location.

The site is located within an urban setting and has a PTAL rating of 4-5. As set out in the further alterations to the London Plan and as adopted in the Borough's adopted Urban Design Framework SPD, an acceptable density range for this type of site would be between 45 – 260 units per hectare.

The proposed development (first phase) is 350 units per hectare which is greater than the prescribed density range. However, when considering future aspirations for the wider Barking Town Centre area, the provision of the business centre, the open aspect of the overall scheme, and the proposed density for the entire Linton's site (214 units per hectare), the 350 units per hectare being proposed for this first phase of the scheme is not a major concern when it is viewed in its context.

The 18 storeys being proposed for the first phase of development is in-line with the guidance set out in regional guidance (4B.8 and 4B.9), draft LDF Policy (BP4), and the Barking Town Centre AAP. In fact the AAP sets out that the Council considers the Linton's development and the area around Barking Station to be locations appropriate for particularly tall buildings (15 or more storeys) because they are within the heart of the Town Centre, with high levels of public transport accessibility and minimal impact on important local heritage and views. The location and massing of the individual elements in the first phase contributes to the building's legibility and represents a landmark feature at the entrance to the Linton's site from the town centre. As such, the height of the proposed development is considered acceptable.

With the demolition and decant of the Lintons site, 234 units of affordable (social rented) housing were demolished. The first phase of redevelopment proposes to

provide 70 units, of which half are affordable (35 units). This is welcomed as it meets both regional and local policy guidance (50%). The overall scheme is consistent with regional guidance (London Plan Policy 3A.12 and the Mayor's Housing SPG) for estate regeneration and redevelopment schemes as all (100%) 234 affordable units being demolished are set to be replaced (thus no net loss in affordable housing provision on-site).

The proposed development sets out that all affordable units in the first phase will be intermediate (shared ownership). This does not meet the draft AAP's 60-40 split (social rent – intermediate housing split), however both the GLA in their latest affordable housing SPG and the AAP recognise the need for flexibility, with the latter document recognising the current high proportion of socially rented housing in the town centre relative to the rest of the Borough, and setting an objective of creating more balanced communities and providing greater housing choice.

Because the tenure mix on the wider Linton's site will provide a 58-42 split (social rent versus intermediate affordable housing), the level of affordable housing in the first phase is considered acceptable when viewed in the context of the overall proposed scheme.

The 70 residential units being proposed for the first phase are comprised of 42 1-bed flats and 28 2-bed flats. The definition of family accommodation in the draft LDF policy state that family accommodation is defined as three bedroom, four bedroom or larger accommodation. Two bedroom accommodation may count towards the family housing provision where the units have level access to external amenity which is of an adequate size and quality given for the projected number and age of occupants.

The masterplan for the entire site sets out that the housing mix will consist of:

- 41% 1 bed
- 30% 2 bed
- 16% 3 bed
- 13% 4 bed

The draft LDF states that major development should provide 40% family accommodation. However, given its town centre location and site characteristics, and the potential for some of the 2 bedroom flats to be defined as family accommodation, there may be scope for some flexibility in determining appropriate levels of family accommodation.

UDP Policy H15 sets out the residential amenity space standards expected from new development. The proposed development (first phase) provides for all 70 residential units to have between 7.5sqm and 11sqm of balcony space. The roof of the business centre and residential tower will provide an additional 1,080m<sup>2</sup> communal space. This, in total, will provide 1,727.5sqm.

Based on the proposed development, the suggested provision of private amenity space as set out by UDP Policy H15 is calculated to be 1,960sqm. The provision in the first phase falls just short of the UDP standard. However, the quality and diversity of spaces being provided represent an improvement to what previously existed. It should also be noted that additional public amenity space will be accessible to the north of the site in the latter phases. Furthermore, the needs for adequate levels of amenity space must be balanced with the site size and location constraints. As phase 1 consists of high density housing in flats and is proposed on a small site in a town centre location, some flexibility in the requirements for the proposed quantum may be appropriate.

With regards to children's play provision, further information is required in order to determine how the needs of children and young people will be addressed. "The quantum, location, and quality of open space should have regard to the Mayor's SPG 'Providing for Children and Young People's Play and Informal Recreation (draft 2006)'. It should be noted that a minimum of 10sqm of dedicated playspace per child is prescribed by the Mayor.

The applicant's sustainability statement states that a site waste management plan will be developed during construction. However, in order to determine the amount of space required and the design of the refuse and recycle centre (basement), an assessment of the expected waste output is required. This will not only impact space requirements but also servicing arrangements for waste and recycling removal. Further evidence is required to show how much waste will be produced along with its servicing arrangements alongside the development application, in accordance with UDP Policy G29, G31, H13, Appendix 4 and the Planning Advice Note 3 'Refuse and Recycling Provisions in New and Refurbished Residential Developments'.

Even though the proposed development is car-free, regional guidance (London Plan Annex 4, par. 36) recognises that "developments should have at least one accessible car parking bay designed for use by disabled people, even if no general parking is provided....where no off-street parking is proposed, applicants must demonstrate where disabled drivers can park in order to easily use the development." As such, the designation of at least one space should be identified in one of the phases in order to be in accordance with regional planning guidance.

## **5.11 Transportation and Traffic**

A travel plan is required for both the residential and business elements of the development.

The Council is seeking to establish a Car Club in Barking Town Centre and would like to secure a contribution from the developers towards the start-up and expansion costs of such a scheme. A car club, particularly in an area where car-free developments are proposed, would provide residents/employees with access to a pool of cars for journeys that cannot reasonably be made by another form of transport, without the need for them to own/operate their own vehicle.

More detailed information on site servicing arrangements are required.

***NOTE: The applicant has yet to provide further information on site servicing arrangements. An update will be provided to Committee.***

Contributions should be sought towards the re-instatement and upgrading of the LCN+ cycle route which runs through the site. Similarly, improvements to the local pedestrian network will be required. Safe pedestrian/cycle access to the nearby primary school also needs to be provided and contributions will be sought towards providing a new bus stop adjacent to the site. The provision of high quality and safe local transport facilities should encourage greater use of more sustainable travel modes.

## **5.12 Economic Development / Environmental Protection / Waste Services / Sustainable Development / Education (Assets) / Area Regeneration**

No comments received.

## 6. APPLICATION PUBLICITY

6.1 Site Notice Expiry: 01/01/2008

6.2 Press Notice Expiry: 28/12/2007

### 6.3 Neighbour Notification:

The occupiers of 255 neighbouring properties were directly notified of the application on 12 December 2007.

## 7. REPRESENTATIONS

7.1 Letters of objection were received from Hapag-Lloyd (UK) Ltd, who occupy premises at 48A Cambridge Road; the Catholic Church of St Mary and St. Ethelburga, Linton Road; and the occupier of 27 Adeliza Close.

### Comment

Will overshadow our building and obscure natural light to our offices. The very close proximity and extreme height will exacerbate this. These proposals are replicating the problems of those buildings currently being demolished (Hapag-Lloyd).

### Response to Comment

Hapag-Lloyd occupies a 4 storey building to the north-east of the site which is used for office purposes. The nearest part of the proposed building to Hapag-Lloyd is between 8.2 and 9.4 metres away and 4 storeys in height with a similar overall height to the Hapag-Lloyd building. The tower element of the scheme would be sited approximately 25.2 metres away from Hapag-Lloyd at its nearest point. The main (longer) elevations of Hapag-Lloyd, which contain the larger open plan offices, face south-east and north-west and the principal elevation affected would be the flank wall facing south-west towards the development. This elevation contains individual offices.

The proposed building will clearly impact on the outlook from Hapag-Lloyd and will have some impact on daylight and sunlight particularly later during the day. The existing offices are, however, considered to be well lit naturally and, whilst some diminution in light to some offices would be expected, it is not considered that this would be likely to result in unacceptable working conditions. Indeed it is noted that on sunny days the majority of offices facing the proposed scheme require the use of blinds to shield them from the sun. Similarly whilst the outlook from the south-west facing offices

would be affected it is not considered that this would produce unacceptable working conditions and is not untypical within a densely built town centre environment.

The plan to build an 18 storey tower block directly across Linton Road from our church causes us concerns. It would seem preferable that the proposed green area should be in front of the church, which will otherwise be completely overwhelmed by so tall a building (Church of St Mary and St. Ethelburga).

The church is primarily concerned that the construction of a tower approximately 20 metres away from the church building would seriously affect the setting and use of the church. The church is a low rise building and the tower, which is 62.4 metres high, will clearly be of a completely different scale and dominate the streetscape at this point. However, this is a location close to Barking Station which is considered to be acceptable in principle for tall buildings and it is not considered that the proposed development would have any serious effect on the function of the church which, in future years, will increasingly be out of scale with other large schemes proposed for the Station Quarter area.

Although not specifically mentioned in the letter of objection the affect of the proposal upon living conditions in the Presbytery, which is located to the north of the church, also needs to be taken into account. The height of the proposed building immediately opposite the church is 5 storeys and the tower is located slightly to the south-east approximately 17.8 metres away. The Presbytery is a large building for the occupation (currently) of one priest, although it is understood that it is also used at various times by visiting priests from Poland. One of the ground floor rooms facing the proposed building appears to partly function as an office, whilst the amount of natural light entering the Presbytery is already partly diminished by a number of trees directly outside the building. Whilst the scheme will affect the outlook and result in some loss of sunlight to those rooms facing the development, particularly early in the day, it is not considered that the proposal would have such an adverse affect on living conditions as to warrant refusal of permission.

The suggestion to put the proposed green area, which is located to the north-west of

the proposed building in the draft masterplan, at the southern end of the site adjacent to the church and Cambridge Road is not considered to be a good solution in urban design terms. This would result in a more fragmented street scene in Cambridge Road, which this and other proposed developments in the area are attempting to remedy, and would involve the loss of the central focus that the green brings to all parts of the wider masterplan proposal.

Concern about the height of some of the buildings that will be near my property. Anything 6 storeys or higher will be very out of place with the surrounding buildings (27 Adeliza Close).

The proposed building would be over 110 metres away from the resident's home (which is within a 4 storey flatted block) and therefore should not have any appreciable affect in terms of loss of light. As previously stated it is considered that the location of the development is well suited to taller buildings being located in a highly accessible location close to Barking Station.

## **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  
PPS13 – Transport  
PPG16 – Archaeology and Planning  
PPS22 – Renewable Energy  
PPS23 – Planning and Pollution Control  
PPG24 – Planning and Noise

### **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 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.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 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 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.2 – Context for Sustainable Growth  
 Policy 4C.8 – Sustainable Drainage  
 Policy 4C.21 – Design Statements  
 Policy 5C.1 – The Strategic Priorities for East London

**8.3 London Borough of Barking and Dagenham UDP (1996) (saved from 27<sup>th</sup> September 2007 in accordance with the direction from the Secretary of State)**

Strategic Policy B - Housing  
 Strategic Policy E - Employment  
 Strategic Policy F - Employment  
 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 E4 – Access For People With Disabilities  
 Policy S8 – Food and Drink Uses  
 Policy BTC1 - Town Centre  
 Policy BTC12 - Environmental Improvement  
 Policy G32 - Litter and Flytipping  
 Policy G36 - Noise and Vibration  
 Policy G37 – Light and Dust Pollution  
 Policy G38 – Water Pollution

Policy G39 – Air Pollution  
Policy G46 – New Developments  
Policy G47 – Trees in the Urban Area  
Policy DE1 - Urban Design  
Policy DE6 - Safety and Security  
Policy DE7- High Buildings  
Policy DE9 – Energy Conservation  
Policy DE16 - Hard Landscape  
Policy DE17 – Soft Landscape  
Policy DE36 - Development on Sites of Archaeological Significance  
Policy DE37 – Protection of Archaeological Sites  
Policy C2 – Premises For Facilities For the Community  
Policy C5 – Facilities Incorporated in New Developments  
Policy C15 – Access  
Policy C16 – Safety and Security  
Policy C17 – Planning Obligations/Community Benefit  
Policy T10 – Land Use and Public Transport  
Policy T12 – Pedestrian Accessibility  
Policy T17 – Accessible Developments  
Policy T19 - Provision for Cycling  
Policy T32 - Service Areas

#### **8.4 London Borough of Barking and Dagenham Core Strategy Preferred Options Report (March 2007)**

Policy CM 1: General Principles of Development Location  
Policy CM 2: Managing Housing Growth  
Policy CM 3: Integrated Open Spaces  
Policy CM 4: Strategic Transport Links  
Policy CM 5: Town Centre Hierarchy  
Policy CR 1: Sustainable Design and Construction  
Policy CR 3: Cleaner Borough  
Policy CR 5: Sustainable Transport  
Policy CC 1: Mixed and Balanced Housing Markets  
Policy CC 2: Promoting Healthy Lifestyles Through Sustainable Transport  
Policy CC 3: Inclusive Access  
Policy CC 4: Social Infrastructure to Meet Community Needs  
Policy CC 5: Achieving Sustainable Growth through Developer Contributions  
Policy CE 1: Vibrant and Prosperous Town Centres  
Policy CE 2: Location of Office Development  
Policy CE 5: Improving Employment Opportunities and Widening Choices  
Policy CP 3: High Quality Built Environment

#### **8.5 Other Relevant Planning Policies & SPG's**

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

Barking Town Centre Area Action Plan (AAP) – Issues and Options Report (July 2007)

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)

## **9. ASSESSMENT OF MAIN ISSUES**

### **9.1 Principle of Uses**

9.1.1 The application site is located within the Barking Town Centre Commercial Area Boundary.

9.1.2 The application site was allocated in the London Borough of Barking and Dagenham Unitary Development Plan (1996) as an area to be redeveloped for offices (Policy BTC.32 – Site to the west of 50 Cambridge Road). However, the proposal was not saved by the Secretary of State and therefore this policy expired on 27 September 2007.

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

9.1.4 Policy BTC9 (Office Development) of the London Borough of Barking and Dagenham Unitary Development Plan (1996) states that "The Council will encourage office development within the town centre".

9.1.5 Policy E6 (Employment Promotion) of the London Borough of Barking and Dagenham Unitary Development Plan (1996) states that "The Council will promote employment and seek to ensure conditions for business enterprise to succeed in the borough by supporting metropolitan, East London and local initiatives, public and private, to promote business enterprise and employment consistent with community interests, and particularly those disadvantaged in the job market".

9.1.6 Policy 3B.1 of the London Plan (2004) states that the Mayor will "seek a range of premises of different types, sizes and costs to meet the needs of different sectors of the economy". It further states that the Mayor will "facilitate social enterprise and community development".

9.1.7 Policy 3B.2 of the London Plan (2004) states that the Mayor will "seek the provision of a variety of type, size and cost of office premises to meet the needs of all sectors, including small and medium sized enterprises.

9.1.8 The proposals will provide a significant increase in local business enterprise and employment within Barking through the provision of 150 small business spaces specifically designed to cater for their needs. The building will comprise managed business space providing short lease, serviced accommodation designed particularly to support business start-ups. The units will include semi-furnished offices, studios in a range of sizes (including adjustable walls for flexibility), a range of support services, meeting rooms, break-out areas and broadband/IT services.

9.1.9 It is considered that the proposal for office use is in keeping with the relevant policies for the area and will contribute towards the generation of a more successful local economy and a more sustainable community.

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

9.1.11 Planning Policy Statement 6 (Planning for Town Centres) recognises that housing will be an important element in most mixed-use, multi-storey developments within town centres.

9.1.12 Planning Policy Guidance Note 13 (Transport) encourages more sustainable forms of development including accommodating housing principally within existing urban areas and planning for increased intensity of development for housing at locations which are highly accessible by public transport, walking and cycling.

9.1.13 Policy 3A.5 (Large Residential Developments) of the London Plan (2004) states that “Boroughs should encourage proposals for large residential developments in areas of high public transport accessibility”.

9.1.14 Policy 3C.1 (Integrating Transport and Development) of the London Plan (2004) states that the Mayor will support high trip generating development only at locations with both high levels of public transport accessibility and capacity.

9.1.15 Policy T10 (Land Use and Public Transport) of the London Borough of Barking and Dagenham Unitary Development Plan (1996) states that “The Council will assess all development proposals against the present and potential availability and accessibility of public transport services and its capacity to meet increased demand”.

9.1.16 The application site has an excellent Public Transport Accessibility Level (PTAL) of 6 and is within 5 - 10 minutes walking distance of Barking Station. The main high street shopping area in Barking is also a 5 – 10 minute walk away.

9.1.17 It is considered that the principle of housing in this area is acceptable and meets the policy objectives as discussed above.

9.1.18 The proposed café will provide an active frontage to Cambridge Road and will enhance the uses within the building, as well as contributing to the vitality of the town centre. It is considered that the café is an acceptable use in this location in association with the proposed office and residential development.

9.1.19 While the proposed development is to be built on open space, this was primarily for the former estate, with some general visual benefit. The loss of this space is not such as to justify refusal.

## **9.2 Housing**

9.2.1 The proposed development will provide 42 x 1-bedroom units and 28 x 2-bedroom units as shown below:

<b>UNIT SIZE</b>	<b>PRIVATE</b>	<b>SHARED OWNERSHIP</b>	<b>TOTAL</b>
1-bed	21	21	42
2-bed	14	14	28
<b>TOTAL</b>	<b>35 (50%)</b>	<b>35 (50%)</b>	<b>70</b>

9.2.2 The residential units will be located within an 18-storey residential tower and opportunities for direct access to private open amenity space will be limited to wintergardens. Communal open space will be provided on two roof gardens, located on top of the residential tower and the roof of the business centre. Accordingly, the proposal is not considered an appropriate location for family housing.

9.2.3 Family housing will however be delivered as part of the Lintons masterplan and therefore the overall scheme should be considered when assessing this application.

9.2.4 The approximate overall housing mix of the wider Lintons masterplan (including the 70 residential units proposed in the current application) is shown below:

<b>UNIT SIZE</b>	<b>TOTALS</b>	<b>%</b>
1-bed	210	39%
2-bed	203	38%
3-bed	70	13%
4-bed	56	10%
<b>TOTAL UNITS</b>	<b>539</b>	<b>100%</b>

9.2.5 The strategic target for affordable housing in the London Plan (2004) is for 50% of new housing to be affordable, and within that 70% to be social housing and 30% to be intermediate provision. The Barking Town Centre Interim Planning Guidance states that the Borough will normally expect new developments to make a contribution of 35% affordable housing.

9.2.6 The current application will comprise 50% shared ownership units and 50% market sale units. This should be considered as a contribution towards the tenure mix of the wider Lintons site which is shown below:

<b>TENURE TYPE</b>	<b>TOTALS</b>	<b>%</b>
Social rented	250	46%
Shared ownership	71	13%
Market sale	218	40%
<b>TOTAL UNITS</b>	<b>539</b>	<b>100%</b>

9.2.7 The overall masterplan would deliver 60% affordable units and 40% private units with a 78:22 social rent to intermediate split and this is in accordance with the policy objectives of the London Plan and Barking Town Centre Interim Planning Guidance.

### **9.3 Density and Design**

9.3.1 London Plan Policies 4B.1 (Design Principles for a Compact City) and 4B.3 (Maximising the Potential of Sites) outline the need for development proposals to achieve the highest possible intensity of use compatible with local context, the design principles of the compact city, and public transport accessibility.

9.3.2 The proposed application site has a PTAL of 6 and is within 10 minutes walking distance of a town centre and within an urban setting. Table 4B.1 of the London Plan provides a guidance range of 450-700 habitable rooms per hectare, or 165-275 units per hectare for a development with these attributes.

9.3.3 The Barking Town Centre Interim Planning Guidance suggests that the Borough will support higher density developments around Barking Station.

9.3.4 The proposed development has a density of 350 units per hectare which is outside of the density range stated in the London Plan.

9.3.5 The proposed masterplan, however, establishes an overall density of 211 units per hectare which is in accordance with the London Plan policies. In the context of the wider masterplan, the current proposal is considered to be acceptable with regard to density.

9.3.6 London Plan Policy 4B.1 (Design Principles for a Compact City) states that “The Mayor will seek to ensure that developments maximise the potential of sites; create or enhance the public realm; provide or enhance a mix of uses; are accessible, usable and permeable for all users; are sustainable, durable and adaptable; are safe for occupants and passers-by; respect local context, character and communities; are practical and legible; are attractive to look at and, where appropriate, inspire, excite and delight; respect the natural environment; and respect London’s built heritage”.

9.3.7 Policy DE7 of the London Borough of Barking and Dagenham Unitary Development Plan (1996) states that the Council will consider high buildings in Barking Town Centre where they make a significant townscape contribution and where they meet appropriate design guidance as set out under this policy.

9.3.8 The proposed development has been designed to read as two distinct elements with the business centre comprising a horizontal urban block and the residential element comprising a vertical tower. The massing and alignment of the building takes its cues from the existing site lines and the building lines of the proposed masterplan for the Lintons.

9.3.9 The architectural design of the building has been informed and influenced by the environmental requirements of delivering a development with a BREEAM “excellent” rating and a Code for Sustainable Homes Level 4 / 5.

9.3.10 It is proposed that all of the residential units will be designed to meet Lifetime Homes Standards.

9.3.11 The proposed development has also been designed to ensure that it is accessible to people with disabilities and older people.

9.3.12 Each residential floor level has a mix of one and two bed units and generally each lobby serves five units.

9.3.13 The proposed residential units benefit from wintergardens. In the summer these can be opened to create balconies.

9.3.14 The proposed building is positioned between the termination of Cambridge Road and the central green space outlined in the Lintons masterplan. The building will have a ground floor courtyard that will connect the two parts of the public realm.

9.3.15 Many of the materials are selected from recycled or renewable sources. Many of the products are also carbon neutral.

9.3.16 CABI and English Heritage's Guidance on Tall Buildings (July 2007) states that applicants seeking planning permission for tall buildings should ensure that the following criteria are fully addressed: the relationship to the context (including natural topography, scale, height, urban grain, streetscape and built form), the effect on the historic context, the relationship to transport infrastructure, the architectural quality of the building, the sustainable design and construction of the proposal, the credibility of the design, the contribution to public space and facilities (both internal and external), the effect on the local environment, the contribution made to the permeability of the site and the wider area, and the provision of a well-designed environment (both internal and external).

9.3.17 The proposed development was reviewed by CABI on 16 January 2008 as part of a review of Barking Town Centre projects. CABI's formal comments on the proposal are still awaited, although the verbal comments were generally supportive.

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

9.3.19 Design for London have been involved throughout the pre-application process of the proposed development and support the proposals.

#### **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 estimated child occupancy rate for the overall Lintons masterplan site indicates that the overall proposed development would generate approximately 378 children, 8 of which would be located within the proposed business centre development which is the subject of this application.

9.4.3 The proposed child occupancy is outlined below:

<b>AGE RANGE</b>	<b>CHILD OCCUPATION OF THE OVERALL LINTONS MASTERPLAN SITE</b>	<b>CHILD OCCUPATION FOR THE BUSINESS CENTRE DEVELOPMENT</b>
Under 5 year olds	147	3
5-11 year olds	140	3
12-16 year olds	91	2
<b>TOTAL</b>	<b>378</b>	<b>8</b>

9.4.4 The Mayor's Draft SPG 'Providing for Children and Young People's Play and Recreation' sets a benchmark standard of a minimum of 10m<sup>2</sup> of play space per child. On this basis, the overall Lintons masterplan site would require a minimum of 3,780m<sup>2</sup> of recreation space and 80m<sup>2</sup> of this would be required for the subject application.

9.4.5 The London Borough of Barking and Dagenham Unitary Development Plan (1996) at Policy H15 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 proposed residential units will have wintergardens which can be opened up in the summer months to provide balcony space, and communal open space will be provided on two roof gardens, located on top of the residential tower and the roof of the business centre. It is considered that the location and size of these wintergardens will enable them to be a useful facility.

9.4.7 The GLA has requested that a play strategy be provided. Given that this application forms the first phase of a larger development, they have requested that a site-wide play strategy be submitted as part of the current application to ensure that adequate provision is made across the whole site. This is particularly pertinent given that the subject application is to be constructed on what was open amenity space for the former Lintons Estate.

## **9.5 Noise**

9.5.1 A report entitled 'Noise Assessment – Baseline Survey' was submitted with the application. The report presents a preliminary analysis in respect of both the application currently under consideration and the forthcoming submission in respect of the wider Linton's Estate.

9.5.2 A baseline noise survey was carried out at 2 locations (one close to the Northern Relief Road and one close to the railway corridor) to establish noise levels representative of the prevailing noise conditions at the site. It is pointed out that neither of these locations are within or particularly close to the application site but were chosen as representative of where the highest ambient noise measurements were likely to be.

9.5.3 The report concludes that the existing noise climate at the measuring point in the vicinity of the western boundary of the Lintons Estate, adjacent to the Northern Relief Road, was dominated by road traffic noise. The dominant noise source towards the north-east boundary of the site adjacent to the railway line at Barking Station was characterised by a mixture of road and rail noise.

9.5.4 Relating the noise levels to the noise exposure categories (NEC) set out in PPG

24 (Planning and Noise) the report states that, the worst affected boundary of the future application for the Linton's Estate will fall within NEC 'C'. PPG 24 advises that in these circumstances planning permission should not normally be granted but, where it is considered that permission should be given, for example because there are no alternative quieter sites available, conditions should be imposed to ensure a commensurate level of protection against noise.

9.5.5 With regard to the application currently under consideration the report states that by applying a distance correction to the noise survey data to obtain predicted levels at the worse affected façade, the noise levels are likely to fall within NEC 'B'. PPG 24 advises that in these circumstances noise should be taken into account when determining planning applications and, where appropriate, conditions imposed to ensure an adequate level of protection against noise. Based on experience from similar sites the report states that it is anticipated that with appropriate mitigation measures, in the form of double glazed windows and ventilation units, internal noise levels will not have an adverse affect on future occupants.

9.5.6 In the circumstances it is recommended that an appropriate condition be imposed on any planning permission granted to ensure that the internal noise environment is acceptable. This will require more detailed survey work in order to accurately predict future noise levels, particularly on the top floors of the tower. This is partly because the Northern Relief Road is rising on a bridge adjacent to the Linton's Estate and contains a parapet wall which shields traffic noise and therefore noise propagation predictions at higher floors becomes complicated. Further information should also be sought in respect of noise levels from road traffic using Cambridge Road, which is a busy bus route.

9.5.7 Construction activities have been indicated in the sustainability statement as the main source of noise associated with the development. Measures will be taken to minimise noise including the use of bored piles rather than driven piles. In addition the construction contractor will be required to adhere to the Considerate Contractor Scheme. Construction noise, including the hours of working on the site, can be controlled by the imposition of appropriate conditions if permission is granted.

## **9.6 Environmental Sustainability**

9.6.1 A sustainability statement was submitted with the application which raises a number of environmental issues.

9.6.2 The site is located in a highly accessible and sustainable town centre location and makes good and efficient use of land. The business centre will be built to a BREEAM 'excellent' rating whilst the housing will be constructed to a minimum level of 4 and possibly 5 of the Code for Sustainable Homes.

9.6.3 BREEAM is a whole building rating which addresses various environmental and health issues including energy, transport, water, materials, ecology, pollution and management aspects. Four levels of certification are possible of which 'excellent' is the highest and demonstrates a high level of environmental performance. The Code for Sustainable Homes addresses similar environmental and health categories and there are 6 levels of achievement of which 6 is the highest. Code level 3 is approximately equal to BREEAM EcoHomes level 'very good'. The proposed development will achieve a minimum of code level 4 and seek to achieve 5 if possible. The Borough's draft LDF policy on environmental building standards (BR2) states that strategic developments (such as the application under consideration) should attain code level 4-5. If permission is granted it is recommended that appropriate conditions be imposed to

ensure that the development achieves the expected environmental scores.

9.6.4 Historic sources and previous site investigation data indicate that there is the potential for soil and groundwater contamination on the site. The sustainability statement suggests that the potential risks to people and the environment associated with these contaminant sources are generally at low levels. However, there are certain sources which do present potentially significant risks requiring further investigatory work. As such if permission is granted an appropriately worded condition requiring the submission of a full contaminated land assessment and remediation strategy will be required.

9.6.5 The major issue regarding air quality is considered to be the possible emissions of NO<sub>x</sub> and particulate matter from the operation of the biomass boiler. The sustainability statement argues that particulate emissions will be reduced by providing 2 combustion chambers in the boiler, thereby attaining a higher temperature and burning off the particulates. It states that NO<sub>x</sub> emissions are generally higher than in gas boilers, but are in the same region as emissions from CHP engines. The current design will use best available technology in compliance with guidance in the Environmental Protection Act 1990. Nonetheless it is recommended that a condition be imposed, as requested by the GLA, seeking further details on the type of boiler and the extent and means of dispersal of emissions produced.

9.6.6 The building has been carefully designed to ensure that the materials of construction are extremely sustainable. For example 'super plywood' panels, which are a major building component, are 100% recycled and carbon neutral and have the capacity to be structural, divide space and have a natural texture and finish thereby cutting down on wasted product. Other products specified include the glazing bars which are manufactured from timber off-cuts and are virtually carbon neutral. When laminated the bars will create a very durable system with natural textures and finishes. The specification of carbon neutral concrete will allow the core of the building to be made in a robust and structurally efficient manner but without the usual environmental impact of standard Portland cement and concrete. The glass façade of the business centre is highly insulated and will provide a good and even distribution of light in the workspace.

9.6.7 The contractor for the project will also be required to develop and implement a site waste management plan during construction, whilst refuse and recycling areas are provided in the basement in accordance with the Borough's space requirements as set out in Planning Advice Note 3 on refuse and recycling. Both these matters should also be the subject of appropriate conditions if permission is granted.

## **9.7 Energy**

9.7.1 The proposed development has very stringent energy targets. The most onerous of these is achieving the Code for Sustainable Homes Level 5 for the residential element of the development which would lead to the requirement to be effectively zero-carbon.

9.7.2 A community heating scheme is proposed as part of the Barking Town Centre Energy Action Area, to serve the town centre. While the timeline and details of the scheme are still to be decided, the proposed business centre development will play a key role in enabling the wider strategy.

9.7.3 The basement of the proposed business centre will serve as an energy centre and house a biomass boiler to deliver low-carbon heat to the proposed development, if

it proves that there will be a significant delay between completion of the proposed development and the wider community heating scheme. The biomass boiler will not only supply the business centre development, but also the wider Lintons masterplan site.

9.7.4 The proposed system is sized to provide 90% of the energy through biomass fuel, with the remainder supplied by backup gas boilers.

9.7.5 Deliveries for the biomass boiler would be delivered by truck to a proposed service area. A proposed underground store would enable two weeks supply to be stored in the winter. The store would be designed to enable a truck to tip a delivery.

9.7.6 Photovoltaic panels are also proposed to be mounted on the rooftops and on the south east / west facing facades of the building.

9.7.7 It is intended that these measures will deliver the zero-carbon solution required for the Code for Sustainable Homes Level 5 and will meet the Mayor's emerging policy requirement for a 20% reduction in carbon dioxide emissions from on-site renewable energy generation.

## **9.8 Inclusive Access**

9.8.1 An access statement was submitted with the application and it is this on which the comments of the Access Officer reported above were based. Subsequently a further statement has been received addressing all the issues raised by the Access Officer.

9.8.2 All the housing units within the scheme will be designed to Lifetime Homes standards with the exception of those criteria relating to car parking as the scheme will be car-free. Matters relating to on-street car parking spaces for disabled people will be addressed as part of the planning application for the remainder of the Lintons Estate. However, the plans submitted with this application indicatively show a couple of parking spaces for blue badge holders in close proximity to the business centre.

9.8.3 The residential units have generally been designed to a generous internal size which should assist accessibility but 8 of the units have been specifically designated as wheelchair housing units. These comprise 2 flats on each of the 6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup> and 9<sup>th</sup> floors. The flats comprise a mixture of sizes (4 one bedroom and 4 two bedroom units) to provide choice and constitute 11.4% of the overall number of residential units. This exceeds the quantum required under Policy 3A.4 of the London Plan (2004).

9.8.4 If permission is granted it is recommended that appropriate conditions be imposed, as requested by the GLA, to ensure that the homes are built to Lifetime Homes / Wheelchair Housing specifications.

9.8.5 The business centre and café have also embraced the principles of inclusive design and will be fully accessible.

## **9.9 Transport Matters**

9.9.1 The proposed development is car-free due to the excellent public transport accessibility of the site which has a PTAL of 6.

9.9.2 The site is within 200 metres of Barking Station, the distance within which the Interim Planning Guidance for Barking Town Centre states that new developments are

expected to be car-free. London Plan Policy 3C.22 also seeks to ensure that car parking provision is the minimum necessary. Accordingly, the proposal is considered to be in accordance with the relevant policies.

9.9.3 The closest bus stops to the application site are located outside Barking Station. Barking Station which provides both underground and rail services is highly accessible to the site within a 5-10 minute walk.

9.9.4 The application proposes 77 cycle parking spaces for the residential element and 49 spaces for the business centre, all at basement level. A shower and locker room is also provided adjacent to the business centre cycle parking area.

9.9.5 Vehicular access to the site would only be afforded for the purpose of servicing. The service access would be from the rear of the building through an access off Linton Road. This access would be for both general servicing of the site and for the purpose of refuse collection.

9.9.6 Servicing would be wholly contained off-street and a dedicated servicing area would be designed to accommodate those vehicles typically requiring access.

9.9.7 The principal entrance to the building, for both business centre users and the residents, would be from the Cambridge Road frontage towards the Linton Road corner of the building. This entrance would be visible for those approaching the site along Cambridge Road from the Barking Station area. The proposed building would also have a ground floor courtyard connecting areas of public realm either side.

9.9.8 Transport for London have accepted the development in principle, subject to the provision of disabled car parking, a travel plan, and further information about cycle parking and vehicular servicing arrangements.

## **9.10 Section 106 / Planning Obligations**

9.10.1 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.

9.10.2 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. This equates to £420,000.

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

9.10.4 The LDA have requested that appropriate mechanisms are put in place to enable fully integrated local benefits from construction to operation and therefore an appropriate strategy to achieve this should be secured through a legal agreement or planning conditions.

9.10.5 An agreement should secure affordable housing provision.

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

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

9.10.8 An agreement should secure a Section 278 agreement to renew and reinstate footways surrounding the site.

9.10.9 London Borough of Barking and Dagenham Transportation and Traffic have requested S106 contributions towards a car club for Barking Town Centre. They have also requested contributions towards the re-instatement and upgrading of the LCN+ cycle route which runs through the site and similarly for improvements to the local pedestrian network. Safe pedestrian/cycle access to the nearby primary school also needs to be provided and contributions are sought towards providing a new bus stop adjacent to the site. Under the requirements of the Corporation's Planning Obligations Community Benefit Strategy it would be for the London Riverside Management Board to consider how the S106 contribution might be allocated and make recommendations to the Corporation's Board. As such it is not proposed that these contributions be identified specifically in any S106 Agreement.

## **10. CONCLUSION AND REASONS FOR APPROVAL**

10.1 The proposed development is the first phase of the wider Lintons Estate redevelopment, which together will provide significant regeneration benefits for Barking Town Centre.

10.2 The principle of the uses is considered acceptable and in keeping with the relevant Borough and London Plan policies.

10.3 The proposed development will provide 42 x 1-bedroom units and 28 x 2-bedroom units and will comprise 50% shared ownership units and 50% private units. This should be seen as a contribution to the overall Lintons masterplan which would deliver 60% affordable units and 40% private units with a 78:22 social rent to intermediate split and this is in accordance with the policy objectives of the London Plan and Barking Town Centre Interim Planning Guidance.

10.4 The proposed density of the development is considered acceptable in the context of the wider Lintons Estate proposals.

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

10.6 The environmental sustainability and energy proposals for the development are also considered to be acceptable and in keeping with the relevant Borough and London Plan policies.

10.7 It is recommended that the application be approved.

## **11. RECOMMENDATION**

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

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

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

(3) the completion of a S106 Agreement in respect of £420,000; and securing the establishment of local labour and business agreements; affordable housing; preventing residents from applying for parking permits; the implementation of a Travel Plan; and a Section 278 agreement.

## **12. CONDITIONS AND REASONS**

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

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

2. All works are to be completed in accordance with Drawing Numbers 139-A-P-001-01, 139-A-P-001-02, 139-A-P-100-01 rev A, 139-A-P-100-02, 139-A-P-100-03, 139-A-P-100-04, 139-A-P-100-05, 139-A-P-100-06, 139-A-P-100-07 rev A, 139-A-P-100-08 rev B, 139-A-P-100-09 rev B, 139-A-P-100-10 rev A, 139-A-P-100-11 rev A, 139-A-P-100-12 rev A, 139-A-P-100-13 rev A, 139-A-P-100-16 rev A, 139-A-P-100-17 rev A, 139-A-P-100-18 rev B, 139-A-P-100-19 rev B, 139-A-P-100-20 rev B, 139-A-P-100-21 rev B, 139-A-S-200-01 rev A, 139-A-S-200-02 rev A, 139-A-S-200-03 rev A, 139-A-S-200-04 rev A, 139-A-E-300-01 rev A, 139-A-E-300-02, 139-A-E-300-03 rev A, 139-A-E-300-04, 139-A-E-300-06, 139-A-E-300-07, 139-A-E-300-08, 139-A-E-300-09, 139-A-E-300-10, and 139-A-D-400-01. No further drawings apply, unless otherwise approved in writing by the Local Planning Authority.

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

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

Reason: To ensure that the proposed construction work does not cause undue nuisance and disturbance to neighbouring properties at unreasonable hours and in accordance with Policy G36 of the Unitary Development Plan.

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

Reason: To ensure that the proposed construction work does not cause nuisance and disturbance to neighbouring occupiers and in accordance with Policy G36 of the Unitary Development Plan.

5. The development shall not be occupied until the refuse storage/recycling areas indicated on Drawing Number 139-A-P-100-07 rev A have been constructed in accordance with the approved plans. Thereafter they shall be permanently retained for the use of the occupiers of the premises.

Reason: To provide satisfactory refuse storage provision in the interests of the appearance of the site and locality and in accordance with Policy G32 of the Unitary Development Plan.

6. No development above ground level shall commence until details/samples of all facing materials to be used in the development have been submitted to and approved in writing by the Local Planning Authority and no facing materials shall be used except those so approved. Such details shall clearly demonstrate that the materials are from a sustainable source, as appropriate, to assist compliance with Condition 11.

Reason: To safeguard the appearance of the development and in accordance with Policy DE1 of the Unitary Development Plan.

7. No development shall commence until a contaminated land assessment and associated remedial strategy, together with a timetable of works, has been submitted to the Local Planning Authority for approval:

a) The contaminated land assessment shall include a desk study to be submitted to and approved in writing by the Local Planning Authority. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved by the Local Planning Authority prior to investigations commencing on site.

b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.

c) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to and approved in writing by the Local Planning Authority. The Local Planning Authority shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters.

d) Approved remediation works shall be carried out in full on-site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed in writing with the Local Planning Authority.

e) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved in writing by the Local Planning Authority. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in

accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

Reason: To prevent pollution of the water environment and in order to quantify any hazards already existing on the site in accordance with Policy G28 of the Unitary Development Plan.

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

Reason: To safeguard the heritage of the Borough by providing an adequate opportunity to investigate and excavate archaeological remains on the site before development is carried out in accordance with Policy DE36 and DE37 of the Unitary Development Plan.

9. No development above ground level shall commence until a scheme showing the provisions to be made for external lighting, CCTV coverage, access control, and any other measures to reduce the risk of crime, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been implemented. Thereafter the approved measures shall be permanently retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of enhancing security and safety and in accordance with Policy DE6 of the Unitary Development Plan.

10. All residential units hereby approved are to comply with Lifetime Homes Standards, as defined in the Joseph Rowntree Foundation publication "Achieving Part M and Lifetime Home Standards" and the joint collaboration of JRF, Mayor of London, GML Architects and Habinteg HA in the publication 'Lifetime Homes' and as referred to in the GLA Accessible London SPG (Appendix 4). For the sake of clarity the two criterion relating to accessible car parking spaces are not applicable to this development which is car-free.

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

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

Reason: To ensure that the proposed residential units are designed in an environmentally sustainable manner and in accordance with Policy 2A.1 of the London

Plan.

12. No development above ground level shall commence until the applicant has provided to the Local Planning Authority for approval an independently verified EcoOffices 2006 report that achieves an 'excellent' rating with certification. The approved scheme shall then be provided in accordance with these details. A certificated EcoOffices 2006 Post Construction Review, or other verification process agreed with the Local Planning Authority, shall be provided, confirming that the agreed standards have been met, prior to the first occupation of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed office units are designed in an environmentally sustainable manner and in accordance with Policy 2A.1 of the London Plan.

13. Eight of the proposed dwellings, as indicated on Drawing Numbers 139-A-P-100-18 rev B and 139-A-P-100-19 rev B shall be constructed to wheelchair housing standards in accordance with the publication 'Wheelchair Housing Design Guide, Second Edition, produced by Stephen Thorpe and Habinteg Housing Association'.

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

14. No development above ground level shall commence until details of the photovoltaic panels on the raised metal frames and of the photovoltaic film used as a cladding material on the building have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been implemented. Thereafter the approved photovoltaic panels/film shall be permanently retained unless otherwise agreed in writing by the Local Planning Authority.

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

15. A detailed specification of the proposed boiler plant and layout of the boiler room, including the provisions made for interconnecting pipework to link into the Borough's proposed district heating system for Barking Town Centre, shall be submitted to and approved in writing by the Local Planning Authority. Details shall also be submitted of the fuel source and supply chain for the biomass boiler, a breakdown of NOX and particulate matter emission factors, including a dispersion modelling of NO2 and particulate matter concentrations at ground level and details of the type, height and location of the chimney required including details of how the height was determined and whether any abatement technology will be fitted. The development shall not be occupied until the approved scheme has been installed.

Reason: In the interests of promoting renewable energy in accordance with Policy 4A.9 of the London Plan and in accordance with Policy G39 of the Unitary Development Plan.

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

Reason: In the interests of ensuring sustainable construction practices and in accordance with Policy G31 of the Unitary Development Plan and Policy 2A.1 of the

London Plan.

17. No development shall commence until details of the cycle parking facilities shown on Drawing Number 139-A-P-100-07 rev A have been submitted to and approved in writing by the Local Planning Authority. The submission should include details of the shower and locker room, and security, monitoring, and access arrangements for the cycle parking facilities. The development shall not be occupied until the approved details have been implemented. Thereafter, the approved cycle parking facilities shall be permanently retained.

Reason: In the interests of promoting cycling as a safe, efficient and non-polluting mode of transport and in accordance with Policy T19 of the Unitary Development Plan.

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

Reason: To minimise the transmission of noise and vibration and thereby safeguard the amenity of occupiers of the building in accordance with Policy G36 of the Unitary Development Plan.

19. No development shall commence until details of the surface water drainage works have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.

Reason: To prevent the increased risk of flooding to third parties, to the site itself, to improve water quality and enhance biodiversity and in accordance with Policy G34 of the Unitary Development Plan.

20. The development shall not be occupied until details of a scheme detailing water efficiency measures within the development including rainwater harvesting and grey water reuse have been submitted to and approved in writing by the Local Planning Authority.

Reason: There is a high demand for limited water resources in the area and there is a need to manage water use wisely to meet the needs of society and the environment.

21. No development above ground level shall commence until details of the hard and soft landscape treatment to the roof areas indicated on Drawing Numbers 139-A-P-100-12 rev A, 139-A-P-100-13 rev A and 139-A-P-100-16 rev A have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of measures to protect the privacy of units directly facing onto the roof garden, the provision of children's play equipment and specify a maintenance schedule for the green (living) roof. The approved landscape details shall be implemented prior to occupation of any of the residential units. The approved soft landscaping scheme shall be carried out in the first planting and seeding seasons following occupation or completion of the building, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation. The green roof shall be maintained in accordance with the

approved maintenance schedule.

Reason: To ensure that the roof gardens are accessible to all residents, provide valuable amenity space and are designed to protect the privacy of adjoining residential units in accordance with Policy H15 of the Unitary Development Plan and in the interests of biodiversity in accordance with Policy G46 of the Unitary Development Plan.

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

Reason: To safeguard the appearance of the premises and minimise the impact of cooking smells and odours in accordance with the requirements of Policy S8 of the Unitary Development Plan.

23. Details of the surface finish within the inner courtyard and the associated seating shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the business centre.

Reason: To safeguard the appearance of the development and in accordance with Policy DE1 of the Unitary Development Plan.

24. The development shall not commence until details of the vehicular access and servicing arrangements, including tracking plans indicating that vehicles may enter and leave the servicing area in forward gear, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved servicing area and vehicular access have been implemented

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

### **13. INFORMATIVES**

1. In the event that during construction, craneage or scaffolding is required at a higher elevation than that of the planned development, then their use must be subject to separate consultation with London City Airport. It is also advised that the attention of crane operators be brought to the British Standard Code of Practice for the safe use of cranes, British Standards Institute 7121: Part 1: 1989 (as amended).

**CASE OFFICER:** Adele Williamson

**Appendix 1:** Site Location Plans  
**Appendix 2:** Proposed Site and Landscape Plans  
**Appendix 3:** Proposed Floor Plans  
**Appendix 4:** Proposed Elevations and Sections