

PLANNING COMMITTEE MEETING: 14th May 2009

**PLANNING APPLICATION FOR DETERMINATION BY THE LTGDC
REPORT OF THE DIRECTOR OF PLANNING**

UDC CASE NUMBER:	LTGDC-08-160-FULREG3	DATE MADE VALID:	10/11/2008
APPLICATION NUMBER:	08/00727/FUL/LBBD	TARGET DATE:	9/2/2009

APPLICANT:	London Thames Gateway Development Corporation and Roof Holdings Ltd.
AGENT:	Savills
PROPOSAL:	Mixed use development including 218 residential units, bridge over River Roding, creation of new public square, conversion of Granary building, retail, business premises, crèche, restaurant/café/bar, associated landscaping and parking.
LOCATION:	Creative Industries Quarter, 62-96 Abbey Road, Barking, IG11 7BT.

1. SUMMARY

1.1 On 7 November 2008, the London Thames Gateway Development Corporation (“the Corporation”) and Roof Holdings Ltd submitted a planning application to redevelop 62-96 Abbey Road and construct a public transport, pedestrian and cycle bridge over the River Roding and associated approach ramps. The application is submitted in hybrid. Full planning permission is sought for development proposed at 62-96 Abbey Road and the bridge structure spanning the River Roding. Outline planning permission is sought for the western approach ramp to the bridge with means of access for determination and design and appearance as reserved matters. On 24 April 2009 the application was revised. The application is referable to the Mayor of London.

1.2 The applicant has also submitted an application for Conservation Area Consent to the London Borough of Barking and Dagenham (LBBD). This application will be determined by LBBD and is recommended for approval subject to conditions.

1.3 The application site is divided into different land ownerships. The Corporation has acquired land to assemble a significant part of the site, including land occupied by the existing Malthouse and Granary buildings and the Fishing Smack, Barford Chemicals and Smith Bailey Anderson sites. The RS Roods and Wigzell Engineering sites occupy the remainder of the site and are in separate ownerships.

1.4 The Malthouse currently provides managed workspace for creative industry uses.

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The adjacent Granary and Granary Annex is derelict. The Fishing Smack Public House has been demolished and the existing warehouse buildings comprising Barford Chemicals, Smith Bailey Anderson, RS Foods and Wigzell Engineering are proposed for demolition (see appendix 2).

1.5 The application site is located 400m to the west of Barking Town Centre and 1000m from Barking Station. The site is bounded by Abbey Road and the Gascoigne Estate to the east, the River Roding to the west, the existing Gladedale and proposed Battery Wharf residential developments to the south and the Abbey Road Business Park (Sharleston Wharf) to the north. The site contains the Abbey Road Riverside Conservation Area. The Malthouse and Granary are locally listed buildings located within the Abbey Road Riverside Conservation Area (see appendix 1).

1.6 LBBD, backed by the Corporation, has promoted the creation of a cultural/creative industries quarter, focused on the historic Malthouse and the Granary buildings, for some time. The application proposes a type and form of development that seeks to deliver this objective.

The application proposes redevelopment to provide:

- Residential (C3) (18,346m² or 218 units)
- Creative Industries floorspace (B1) (3,167m²)
- Office (B1) (2,927m²)
- Retail (A1) (46m²)
- Food and Drink (A3-A4) (140m²)
- Creche (D1) (123m²)
- Car parking (132 spaces, including 0.6 (68) spaces per dwelling, 1 (55) space per 120m² for creative industry uses), 3 retail spaces and 6 car club spaces).
- Public square and riverside walkway
- A new bridge and associated highway over the River Roding for use by vehicles, pedestrians and cyclists
- Vehicle, pedestrian and cycle access from Abbey Road
- Public realm, public open space and private amenity space

1.7 The principle of redeveloping the site with a mixed use development, comprising new office, studios and workshops and housing, with ancillary retail, café and crèche facilities, is consistent with the adopted Unitary Development Plan, emerging Local Development Framework and the London Plan.

1.8 The application proposes a housing density that reconciles the site's public transport accessibility, proximity to a major town centre and the standard of townscape and residential environment created.

1.9 The application proposes a height, scale and form of development that responds appropriately to its context. Development blocks proposed within the Conservation Area adopt a siting and massing that preserves and enhances the character created by the remaining Malthouse and Granary buildings and gives successful enclosure and relationship to a new public square, Abbey Road and the Gascoigne Estate. Development blocks located outside the Conservation Area adopt a siting and massing that respond to its riverside setting and frame the proposed public transport corridor and its junction with Abbey Road without harming the character and appearance of the Conservation Area.

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1.10 The application proposes 35% affordable housing on a habitable room basis and 70:30 split between intermediate and social rented housing. While this is below the London Plan target of 50% affordable housing on a 70:30 split between social rented and intermediate housing, the applicant has submitted a toolkit and development appraisal in support of the amount of affordable housing. The Corporation, as planning authority, has independently reviewed and verified the development appraisal. The level of affordable housing is considered acceptable given scheme viability and the range of planning benefits secured.

1.11 The application proposes a housing mix skewed towards the provision of one and two bedroom units, particularly within the private sector. While a housing mix concentrated towards one and two bedroom units differs from that sought by planning policy, this is not considered to justify a defensible reason for refusal given scheme viability, the suitability of the site for family housing, the overall standard of residential development proposed and the range of planning benefits secured.

1.12 The application will reduce the daylight conditions currently enjoyed by rooms within the adjacent Gladedale housing development. While the resulting daylight conditions fall below the Building Research Establishment (BRE) target, this is not considered to justify a defensible reason for refusal given the situation created by the siting and elevation design of the existing building, that 21 of the 24 affected rooms are bedrooms, that 3 of the 14 affected flats are dual aspect, that the proposed development establishes an acceptable height and massing relationship to its context and the BRE guidelines are not intended to be applied rigidly.

1.13 While the application departs from planning policy by providing 26% of the residential units without access to private amenity space, this is not considered to justify a defensible reason for refusal when taking into account the large unit sizes, the high standard of housing design, access to high quality public realm within the site and proximity to existing amenity space at Abbey Green.

1.14 As the Corporation is both planning authority and joint applicant, it cannot enter into a S106 Agreement with itself. The Corporation, as applicant, is therefore required to submit a S106 Unilateral Undertaking to cover those matters which would be set out in a legal agreement. The Corporation has agreed to contribute a discounted standard charge of £1,000 per unit (£218,000) towards the planning authority's Planning Obligations Community Benefit Strategy (POCBS) target of £6,000 per unit (£1,308,000). The applicant has submitted a development appraisal to justify the level of financial contribution that can be supported. To justify a financial contribution below that sought by the PCOBS, the construction of the eastern bridge approach (interim transport corridor) (£1,800,000) is proposed to be treated as a Works in Kind cost to be offset against the tariff. It is noted that the cost of constructing the interim transport corridor exceeds the level of contribution required by the POCBS.

1.15 The preservation and enhancement of the Abbey Road Riverside Conservation Area; the refurbishment of the Granary and Malthouse buildings; the provision of affordable workspace and studios to establish a Creative Industries Quarter; the safeguarding of land required to facilitate public transport improvements through the site and across the River Roding; and the creation of public access within and through the site and along the River Roding constitute significant planning benefits within a genuinely mixed use development. The planning benefits are considered to outweigh policy departures relating to housing unit and tenure mix, private amenity space and residential amenity impacts.

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1.16 The application is recommended for approval subject to any direction from the Mayor of London, the planning conditions set out in section 12.0 of this report and a Section 106 Unilateral Undertaking securing the Heads of Terms set out in section 11.1 of this report.

2. SITE AND PROPOSAL

2.1 Description of Site & Surroundings

2.1.1 The application site is located 400m to the west of Barking Town Centre and 1000m from Barking Station. The site measures 1.1 hectares.

2.1.2 The site is bounded by Abbey Road and the Gascoigne Estate to the east, the River Roding to the west, the existing Gladedale and proposed Battery Wharf residential developments to the south and the Abbey Road Business Park (Sharleston Wharf) to the north. The Freshwharf development site is located on the opposite side of the River Roding and is the subject of a planning application that is under currently consideration by the Corporation.

2.1.3 The northern two-thirds of the site are located within the Abbey Road Riverside Conservation Area. The Conservation Area was designated in 1995 following advice from English Heritage that the site accommodated buildings of great historical importance to the former role of Barking as a leading fishing port in the 19th Century. None of the buildings within the Conservation Area are statutorily listed.

2.1.4 The Conservation Area accommodates the locally listed 2 storey Malthouse (1866) and the remains of its 2 storey extension (1896), the 5 storey Granary (1866) and Granary Annex and the single storey Barford Chemicals building (referred to by LBB as accommodating the remains of an icehouse). The Malthouse has already been restored and refurbished by works undertaken by LBB and the Corporation. The Granary and Barford Chemicals buildings are derelict and vacant.

2.1.5 The Conservation Area previously accommodated the locally listed Malthouse extension and the Fishing Smack Public House. The Fishing Smack Public House has been demolished and only the Abbey Road elevation and some supporting side walls remains of the Malthouse extension following LBB granting Conservation Area Consent for their demolition in 2006 and 2008.

2.1.6 The remainder of the site currently accommodates a two storey pitched roof warehouse (RS Foods) and single storey pitched roof warehouse (Smith Bailey Anderson) to the south of Barford Chemicals. A two storey pitched roof warehouse (Wigzell Engineering) adjoins RS Foods.

2.1.7 The land accommodating the Malthouse, the Granary, the former Fishing Smack Public House, Barford Chemicals and Smith Bailey Anderson is owned by the Corporation. RS Foods and Wigzell Engineering remain in private ownership.

2.1.8 A part 2, 3, 4 and 7 storey residential block (Gladedale) is located adjacent to the south west boundary of the site. The internal layout results in windows to 21 bedrooms and 3 living rooms directly facing the application site. The bedroom windows are all located at high level and the living room windows are oriented towards the River Roding to avoid potential overlooking and privacy issues. The site (Battery Wharf)

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adjacent to the south east corner of the site benefits from planning permission granted by the Corporation in March 2008. The scheme proposes two 7 storey residential blocks and is set back from the boundary by a minimum of 20m and 25m.

2.1.9 The Abbey Road Business Park (Sharleston Wharf) is located north of the application site and accommodates 2 storey industrial units located adjacent to the site boundary sited on an east-west axis.

2.1.10 The Gascoigne Estate is located beyond Abbey Road to the east of the site. 2 and 4 storey residential blocks are located opposite the site of the Malthouse and a 2 storey block is located opposite the site of the Smith Bailey Anderson warehouse. These housing blocks are located perpendicular to Abbey Road with their elevations being either blank or incorporating windows to what appear to be non-habitable rooms. Private gardens, which can be overlooked from the Abbey Road footway, run parallel to Abbey Road and parking and communal landscaped areas lie opposite the remainder of the site frontage.

2.1.11 The site has an existing PTAL (Public Transport Accessibility Level) of 2 generated by bus routes that can be accessed on Gascoigne Road and within the town centre. While Barking Station is accessible on foot, the PTAL methodology omits the National Rail and London Underground it is served by because the site is located 40m outside the 960m catchment area. The existing PTAL would increase to 3 if these services are included in the calculation.

2.2 Description of Proposal

Overview (see appendix 3 and 4)

2.2.1 The application is submitted in hybrid. Full planning permission is sought for development proposed at 62-96 Abbey Road and the bridge structure spanning the River Roding. Outline planning permission is sought for the western approach ramp to the bridge with means of access for determination and design and appearance being reserved matters.

2.2.2 On 18 January 2008, the Corporation, as planning authority, adopted a Screening Opinion that the proposed development was not "EIA development" and did not require the submission of an Environmental Statement.

2.2.3 The application proposes the following:

- Residential (C3) (18,346m² or 218 units)
- Creative Industries floorspace (B1) (3,167m²)
- Office (B1) (2,927m²)
- Retail (A1) (46m²)
- Food and Drink (A3-A4) (140m²)
- Creche (D1) (123m²)
- Car parking (132 spaces, including 0.6 (68) spaces per dwelling, 1 (55) space per 120m² for creative industry uses), 3 retail spaces and 6 car club spaces).
- Public square and riverside walkway
- A new bridge and associated highway over the River Roding for use by vehicles, pedestrians and cyclists
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2.2.4 The proposed development seeks to establish a creative industries quarter (CIQ), including office and affordable workshops and studios, oriented around the existing historic Malthouse and Granary buildings. The CIQ will be complemented by new housing, retail, café/bar/restaurant and crèche facilities and contribute to the implementation of future bus or busway transit service improvements by proposing a new road and bridge link across the River Roding.

Malthouse

2.2.5 The Malthouse is proposed to be extended to provide a new three storey entrance foyer of contemporary glass and metal clad design and subdivided at ground floor to provide additional creative industries floorspace. The Malthouse provides 1,563m² of B1 (business) use by creative industries.

2.2.6 Planning permission is also required to form new door and window openings, replace UPVC windows with windows frames sympathetic to the original, remove fill from window openings in the south elevation, repair roof eaves on the south and north elevation and remove the steel framed walkways and staircases from the eastern elevation.

2.2.7 The application also proposes the demolition of the remaining façade of the former Malthouse extension. The decision by LBBB to grant Conservation Area Consent in March 2008 for the demolition of the Malthouse extension and other ancillary buildings required the retention of the Abbey Road elevation at the request of English Heritage.

Granary and Granary Extension

2.2.8 The Granary is proposed to be restored, refurbished and extended to create 2,927m² of B1 (business) floorspace for use as office and creative industries accommodation. The Corporation has agreed heads of terms to dispose of the Granary and its proposed extension to Roof Holdings Ltd. who will occupy the second, third and fourth floor levels and lease the ground floor for creative industry or B1 office use.

2.2.9 The Granary extension comprises a 5 storey copper clad building linked to the Granary by a glass atrium carrying elevated walkways. A former lean-to brick built extension will be reconstructed against the riverside façade to provide a public café which opens out onto a riverside terrace, accessible from the Granary, the Malthouse and from the CIQ public square between both buildings.

2.2.10 Planning permission is also required to enlarge an existing window opening at ground floor of the east elevation, reopen blocked up window openings in the north, west and south elevations, level and resurface the existing terrace between the Malthouse and Granary fronting the River Roding, remove brick fill from existing window openings, install new window frames sympathetic to the original, install a new lift, stair and service riser in the Granary Annex and remove the existing Granary roof and replace with traditional slates.

New Buildings and Infrastructure

2.2.11 The scheme proposes the creation of 3 new development blocks, a public square and riverside walkway, and a bridge span and ramp approaches to facilitate the

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implementation of bus network or busway transit improvements.

2.2.12 Block A is a mixed use linear block, oriented on a north-south axis that adopts 7 storeys fronting Abbey Road and 6 storeys fronting the new public square and accommodates creative industry units at ground and first floor (1,336m²), 48 private market residential units and a retail unit (46m²).

2.2.13 Block B is a smaller footprint block that adopts 8 storeys fronting Abbey Road and the public transport corridor and 7 storeys fronting the public square and accommodates ground floor creative industry units (268m²) and 34 affordable residential units.

2.2.14 Block C is a linear block that adopts 9 storeys fronting Abbey Road and gradually reduces to 8 storeys fronting the bus corridor and accommodates 45 private market units and 34 affordable housing units. Block D forms an extension to block C and adopts a smaller footprint and rises to 13 storeys oriented towards the River Roding and accommodating a ground floor crèche (135m²) and 62 residential units. Block C/D will be served by an undercroft car park accessed from Abbey Road.

2.2.15 The public square is constructed at first floor podium level above an under-croft car park located at ground floor level. Pedestrian access is achieved via staircases located at the north east corner of the site adjacent to block A and directly opposite the Granary building between blocks A and B. Vehicular and disabled access is achieved via the ramp approaches to the proposed bridge over the River Roding. A lift located within block A also provides disabled access to the public square. The ground floor facade of the Malthouse and Granary buildings will be concealed by the elevated public square.

2.2.16 The riverside walkway that exists south of the site will be extended within the site before being diverted inland to connect to the public square in response to the Malthouse and Granary being built up to the river edge.

2.2.17 A bow string tied-arch bridge structure is proposed to provide a bus, pedestrian and cycle crossing of the River Roding and continued access through the Freshwharf site. A staircase will provide pedestrian access from the bridge to the existing tow path within Muirhead Quay. The western approach ramp is designed to be compatible with the submitted Freshwharf planning application.

Access

2.2.18 Vehicular access to the site will continue to be achieved via Abbey Road. The two existing vehicular accesses to the Malthouse will be removed. The existing vehicular access opposite the Granary will be retained and used to access the undercroft parking.

2.2.19 Pedestrian access into and through the development will continue to be from Abbey Road and achieved using the public transport corridor, public square and riverside walkway.

2.2.20 The development is proposed to be serviced via delivery bays located on Abbey Road and adjacent to the undercroft car park entrances. The public square is proposed to be serviced by light goods vehicles accessing via the eastern ramp approach.

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Scheme Amendments

2.2.21 The application was revised on 24 April 2009 with the following amendments:

- Revision to block A to provide improved access and visibility from Abbey Road;
- Revision to blocks C and D to address sunlight and daylight impacts on adjacent development;
- Removal of the reference to the use of the ground floor of the Granary for creative industry use;

2.2.22 A model of the development will be available at the Committee meeting.

3. MAIN ISSUES

3.1 The main planning issues for consideration are:

- Land Use
- Building Design
- Heritage
- Housing Density
- Housing Mix
- Affordable Housing
- Sunlight and Daylight
- Open Space
- Amenity Space
- Children and Young People's Play Space
- Parking, Transport and Access
- Navigational Risk
- Flood Risk
- Sustainability
- Planning Obligations Community Benefit Strategy

4. RELEVANT SITE HISTORY

23.11.64 Planning permission granted for the erection of storage building (ref: 64/00137/BAR)

29.9.75 Planning permission refused for the erection of a (203m²/2184ft²) two storey office building (ref: 75/00189/TP)

23.5.05: Conservation Area consent granted to demolish the Fishing Smack Public House (ref: 05/00331/CON)

26.9.06 Conservation Area consent granted to demolish three storey linkage block and redundant sub-station building (ref: 06/00773/CON)

8.408 Conservation Area consent grant for the demolition of part of derelict Malthouse extension, Malthouse/Granary link block, Granary lean-to and single/two storey additions to Granary and former motor repair garage (ref: 08/00117/CON).

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5. CONSULTATIONS/NOTIFICATIONS

Greater London Authority (GLA)

5.1 The application is referable under category 1A1 of the Town and Country Planning (Mayor of London) Order 2000.

5.2 On 14 January 2009 the Mayor of London issued a Stage 1 report stating that the application does not comply with the London Plan and is unacceptable for a number of strategic planning reasons relating to economic development and regeneration, housing and affordable housing, density and urban design, transport, access, sustainable development and the blue ribbon network. The Mayor of London also raised concerns about flood risk, the clearance of the proposed public transport bridge, surface water run-off into combined sewers and the use of the river for the transportation of construction materials.

London Borough of Barking and Dagenham (LBBD)

5.3 The LBBD Development Control Board (DCB) considered the application in its capacity as a statutory consultee on 13 May 2009. The report to the DCB recommends that no objection be made subject to (1) improvements to public transport being implemented prior to 50% of residential units being completed, (2) the affordable housing contributing to the decant strategy for the Gascoigne Estate and (3) a phasing scheme ensuring delivery of the creative industry accommodation, notwithstanding comments from internal consultees (see appendix 6)

5.4 The report to the DCB also recommends that Conservation Area Consent is granted for the demolition of buildings with the Abbey Road Riverside Conservation Area and works to the Malthouse and Granary buildings subject to recognition of an icehouse within the site. A verbal update of the LBBD's decisions will be provided at the Committee meeting.

London Borough of Newham

5.5 No observations

Commission for Architecture and the Built Environment (CABE)

5.6 CABE raises no objection to the application. The following provides a summary of their comments prior to the submission of recent amendments:

- Admire high quality of architecture and sensitive response to historic context;
- Support the overall massing, mix of uses and relationship to the Malthouse and Granary;
- The scheme would benefit from more active ground floor uses and further thought about the use and character of the public and private open space;
- Block B should incorporate more active ground floor uses and be a tougher, more urban building than can be achieved with residential accommodation at its lower levels;
- Not convinced by the location of the crèche play area given its size and microclimate. A reorientation of Block D may assist;
- The public spaces are large for edge of town centre location;

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- Encourage high aspirations for the design of the bridge structure.

English Heritage

Historic Buildings and Areas

5.7 EH Historic Buildings and Areas advisor raises no objection to the application. The following provides a summary of the comments made:

- The overall scheme exhibits great potential to substantially raise the quality of design.
- Welcome the sensitive approach to the restoration of the Granary and Malthouse.
- Require removal of non-original window frames, reopening old original windows and replacement slate roofs.
- The bold modern architecture has the potential to complement the overall appearance of the Granary and Malthouse.

Archaeology

5.8 EH Archaeology advisor raises no objection to the application and recommends planning conditions that require (1) an archaeological investigation prior to development and (2) the recording of features that would be destroyed in the course of works.

Environment Agency (EA)

5.9 The EA raise no objection to the application and the supporting Flood Risk Assessment and commend the river side terrace, the setting back of flood defences, the inclusion of green and brown roofs and the green field run off.

5.10 Recommend use of conditions to (1) safeguard and restrict uses of 8m buffer zone, (2) submit landscape management plan, (3) plant native species within 8m buffer zone, (4) prevent light spill onto the watercourse, (5) submit details of terraces, (6) require timber used in the river to not contain added chemicals, (7) require the eastern river wall beneath the public transport bridge to be faced with timber batons, (8) submit details of terraces provided on the west bank beneath the public transport bridge, (9) submit a scheme for dealing with the risks associated within site contamination, (10) submit a verification report to demonstrate that site remediation has taken place, (11) notify the EA if contamination not previously recorded is identified, (12) prevent piling of foundations and (13) implement only in accordance with the submitted FRA.

Port of London Authority

5.11 The PLA raise no objection to the application proposing a bridge crossing of the River Roding that provides an air draught of not less than 3.5m above the Mean High Water Spring level.

5.12 The PLA recommends planning conditions that require the submission of details of (1) riparian life saving equipment, (2) external lighting, (3) implementation of the mitigation measures set out at 3.32 of the Ecological Appraisal and (4) use of the river to transport construction materials and (5) advise that all works that extend over the Mean High Water require a River Works Licence.

Transport for London (Land Use Planning) (comments included in GLA Stage 1 report).

5.13 The applicant and TfL have been in discussions to address concerns raised by TfL within the Mayor of London Stage 1 report. The following issues remain outstanding:

- The site location, and corresponding PTAL 2, does not justify the density of development proposed and emphasises the need to improve bus servicing – though significant S106 contributions - to mitigate development impact;
- Welcome provision of a public transport, walking and cycling bridge – route should be safeguarded by condition;
- Seek S106 contributions towards construction and operation of the bridge;
- In the event that the bridge is not adopted as public highway and instead leased to London Bus Services Limited (LBSL) to maintain, the applicant should fund and construct the bridge and offer a peppercorn value;
- Further information required to confirm that the eastern ramp complies with safety and ride quality standards for bus operations and surfacing;
- Further information required to confirm that the “interim eastern approach” (abutment) is capable of conversion for use by buses;
- A contribution of £15,000 is required to upgrade the nearest bus stop on Gascoigne Road;
- Further information required on the management of Abbey Road car parking given already high demand for on-street parking;
- A Construction Management Plan and Delivery and Servicing Plan should be secured by condition;
- The Travel Plan should contain specific targets for modal share and vehicle trip rates including a mechanism and reviewing and updating targets.

6. APPLICATION PUBLICITY

6.1 Site Notice Expiry: 14/5/2009

6.2 Press Notice Expiry: 14/5/2009

6.3 Neighbour Notification:

715 adjoining occupiers were consulted on the application, including residents of Gladedale and Gascoigne Estate and occupiers of the Abbey Road Business Park.

7. REPRESENTATIONS

7.1 3 letters were submitted in response to the application. The following provides a summary of representations received:

Individual Comment	Response to Comment
1. Redevelopment of the site is welcomed;	No comment
2. The scheme should include gallery space.	Refer to paragraphs 9.1 to 9.8
3. The scheme presents a solid, unbroken face to Abbey Road limiting views of the Malthouse and Granary.	Refer to paragraphs 9.21 to 9.26
4. The steps between blocks A and B are narrow and uninviting.	Refer paragraph 9.23

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5. Block A will overlook existing gardens. Refer to paragraph 9.83
6. Visitor car parking should be controlled. Refer to paragraph 9.93
7. Abbey Road needs resurfacing and traffic calmed Refer to paragraph 9.93
8. Seek clarification of whether there is evidence to suggest that other creative industry businesses will be interested in taking up new space and confirmation that a planning permission will offer protection that the ethos of such industries remains sustainable. Refer to paragraphs 9.1 to 9.8
9. The application does not include enough D1 space in accordance with the Site Allocation in the AAP. Refer to paragraphs 9.1 to 9.8
10. Strongly oppose the change of use of the existing rehearsal studios at the Malthouse into Community Rooms. Refer to paragraphs 9.1 to 9.8
11. The introduction of residential uses will conflict [in amenity terms] with the creative industries. Refer to paragraphs 9.1 to 9.8
12. The requirement for a high quality landscape along Abbey Road and the River Roding is not illustrated by the application and is compromised by Block A being set back to provide car parking. Refer to paragraph 9.93
13. The six storey block A is bulky and conspicuous and hides the Malthouse and Granary by creating a flat, uninspiring wall. Refer to paragraphs 9.22 to 9.26
14. The proposed access steps to the square are secondary to the scheme. Refer to paragraphs 9.22 to 9.26
15. The elevation to block A is unimaginative and causes the building to turn its back on the square – the use of zinc and aluminium create an “office feel”. Refer to paragraph 9.26
16. Block D dominates the scheme and is contrary to policy on tall buildings. Refer to paragraph 9.30 to 9.32
17. There is no clear and physical link between the Malthouse and Granary. Refer to paragraph 2.2.9
18. The design of the square is no different from any square and does not encourage creativity. Refer to paragraph 9.21 and condition O1
19. There is no integration between the creative and residential spaces. Refer to paragraph 9.21 to 9.26
20. The application proposes development within the Abbey Road Business Park site which does not necessarily reflect the future plans of the owners. The reference to a future a planning application on the application drawings is for indicative purposes only. The submission of a planning application for redevelopment of the Abbey Road

21. Block A adjoins the site boundary with the Abbey Road Business Park and includes windows to habitable rooms along its north facing elevation. This has implications for the privacy and available of light for future development on the adjacent site.
- Business Park would be considered on its own merits.
Block A is set back from the site's boundary by 2-8m from the Abbey Road Business Park. Only 2 windows provide light to bedrooms overlooking the Abbey Road Business Park site. The remaining windows provide light to dual aspect bedrooms or living rooms.

8. RELEVANT PLANNING POLICY

8.1 Planning Policy Guidance

Planning Policy Statement 1	Delivering Sustainable Development
Planning Policy Statement 3	Housing
Planning Policy Statement 9	Biodiversity and Ecological Preservation
Planning Policy Guide 13	Transport
Planning Policy Guidance 15	Planning and the Historic Environment
Planning Policy Guidance 16	Planning and Archaeology
Planning Policy Statement 22	Renewable Energy
Planning Policy Guide 24	Noise
Planning Policy Statement 25	Development and Flood Risk

8.2 The London Plan (Consolidated with Alterations Since 2004 (February 2008))

- 2A.1 Sustainability criteria
- 2A.2 The spatial strategy for development
- 2A.5 Opportunity Areas
- 2A.10 Strategic Industrial Locations
- 3A.1 Increasing London's supply of housing
- 3A.2 Borough housing targets
- 3A.3 Maximising the potential of sites
- 3A.5 Housing choice
- 3A.6 Quality of new housing provision
- 3A.7 Large residential developments
- 3A.8 Definition of affordable housing
- 3A.9 Affordable housing targets
- 3A.10 Negotiating affordable housing in individual private residential and mixed-use schemes
- 3B.1 Developing London's economy
- 3B.2 Office demand and supply
- 3B.4 Industrial Locations
- 3B.11 Improving employment opportunities for Londoners
- 3C.1 Integrating transport and development
- 3C.2 Matching development to transport capacity
- 3C.3 Sustainable transport in London
- 3C.9 Increasing the capacity, quality and integration of public transport to meet London's needs.
- 3C.17 Tackling congestion and reducing traffic
- 3C.21 Improving conditions for walking

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- 3C.22 Improving conditions for cycling
- 3C.23 Parking strategy
- 3D.1 Supporting town centres
- 3D.3 Maintaining and improving retail facilities
- 3D.8 Realising the value of open space and green infrastructure
- 3D.13 Children and young people's play and informal recreation strategy
- 3D.14 Biodiversity and nature conservation
- 4A.3 Sustainable design and construction
- 4A.5 Provision of heating and cooling networks
- 4A.6 Decentralised Energy: heating, cooling and power
- 4A.7 Renewable energy
- 4A.11 Living Roofs and Walls
- 4A.12 Flooding
- 4A.14 Reducing noise
- 4A.16 Bringing contaminated Land into Beneficial Use
- 4B.1 Design principles for a compact city
- 4B.2 Promoting world-class architecture and design
- 4B.3 Enhancing the quality of the public realm
- 4B.5 Creating an inclusive environment
- 4B.9 Tall buildings – location
- 4B.10 Large-scale buildings – design and impact
- 4B.12 Heritage Conservation
- 4B.13 Historic conservation-led regeneration
- 4B.15 Archaeology
- 4C.1 The strategic importance of the Blue Ribbon Network
- 4C.2 Context for sustainable growth
- 4C.3 The natural value of the Blue Ribbon Network
- 4C.4 Natural landscape
- 4C.11 Increasing access alongside the Blue Ribbon Network
- 4C.14 Structures over and into the Blue Ribbon Network
- 4C.16 Importance of the Thames
- 5C.1 The strategic priorities for North East London
- 5C.3 Opportunity Areas in North East London

8.3 London Borough of Barking and Dagenham Unitary Development Plan (saved from 27th 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 R	Urban Conservation
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 E6	Employment Promotion
Policy S8	Food and Drink Uses
Policy BTC1	Town Centre
Policy BTC9	Office Development

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Policy BTC12	Environmental Improvement
Policy G28	Contaminated Land
Policy G31	Waste Re-Use and Recycling
Policy G32	Litter and Fly tipping
Policy G34	Flooding
Policy G36	Noise and Vibration
Policy G37	Light and Dust Pollution
Policy G38	Water Pollution
Policy G39	Air Pollution
Policy G46	New Developments
Policy G47	Trees in the Urban Area
Policy DE1	Urban Design
Policy DE6	Safety and Security
Policy DE7	High Buildings
Policy DE9	Energy Conservation
Policy DE16	Hard Landscape
Policy DE17	Soft Landscape
Policy DE23	Proposals in Conservation Areas
Policy DE24	Acceptable Development in Conservation Areas
Policy DE25	Acceptable Development in Conservation Areas
Policy DE26	Acceptable Development in Conservation Areas
Policy DE34	Locally Listed Buildings
Policy DE36	Development on Sites of Archaeological Significance Protection
Policy DE37	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 Pre-Submission Report
(November 2008)

Policy CM1	General Principles of Development
Policy CM2	Managing Housing Growth
Policy CM3	Green Belt and Public Open Spaces
Policy CM4	Strategic Transport Links
Policy CM5	Town Centre Hierarchy
Policy CR1	Climate Change and Environmental Management
Policy CR3	Sustainable Waste Management
Policy CC1	Affordable Housing
Policy CC2	Family Housing
Policy CC3	Social Infrastructure to Meet Community Needs
Policy CC4	Achieving Community Benefits Through Developer Contributions
Policy CE1	Vibrant and Prosperous Town Centres
Policy CE2	Location of Office Development

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

Policy BR1	Environmental Building Standards
Policy BR2	Energy and On-Site Renewables
Policy BR3	Greening the Urban Environment
Policy BR4	Water Resource Management
Policy BR5	Contaminated Land
Policy BR9	Parking
Policy BR10	Sustainable Transport
Policy BR11	Walking and Cycling
Policy BR15	Sustainable Waste Management
Policy BC1	Delivering Affordable Housing
Policy BC2	Accessible and Adaptable Housing
Policy BC7	Crime Prevention
Policy BC8	Mixed Use Development
Policy BC11	Utilities
Policy BE2	Environmental Building Standards
Policy BE4	Managing the Evening Economy
Policy BE5	Offices – Design and Change of Use
Policy BP2	Conservation Areas and Listed Buildings
Policy BP3	Archaeology
Policy BP4	Tall Buildings
Policy BP5	External Amenity Space
Policy BP6	Internal Space Standards
Policy BP8	Protecting Residential Amenity
Policy BP10	Housing Density
Policy BP11	Urban Design

8.6 Barking Town Centre Area Action Plan Preferred Options Report (BTCAAP) (June 2008)

8.6.1 Draft Policy Statement 8 identifies the River Roding area as appropriate for evening economy uses. Within the area, detailed proposals will be required to demonstrate improved public transport to the area and the protection/enhancement of the character of the Abbey Road Riverside Conservation Area.

8.6.2 Draft Policy Statement 10 (see site allocation 10 below) supports the establishment of a creative and cultural industries complex based around the historic Malthouse and Icehouse (should read Granary) buildings to the south of the Town Quay. The Policy Statement acknowledges that new housing will form an important element of the overall proposals.

8.6.3 Draft Policy Statement 12 promotes the development of East London Transit Phases 1a, 1b and 2 on the alignment shown on the Indicative Map. The East London Transit Phase 2 indicative alignment relies on land (RS Foods and Wigzell Engineering) within the application site.

8.6.4 Draft Policy Statements 15 and 16 require the East London Transit bridge crossing of the River Roding to allocate space for pedestrians and cyclists.

8.6.5 Draft Policy Statement 20 identifies the sites considered appropriate for new housing and seeks to prevent development from proceeding unless the infrastructure

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required to support it (e.g. schools, transport, health, leisure, play and open spaces) is provided in a timely fashion.

8.6.6 Draft Policy Statement 21 targets the provision of 50% affordable housing in new housing developments while accepting that this may not be deliverable on all sites and will be flexible where exceptional circumstances, such as significant regeneration benefits exist. To reflect the high levels of social renting within the BTCAAP area and provide housing choice and create a more balanced community, the Policy Statement requires the provision of affordable housing to be split between 60% social rented and 40 Intermediate tenures but states that these figures will not be rigidly applied to individual schemes.

8.6.7 Draft Policy Statement 25 requires new development to be of a high standard of design that reflects the principles of good architecture and urban design and contributes to a dramatic improvement in the physical environment of the area.

8.6.8 Draft Policy Statement 26 identifies the areas considered appropriate for particularly tall buildings (15 storeys or more) and tall buildings (6 to 14 stories). The Cultural/Creative Industries Quarter is not identified as an appropriate site for tall buildings. On such sites, tall buildings will be resisted unless particular proposals can demonstrate significant regeneration or townscape benefits. All tall buildings should be of exemplary high quality design and not be detrimental to the character of the Abbey Road Riverside Conservation Area.

8.6.9 Draft Policy Statement 29 encourages developers to use the heritage assets of the area and to upgrade existing buildings within the Conservation Areas as positive regeneration elements of schemes.

8.6.10 Draft Policy Statement 31 seeks enhancements to the public open space role of the River Roding. Development is required to make land available for the provision of a series of linked open spaces and the creation of a riverside/cycle route. Full account is required to be taken to the need to provide adequate flood protection, protect and enhance the biodiversity importance of the river and its banks and not to prejudice navigability of the river.

8.6.11 Draft Policy Statement 35 refers to the schedule of development sites for which more detailed policy guidance is provided. The application site falls within BTCAAP site allocation 10 and proposes a mixed use scheme comprising:

- workshops and studios,
- cultural and creative activities with Use Class D1,
- restaurants, pubs, snack bars, cafes and wine bars provided that they are ancillary to and do not dominate the cultural and creative uses and
- 400 new homes.

8.6.12 The BTCAAP requires new schemes to be:

- in character with the River Roding/Abbey Road Riverside Conservation Area;
- provide for improved public transport access to the area accommodate, if possible, enhanced pedestrian and cycles routes to the town centre;
- provide a positive frontage to the river and high quality landscaping along Abbey Road;
- protect and enhance the historic Malthouse and Ice House (should read Granary)

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buildings.

8.7 Other Relevant Planning Policy

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

8.7.1 The CABE/English Heritage Guidance on tall buildings identifies the (1) relationship to context, (2) effect on the historic environment (3) effect on world heritage sites, (4) relationship to transport infrastructure, (5) architectural quality of the building, (6) sustainable design and construction, (7) credibility of design, (8) contribution to public space and facilities, (9) effect on the local environment, (10) contribution made to permeability and (11) provision of a well designed environment as the criteria against which development should be assessed.

River Roding “Masterplan” (2008)

8.7.2 In 2007 the Corporation commissioned Rick Mather Architects to prepare a masterplan for land at the edge of Barking Town Centre and adjacent to the River Roding and A406. The “masterplan” is not adopted by LBBB and has no material weight but has informed the Corporation’s land assembly and development strategy and the Barking Town Centre Area Action Plan. The application site is located within the area referred to as Abbey Road and The Cultural Quarter. The masterplan identified a preferred alignment for the proposed East London Transit 2 through the site, which, significantly, is now indicatively referenced within the BTCAAP.

Abbey Road Riverside draft Conservation Area Appraisal (2008)

8.7.3 The Abbey Road Riverside Conservation Area was designated by LBBB on 12 June 1995 following English Heritage advice that the area contained buildings of great historical interest relating to the former role of Barking as a 19th Century fishing port and centre for brewing. The Short Blue Fishing Fleet was the largest fleet in England in the 1850s. The fishing fleet declined following the opening of the railway to Barking. This coincided with the growth of the Brewing industry.

8.7.4 While individual buildings were not considered to justify statutory listing, the group value and historic association supported the case for Conservation Area status. The buildings of note that have been locally listed by LBBB are the Granary and the Malthouse. The Fishing Smack Public House and the Malthouse Extension, both locally listed and identified as having historic and townscape importance, have now been part or fully demolished following the grant of Conservation Area Consent by LBBB. The Appraisal identifies the Malthouse and the Granary as examples of the town’s industrial riverside legacy and having the potential to play a role in the regeneration of the town centre.

8.7.5 The main views of the Conservation Area, and particularly the Malthouse and Granary, are identified as looking south across the mill pond from Town Quay and along Abbey Road as the sequence of buildings comes into view. The roofline of the Malthouse and the Granary, and its associated chimney, are identified as important townscape feature within the town centre.

8.7.6 The Appraisal refers to the construction of the first large commercial icehouses in the area and identifies the Barford Chemicals building as potentially accommodating its remains.

9. ASSESSMENT OF MAIN ISSUES

Land Use

Creative Industries Quarter

9.1 The principle of redeveloping the site with a mixed use development comprising office and creative industries, housing, restaurant/café/bar and crèche, is established by planning policies adopted in the London Plan (2008), Unitary Development Plan (1996) (UDP) and emerging Local Development Framework (LDF) documents (2008).

9.2 The London Plan designates Barking as a Major Town Centre and locates the site within an Area of Regeneration that includes the town centre and the River Roding Valley. The site is also located within the boundary of the London Riverside Opportunity Area. Policy 5C.3 expects development within the Opportunity Area to maximise residential and non-residential densities and to contain a mix of uses.

9.3 The UDP locates the site within the Barking Town Centre and Roding Valley area. The UDP inset map locates the site within an area designated a Proposals Site within the Lower Abbey Road section of the Roding Valley. The site itself is identified as being within the Abbey Road Riverside Conservation Area and the Granary building is identified as a building of townscape interest. Policy E11 of the UDP, which has now been withdrawn, promoted redevelopment of the Proposals Site to provide mixed use development incorporating residential and/or B1 (Business) use.

9.4 The LDF Core Strategy Pre-Submission Document locates the site within the Barking Town Centre key regeneration area. The Barking Town Centre Area Action Plan (BTCAAP) provides site specific policies for managing land use change. The site is located within allocated Site 10: The Cultural/Creative Industries Quarter, and identifies workshop and studios, cultural and creative activities, restaurants, bars and cafés and new housing as proposed land uses. It is noted that the Town and Country Planning (Use Classes) Order 2005 does not include a category for creative and cultural industry uses, which are likely to fall within the B1 use class.

9.5 The application proposes a total of 6,094m² of B1 (business) accommodation comprising office use within the Granary and Granary extension (2,927m²) and creative industry use within the Malthouse, Block A and Block B (3,167m²). The Corporation, as applicant, has indicated that it will dispose of the Granary and Granary extension to Roof Holdings Limited, who will occupy the second, third and fourth floors for B1 office use and market the ground floor for creative industry or office uses. This should provide greater certainty that the Granary building will be refurbished, extended and occupied at an early stage of the development and make an important contribution towards establishing a new cluster of employment uses.

9.6 To maximise the prospects of the ground floor of the Granary being occupied by creative industries, a planning condition is recommended that requires it to be marketed for a period of at least 12 months at <£12 per square foot rental levels. While the Granary and Granary Annex is proposed to be occupied by B1 office use the balance of B1 (business) accommodation within the scheme is proposed to be occupied by cultural and creative industries in accordance with the draft BTCAAP.

9.7 To ensure that the floorspace within the Malthouse, Block A and Block B remains

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as workshops and studios for creative or cultural industry uses, a condition is proposed that requires this floorspace to be occupied by uses that fall within the definition of creative industries adopted by the Department for Culture, Media and Sports. Such uses relate to or include advertising, architecture, art and antiques markets, computer and video games, crafts, design, designer fashion, film and video, music, performing arts, publishing, software, television and radio). The planning condition will also require for details of the layout/schedule of accommodation, rental levels and management arrangements to be submitted for approval. This will guard against the future use of the floorspace being occupied for unrestricted B1 use and addresses any concern that this would undermine the long term viability of a creative industry quarter.

9.8 The site's proximity to Barking Town Centre, riverside location and historic setting lends itself to the provision of a mix of office, workshops and studio space and housing, with ancillary retail, café and crèche facilities that combine to establish an environment for creative industries. The principle of redevelopment to provide such uses is supported by adopted and emerging strategic and local planning policies.

Public Transport

9.9 The application proposes a public transport, pedestrian and cycle bridge spanning the River Roding and associated ramps to improve local accessibility and the introduction of conventional bus services or a proposed busway transit (formerly East London Transit (ELT) 2). As ELT 2 has had its funding withdrawn and is no longer a Mayoral priority, the Corporation is in discussion with Transport for London about promoting an alternative busway transit project that could link Barking town centre and key destinations such as the Royal Docks and City Airport. In any event, the proposed bridge has significant potential to be used by diverted existing, or new, local bus services.

9.10 The eastern bridge approach is located within an area of public realm that bisects the site between Abbey Road and the River Roding and is designed to form an integral part of linked public spaces within the site. The western approach ramp has been designed to be compatible with the proposed Freshwarf development and proposes stepped access to the existing riverside tow path that forms part of the existing commercial development at Muirhead Quay.

9.11 The Rick Mather masterplan, commissioned by the Corporation, was used to identify an alignment and bridge crossing for the proposed ELT 2. This alignment is now identified within the draft BTCAAP and bisects the Fishing Smack Public House, Barford Chemicals, Smith Bailey Anderson, RS Foods and Wigzell Engineering sites. To facilitate its implementation, and remove the risk of the land required from being developed for alternative uses, the Corporation has acquired the Fishing Smack Public House (which benefits from an extant residential permission), Barford Chemicals and Smith Bailey Anderson sites. The Corporation currently intends to secure acquisition of the RS Foods and Wigzell Engineering sites, preferably through private negotiation, but, if necessary, by compulsory purchase.

9.12 While London Plan Policy 3C.14 promotes the implementation of priority schemes to assist buses and busway transit schemes, ELT 2 is not funded and there are no locally adopted policies that define a preferred alignment for any alternative future priority bus or busway transit scheme. While the planning policy case for requiring development to incorporate part of a bus or busway transit alignment within the site is relatively weak, the Corporation, acting as regeneration agency, has indicated that it intends to facilitate the future delivery of such improvements by acquiring, and making

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available, the necessary land.

9.13 It is demonstrated at paragraphs 9.52-9.60 of this report that the proposed type and quantum of development can be accommodated without the need for improvements to be made to the existing public transport network given the site's proximity to a major town centre, accessibility to existing bus services and the acceptability of the development in terms of its design and townscape impact. On this basis, it would be unreasonable to prevent the development from being fully occupied prior to construction of the bridge span and western approach ramp. Their inclusion within the application site boundary does however establish the principle and its compatibility with existing and proposed development.

9.14 It is recommended that a planning condition be used to require the interim transport corridor (eastern bridge approach), which forms an integral part of the scheme design and public realm strategy, to be constructed prior to the occupation of block C/D and the S106 Unilateral Undertaking to include a clause that requires the eastern bridge approach to be made available for adoption or dedication or transfer at nil cost to the appropriate highway authority. The development will therefore make a significant contribution to facilitating bus or busway transit improvements.

Public Square

9.15 The application proposes the creation of a public square within the setting of the historic Malthouse and Granary buildings. The public square forms a series of linked spaces that also includes the eastern bridge approach and the riverside path. To ensure the benefits of the public square are secured within the early stages of the development, it is recommended that a planning condition be used to require its construction prior to the occupation of blocks A and B and the S106 Unilateral Undertaking to include a clause that requires the public square, as well as the eastern bridge approach and riverside walk, to be made publicly available at all times.

Building Design

9.16 London Plan Policy 4B.1 seeks to ensure that new developments (1) respect local context, character and communities, (2) are practical and legible, (3) are attractive to look at and, where appropriate, inspire, delight and excite.

9.17 London Plan Policy 4B.9 lends support to tall buildings where they (1) create attractive landmarks enhancing London's character, (2) act as a catalyst for regeneration and (3) are acceptable in terms of design and impact on their surroundings.

9.18 London Plan Policy 4B.10 requires large scale buildings to be of the highest quality and design and in particular (1) be suited to their wider context in terms of proportion and composition and in terms of their relationship to other buildings, streets, public and private open spaces, the waterways or other townscape elements, (2) be attractive city elements as viewed from all angles and where appropriate contribute to an interesting skyline, consolidating clusters within that skyline or providing key foci within views, (3) illustrate exemplary standards of sustainable construction and resource management and potential for renewable energy generating and recycling, (4) be sensitive to their impact on micro-climates in terms of wind, sun, reflection and overshadowing and (5) pay particular attention, in residential environments, to privacy, amenity and overshadowing.

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9.19 UDP Policy DE1 Requires the design of new buildings to relate to one another and the existing environment in order to contribute positively to the relationship between spaces and buildings. Policy DE10 requires waterfront development to provide access to and along the river, orientate building to the riverside, take account of long distance and local views and provide an interesting and varied roofscape. Policies DE24 and DE28 require development within and adjacent to a Conservation Area to make a positive contribution to its character and appearance in terms of scale, form and materials.

9.20 The Core Strategy Pre-Submission Report Policy CP3 requires all development to achieve high quality standards in relation to the design and layout of new buildings and spaces. The Borough Wide Development Policies Pre-Submission Report Policy BP4 requires tall buildings (6 or more storeys) to make a positive contribution to the character and amenity of the surrounding area. Policy BP11 requires design of buildings and the layout of new development to have regard to their layout and function and comply with a series of urban design and sustainability principles.

9.21 The application proposes the creation of development blocks oriented around the existing historic Malthouse (3 storeys) and Granary (5 storeys) buildings and the creation of a public square, eastern and western approaches to a River Roding bridge crossing and extension to an existing riverside walkway. The creation of a public square, whose detailed design is to be determined, that is framed by refurbished historic buildings is highly compatible with the objective of establishing a creative industry hub. Equally, the development is designed to establish an appropriate townscape relationship with the scale and function of Abbey Road, the Gascoigne Estate and the River Roding, which flank the site to the east and west, and existing industrial (3 stories) and residential (part 2, 3, 4 and 7 storeys) development to the north and south.

9.22 The public square is enclosed by the Malthouse and Granary buildings and the proposed development Blocks A and B. The public square is raised to a podium level to enable an undercroft car park to be accessed directly from Abbey Road. This is achieved at the expense of concealing the ground floors of the Malthouse and Granary buildings. The public square is well proportioned and measures approximately 30m x 45m and forms part of a wider public realm that extends across the public transport corridor to create an extension of the riverside walkway that exists to the south of the site. The extended riverside walkway will enable direct access to a river barrage that provides a pedestrian river crossing.

9.23 The public square can be accessed by pedestrians from Abbey Road via a 3.6-8.4m wide stairway located at the north east corner of the site and a 2.8-7.6m stairway located between blocks A and B opposite the Granary building. The footprint of Block A is truncated at ground and first floors to provide generous pedestrian access and reveal views of the Malthouse and the Granary buildings. The width of the access has been widened following discussions with the applicant. Step-free pedestrian and vehicular access is provided via the public transport corridor bisecting the site between Abbey Road and the River Roding between Block B and the Granary extension and Block C/D.

9.24 Block A is a linear block located opposite (30m) the Malthouse (3 storeys). It reads as a 7 storey building to Abbey Road and a 6 storey building to the public square. The ground and first floor accommodation is occupied by studios and workshops to provide active frontages to Abbey Road, set back behind a colonnade created by projecting upper floors, and the public square. A combination of single and dual aspect residential

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accommodation is located on the second to sixth floors and they provide passive surveillance of Abbey Road and the public square. The seventh floor accommodation is cut back to successfully reduce the scale of the building in response to the height of the Malthouse, the width of Abbey Road and the height of the existing housing that forms part of the Gascoigne Estate. While Block A will reduce the visibility of the Malthouse from Abbey Road, it is considered to adopt a form and scale that preserves and enhances the Conservation Area.

9.25 Block B adopts a smaller footprint and located sited opposite the Granary extension (5 storeys). It reads as an 8 storey building to Abbey Road and a 7 storey building to the public square. The southern elevation forms an edge to the eastern bridge approach. The ground floor accommodation is occupied by workshops and studios, set back behind a colonnade created by projecting upper floors, to create an active frontage to Abbey Road. A combination of single and dual aspect residential units occupy the first to seventh floors and they provide passive surveillance of the public square, Abbey Road and the eastern bridge approach. Block B is considered to adopt a form and scale that responds appropriately to its proximity to the Granary and the proposed extension. The increase in height is justified by it signalling the junction of the proposed transport corridor with Abbey Road.

9.26 When viewed from Abbey Road and the public square, Blocks A and B are read as a base (workshop and studios), middle and top (residential units) that are differentiated by the use of materials. Along the Abbey Road frontage, this horizontality is balanced by a vertical rhythm created by the fenestration design and colonnade feature that anchors the building to the ground. When viewed from the public square the elevations adopt a similar approach, articulated by regular fenestration and projecting copper clad bay windows which modulate and reduce the scale of the façades. The principal material will be brick to reflect the construction of the Malthouse and Granary. The workshops and studios and top floor residential will be finished in contrasting clear double glazed panels and solid zinc metal panelling. The façade design and choice of materials is considered to achieve a high quality, contemporary design that responds sensitively to its historic setting.

9.27 Block C is a linear residential block oriented on an east-west axis that defines the southern edge of the eastern bridge approach and signals its junction with Abbey Road. The building reads as a 9 storey building to Abbey Road that reduces to 8 storeys as it flanks and encloses the eastern bridge approach as it rises to towards the river and the proposed bridge span. Residential access is achieved via lobbies located on Abbey Road, alongside the eastern bridge approach and riverfront. Maisonettes enjoy access directly from the eastern bridge approach. Despite its linearity, the block minimises corridor length to maximise the number of dual aspect units. The block accommodates a combination of single and dual aspect residential units enclosing a semi private courtyard located at podium level above an undercroft car park accessed directly from Abbey Road. Any single aspects units are south facing.

9.28 Block C is conceived as a solid structure where the building mass is punctuated by window and recessed balconies. The elevation provides a coherent and continuous street frontage whose scale and horizontality is balanced by a fenestration design that creates a series of bays to introduce verticality and a sense of rhythm. The elevation is finished using a brick skin that is sympathetic to the character and appearance of the Conservation Area.

9.29 Block C will adopt a significant form and scale when experienced from Abbey

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Road and will extend above the ridgeline of the Granary building when viewed from Town Quay. While a reduction in scale would improve its townscape impact, the proposed height and massing is considered an acceptable response to its historic and urban riverside setting.

9.30 Block D forms an extension to Block C and adopts a smaller footprint block that fronts the River Roding and defines the route of the riverside walkway. The block is located outside the Conservation Area boundary and rises to 13 storeys and accommodates a ground floor crèche with external play area located to the south of the block and adjacent to the existing Gladedale residential block. This block steps back from the River Roding thereby reducing the sense of enclosure experienced within the crèche play area. Residential access to the upper floors is via a central core with flats overlooking either the River Roding or the semi-private courtyard.

9.31 Block D is conceived as a group of vertical elements created by a structural frame that also provides private balcony space. The elevations are formed by modulated metal and glass panels that, in combination with projecting balconies, provide articulation to the façade. The block adopts a height and scale that imitates the vertical emphasis provided by the Granary chimney. While the construction of a 13 storey building in this location is contrary to the draft BTCAAP, it adopts a height, scale, massing and design that establishes an acceptable townscape relationship to the Malthouse and Granary buildings, minimises its amenity impact on residents of the adjacent housing development and forms an integral part of a high quality regeneration scheme.

9.32 It is considered that the proposed development preserves and enhances the Abbey Road Riverside Conservation Area by adequately referencing and complementing the scale, height and materiality of the Granary and Malthouse buildings. This is achieved by stepping the height of buildings away from Conservation Area. The development block siting adequately defines and encloses Abbey Road and the proposed public square, eastern bridge approach and riverside walkway and responds appropriately to the existing Gascoigne Estate and Gladedale housing development. The result is a development form that establishes an acceptable relationship to its context.

9.33 The application is considered to be in accordance with Policies DE1, DE10, DE24 and DE28 of the Unitary Development Plan, Policy CP3 of the Core Strategy Pre-Submission Report, Policies BP4 and BP11 of the Borough-Wide Development Policies Pre-Submission Report and Policies 4B.1, 4B.9 and 4B.10 of the London Plan. The support of CABE and English Heritage should also be noted.

Built Heritage

9.34 The UDP Proposals Map identifies the Abbey Road Riverside Conservation Area as being located within the site and identifies the Granary as a building of townscape interest. The Malthouse and Barford Chemicals buildings are not identified as buildings of townscape interest. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on the Corporation, as planning authority, in exercising its functions in a conservation area to pay special attention to the desirability of preserving or enhancing the character and appearance of the area. Strategic Policy R requires development to enhance Conservation Areas, Policy DE24 requires development to make a positive contribution to the character and appearance of the Conservation Area in scale, grouping and materials and Policy DE28 requires

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development adjacent to a conservation area to be designed to be in harmony in size, form and materials with the Conservation Area.

9.35 The Borough-Wide Development Policies Pre-Submission Report Policy BP2 seeks to preserve or enhance the special character and appearance and setting of Conservation Areas. The policy states that there will be a general presumption in favour of preserving buildings and structures (whether listed or not) which can be identified as making a positive contribution to a Conservation Area's character and appearance.

9.36 The Abbey Road Riverside draft Conservation Area Appraisal identifies the Malthouse and the Granary as examples of the town's industrial riverside legacy and as having the potential to play a role in the regeneration of the town centre.

9.37 The site does not contain any statutorily listed buildings. The decision to designate the Conservation Area was justified on the basis that the area contained buildings of historic and architectural quality that, collectively, were worthy of protection. Of the five buildings - the Malthouse, Malthouse extension, Granary, Fishing Smack Public House and the Ice House, only the Malthouse and Granary now survive substantially intact. The Fishing Smack Public House and the majority of the Maltouse extension have been demolished following the grant of Conservation Area Consent by LBBB.

9.38 The proposed new buildings have been designed to frame the remaining Malthouse and Granary rather than dominate or overshadow them. While all of the new development blocks are taller than the Malthouse and Granary, sufficient consideration has been given to their siting, scale, massing and external treatment so that, in key views, they enhance the visibility and architectural character of the Conservation Area. The limited loss of industrial fabric is outweighed by the retention, restoration and long term viability of the key buildings within the Conservation Area – the Malthouse and Granary/Granary Annex.

9.39 The key view looking south across the mill pond from Town Quay will be enhanced by the restoration of the key decorative architectural features on the main facades of the Malthouse and Granary/Granary Annex. However, it is acknowledged that the prominence of the Granary/Granary Annex within this view will be lost by the height of block C exceeding the ridgeline of the Granary roof.

9.40 The addition of a full-height foyer extension to the south east corner of the Malthouse is positioned to replicate a former malt kiln. It is designed to ensure that the loss of original fabric is minimised, particularly given that there are few openings in this section of the elevation.

9.41 While raising the ground level within the site, to achieve both undercroft car parking and the public square, conceals the ground floors of the Malthouse and Granary and reduces the height by a storey when viewed from Abbey Road, it is not considered to harm the overall character and appearance the Conservation Area. The renovation and refurbishment of these key buildings, alongside new buildings exhibiting high quality design, is considered to outweigh this element of the design. It is noted that the riverside elevations, which could be argued to be the most significant, will be significantly enhanced by the proposed works.

9.42 The Granary and Granary Annex is currently derelict and its condition is likely to deteriorate if no viable long term use is identified to secure its renovation, reuse and on-going maintenance. Proposed alterations include the replacement of the existing

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roof, the removal of brick fill from the original window openings and the removal of the secondary cast iron or steel superstructure to open up the internal spaces. New door openings will also be created on the south east side to provide pedestrian access to the proposed extension.

9.43 The Granary is also proposed to be extended. A five story glass atrium and copper clad extension to its southern flank and small brick built extension will be rebuilt to create a riverside cafe/bar. Given its height and massing, the Granary will remain a prominent feature within the surrounding landscape, especially when viewed from along the River Roding, which is key to its historic setting. Also, the basement level possesses few external architectural details that would otherwise be lost from view in the public realm.

9.44 The Granary extension is proposed to be built of modern materials to contrast with, and complement, the brick built Granary/Granary Annex. The addition of the structure would serve to enhance the presentation of the Granary/Granary Annex with only limited loss of historic fabric. The use of a lightweight glass foyer at the entrance, spanning the gap between the Granary and the extension, would ensure that view of the original facade are maintained and improved.

9.45 The applicant has undertaken an Archaeological and Built Heritage Assessment that concludes that there is conflicting information on the origin and function of the Barford Chemicals buildings LBB consider the building to have been previously used as an icehouse, constructed prior to 1848. However, historic maps show that the site was occupied by a short terrace of houses until at least the 1860s. Mid 19th century maps show that a complex of icehouses were built between 1846 and the early 1860s in the south east of the site, while title deeds dating from the early 20th century identify the Barford Chemicals site as having formerly been an icehouse/ There is, however, little contemporary documentation to confirm either possibility. If the site was used as an icehouse, this must have after the end of the fishing industry in Barking in the mid 1860s.

9.46 The applicant states that structural evidence is equally contradictory. The thickness of the walls, as well as the internal height, would be consistent with it being designed as an icehouse. In contrast, there is no obvious below ground element to the building. It is apparent that the building has undergone a number of very significant alterations during its lifetime. The existing gabled roof dates from the mid 20th century and refurbishment took place during the 1950s impacted adversely on its character and appearance through the insertion of numerous openings. On the available evidence, it would appear that the Barford Chemicals building may incorporate fabric associated with an 1860s icehouse. While the structure is of local interest, its proposed demolition is considered acceptable given its uncertain history, it contains few architectural features and is devoid of any original fixtures and fittings.

9.47 To commemorate the possibility that the remains of an icehouse exists within the site, it is recommended that a planning condition is used to require the applicant to acknowledge its existence on the site should its remains be identified during more detailed archaeological works. It is noted that in response to a request by LBB, the applicant now refers to Block C/D as the new icehouse.

9.48 The proposed bridge spanning the River Roding comprises a bow string tied-arch structure. The bridge landing and majority of the eastern approach ramp is within the Abbey Road Riverside Conservation Area. It is inevitable that bridge structure will

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significantly alter views of the key buildings within the Conservation Area. While a more appropriate bridge design would incorporate a flat span, the application is not considered to result in significant harm to the character and appearance of the Conservation Area.

9.49 The key views of the Conservation Area are from the River Roding, particularly to the north, where it is crossed by Highbridge Road. These historic views will be preserved and enhanced by the works proposed to the Granary.

9.50 While it is acknowledged that there will be some loss of the historic fabric from the Conservation Area, through the demolition of the Barford Chemicals building and the remains of the Malthouse extension, these structures make only a limited contribution to its character or appearance. The proposed new buildings have been designed with a height, scale and massing that relates sensitively to the key historic buildings within the conservation area. Whilst all the new buildings are taller than the Malthouse or the Granary, appropriate consideration has been given to their siting and external materials so that they enhance the visibility and setting of these historic buildings. It is noted that English Heritage, who encouraged LBBB to designate the Conservation Area, expresses support for the application.

9.51 The application is considered to be in accordance with Strategic Policy R, Policies DE24 and DE28 of the Unitary Development Plan and Policy BP2 of the Borough-Wide Development Policies Pre-Submission Report and Policies 4B.12, 4B.13 and 4B.15 of the London Plan.

Housing Density

9.52 The application site measures 1.1 hectares. The application proposes redevelopment to provide 218 units and 638 habitable rooms resulting in a density of 198 units or 580 habitable rooms per hectare.

9.53 The site has an existing PTAL (Public Transport Accessibility Level) of 2 (where 6 is the highest) based on bus routes that can be accessed within 640m of the site. The PTAL methodology makes the assumption that, on average, people are prepared to walk 960m to access rail services. As the centre of the site is located 1050m from Barking Station, PTAL discounts the National Rail and London Underground services at Barking Station from a calculation of the site's PTAL. If these services were included within a calculation of the site's PTAL it would increase to 3. As the site is located just beyond the 960m station catchment area, it is considered reasonable to expect that prospective residents will walk across Abbey Green and through the town centre to the station.

9.54 London Plan Policy 3A.3 seeks to achieve maximum intensity of use compatible with local context, the design principles in Policy 4B.1 and with public transport capacity. Policy 3A.3 requires the Borough's LDFs to adopt the residential density ranges set out in Table 3A.2.

9.55 The proposed density of 198 units or 580 habitable rooms per hectare places the site within a density range (300-650hr/ha) that places the site within a central setting location with a PTAL (Public Transport Accessibility Level) of between 2 and 3. An area falling within a central setting is expected to accommodate very dense development, a mix of different uses, large building footprints and typically buildings of four to six storeys and located within 800m of a Major Centre. It is considered appropriate to give

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the site a central setting classification on the basis that the London Plan designates Barking a Major Town Centre and the site is located within 800m of its boundary.

9.56 Site setting and public transport accessibility are among several factors in the determination of an appropriate quantum of development. London Plan Policy 3C.1 seeks to ensure the integration of transport and development to encourage forms of development that reduce the need to travel and ensure people have convenient access to services and facilities they need.

9.57 The site adopts a development form, scale and massing that is compatible with its local context, conforms with the design principles of Policy 4B.1 and will facilitate improvements to the bus network by constructing an alignment through the site and establishing the location of a bridge spanning the River Roding.

9.58 Furthermore, the site is located within Site 10 of the LBBB draft Barking Town Centre Area Action Plan (BTCAAP). The site measures 1.43 hectares and includes the Abbey Road Business Park (Sharleston Wharf). The draft BTCAAP suggests some 400 homes could be accommodated on the site. This equates to a housing density of 279 units per hectare. It is noted that the proposed density of 198 units per hectare is below that promoted in the draft BTCAAP.

9.59 The site's PTAL will increase to 4 in the event that the bus network is enhanced by diverting existing bus services or introducing new services or busway transit using the alignment and bridge crossing through the application and Freshwaf sites. The proposed housing density is considered compatible with achieving sustainable residential quality.

9.60 It is clear that more recently adopted planning documents seek to maximise redevelopment potential by encouraging appropriately designed high density housing development in appropriate locations in response to the need to meet the increased demand for housing. The application is considered to be in accordance with Policy 3A.3 and 3C.1 of the London Plan.

Affordable Housing

9.61 London Plan Policy 3A.9 seeks 50% affordable housing based on a split between 70% social rented and 30% intermediate provision. In negotiating affordable housing Policy 3A.9 requires Boroughs to seek the maximum reasonable amount of affordable housing having regard to the need to encourage rather than restrain residential development and the individual circumstances of the site.

9.62 LBBB Local Development Framework: Core Strategy Pre Submission Report Policy CC1 requires new development to achieve a target of 50% affordable housing unless exceptional circumstances can be demonstrated, including scheme economics and the availability of public subsidy. Policy CC1 requires 70% of new affordable housing to be social rented and 30% to be intermediate.

9.63 The application proposes 35% affordable housing on a habitable room basis. The application proposes a 70:30 split between intermediate and social rented housing on the basis that the Gascoigne Estate and the surrounding area already accommodates a high proportion of social rented housing.

9.64 The applicant has submitted a GLA toolkit and development appraisal in support of the affordable housing offer. The appraisal concludes that £8,000,000 of Homes and

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Communities Agency (HCA) grant is required to achieve 35% affordable housing based on a 70:30 split between intermediate and social housing. The Corporation has independently verified the appraisal.

9.65 The application is considered to be in accordance with Policy 3A.9 of the London Plan and the London Plan Housing SPG.

Housing Mix

9.66 London Plan Policy 3A.5 requires new development to offer a range of housing sizes and types and the corresponding Housing SPG consolidates this policy objective by seeking a preferred housing mix within new development.

9.67 UDP Policy H8 promotes the provision of a mix of dwellings appropriate to the needs of the area and with regard to market considerations.

9.68 Policy CC2 of the Core Strategy Pre-Submission document seeks a target of 40% family housing (3+ bedrooms) and provision of a range of accommodation types and sizes in all new development taking into account site suitability, identified housing need, density, proximity to services and the need for play informal recreation provisions. The Policy acknowledges that not all sites will be suitable for family sized accommodation and refers to the size and form of town centre locations as being prohibitive to providing a satisfactory environment for young children. The Policy anticipates that the 40% target may be hard to achieve on certain sites identified with the BTCAAP.

9.69 The application proposes the following housing mix:

Unit Type	Private	Intermediate	Social	Total
1-bed	37 (25%)	20 (39%)	-	57 (26%)
2-bed	100 (67%)	16 (33%)	9 (53%)	125 (57%)
3-bed	13 (8%)	11 (20%)	5 (29%)	29 (13%)
4-bed	-	4 (8%)	3 (18%)	7 (3%)
Total	150 (69%)	51 (14%)	17 (16%)	218

9.70 The table shows that 84% of the development is comprised of one and two bedroom units. The proportion of family sized units is restricted to only 16% of the total number of units.

9.71 It is acknowledged that the site size and character does not lend itself to a development form that can accommodate a significant amount of family housing. The need to retain the existing historic buildings, establish a creative industry quarter and provide the land required to facilitate public transport improvements requires a development form and layout that more suited to flatted accommodation and the creation of public open space as opposed to the creation of traditional family housing typologies. The applicant has submitted a toolkit and open book appraisal in support of the application. This has been independently verified by the Corporation.

9.72 While the mix of housing is below that sought by London Plan and LBB policy, it is not considered to justify a defensible reason for refusal given the overall type and standard of development and the range of planning benefits secured. On balance, the housing mix is considered acceptable.

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Housing Size

9.73 UDP Policy H16 requires new housing to provide adequate internal space and adopts space standards for the habitable rooms (living room, dining room and bedroom) of one (28.5m²), two (40m²) and three (49m²) bedroom accommodation.

9.74 The Borough-Wide Development Policies Pre-Submission Report Policy BP6 provides internal space standards for the combined cooking, eating and living areas for different unit sizes.

9.75 With the exception of a one bedroom flat within block B, all units exceed the Housing Corporation's Housing Quality Indicators (HQI) for unit sizes (45-50m² 1 x bed, 57-67m² 2 x bed, 75-85m² 3 x bed, 85-100m² 4 x bed). Furthermore, the majority of units also exceed the more onerous standards set within English Partnerships' Quality Standards: Delivering Quality Places (47m² 1 x bed, 66m² 2 x bed, 88m² 3 x bed, 106m² 4 x bed).

9.76 The application is considered to be in accordance with Policy H16 of the UDP and Policy BP6 of the Borough-Wide Development Policies Pre-Submission Report.

Residential Amenity

9.77 London Plan policy 4B.9 requires large scale buildings in residential environments to pay particular attention to privacy, amenity and overshadowing.

9.78 UDP Policy H14 requires new development to ensure that adequate sunlight and daylight conditions to be afforded to all existing and proposed dwellings. The Policy refers to the Building Research Establishment (BRE) criteria for assessing the sunlight and daylight impact of new development on existing buildings.

9.79 The Borough wide Development Policies Pre-Submission Report Policy BP8 requires development to ensure that there is no significant overbearing (loss of privacy) or overshadowing (loss of daylight) of neighbouring properties.

9.80 As submitted, the proposed development resulted in unacceptable reductions to the daylight conditions (Average Daylight Factor) experienced by 21 bedrooms and 3 living rooms within the adjacent part 2, 3, 4 and 7 storey residential block to the south of the site. The amended height, massing and siting of block D reduces the extent of this impact to a more tolerable level when consideration is given to the siting, design and internal layout of the existing block.

9.81 The adjacent Gladedale housing block has not been set back from the site boundary and locates windows to single aspect rooms within its north facing flank elevation. A total of 24 rooms to 14 flats receive light from windows located within this elevation. 21 of these windows serve bedrooms and 3 windows serve living rooms. The bedroom windows have been designed to minimise overlooking by incorporating high level slit openings. The 3 living room windows are orientated north west to provide views of the river and minimise overlooking of the application site. The north facing aspect and fenestration design prevent these rooms from achieving good daylight conditions. This, combined with the block siting 3m from the site boundary, places a significant constraint on the development potential of the application site.

9.82 While it is acknowledged that the proposed development will have an impact on the existing sunlight and daylight conditions enjoyed by some residents of the

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Gladedale development, it is not considered to justify a reason for refusal. The BRE guidelines make clear that the standards are not mandatory and should not be seen as an instrument of planning policy. The affected rooms will experience daylight conditions that would not be uncommon in a built-up urban environment which is already affected by poorly designed windows. 11 of the 14 affected flats are dual aspect and their primary habitable rooms orientate east or west will not be impacted upon. The affected rooms – bedrooms - are considered by the BRE guidelines to have a lower expectation of sunlight and daylight than primary habitable rooms.

9.83 The impact of blocks A and B on existing residential development within the Gascoigne Estate is limited to eight windows experiencing Vertical Sky Component (VSC) readings below the BRE target. The extent of the change between existing and proposed conditions is below BRE standards but the resulting VSC is high for an urban location. While new development will face existing properties to the east of Abbey Road, the concern that this will compromise the privacy of rear gardens considered is insignificant when taking into account that they are directly overlooked from the Abbey Road pavement.

9.84 The application is considered to be in accordance with Policies 4B.1 and 4B.10 of the London Plan and Policies EQ19 and H17 of the Unitary Development Plan.

Amenity Space

9.85 London Plan Policy 4B.1 requires new development to promote high quality inclusive design. UDP Policy H15 seeks to ensure that adequate private amenity space provided in all new residential development and adopts guidelines for flat development. The policy recommends that 1 bedroom dwellings should provide 20sqm and 2+ bedroom units are expected to provide 40sqm. This would appear to relate to traditional house types.

9.86 The LDF Development Policies Pre-Submission Report Policy BP5 sets standards for the provision of external amenity space, defined as private and/or communal amenity space, for different units sizes. The policy requires 1 bedroom flats to provide 20sqm and 2+ bedroom flats to provide 40sqm and states that where developments in town centre locations and strategic developments sites are not able to provide external amenity space, the applicant should demonstrate that suitable alternatives such as useable roof terraces, roof gardens and balconies have been incorporated wherever possible. Existing and emerging policy requires the development to provide 7,580m² of private and/or communal amenity space.

9.87 Of the 218 units proposed, 56 (26%) units will not benefit from access to external private amenity space. The majority of these units (41) are located within blocks A and B and benefit from direct access to and overlooking the public square. The large unit sizes, overall design quality and proximity of the site to parkland at Abbey Green are considered to outweigh the planning requirement for all units to have access to private amenity space.

9.88 The application incorporates private and balconies (3-4m²), a semi-private/communal courtyard (705m²), the public square (1,832m²) and riverside walkway (1,176m²) to provide a total of approximately 4,315m² private and communal amenity space. Given the site constraints, the design quality achieved and the overall planning benefits of the scheme, the reduced level of amenity space is not considered to result in a justifiable reason for refusal.

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9.89 On balance, the application is considered to be in accordance with Policy H15 of the Unitary Development Plan, Policy BP5 of the Development Policies Pre-Submission Report and Policy 4B.1 of the London Plan.

Children's Play Space

9.90 Policy 3D.13 requires housing development to make provision for play and informal recreation, based on the expected child population generated by the scheme. The London Plan Providing for Children and Young People's Play and Informal Recreation SPG sets out the policy framework for the provision of appropriate play space. The SPG recommends that new development provides 10m² of play space per child based on an assessment of age and the availability of existing facilities. The application is estimated to generate a total child yield of 53 (21 x 0-4; 20 x 5-11; 12 x 12+).

9.91 The applicant has stated that a Local Playable Space will be provided within the semi-private courtyard accessible to blocks C and D for children aged between 0-11. It is recommended that design of this Local Playable Space are submitted by planning condition. 18 of the 27 three bedroom units are located within block C/D. It is acknowledged that other facilities for children aged between 0-11, and those aged 12+, are accessible within 800m of the site and located on the Gascoigne Estate and Abbey Green. Furthermore, the public square and riverside walkway and terraces provide an amenity value for prospective residents.

9.92 Although there is a deficiency in relation to the quantum of space provided on site, opportunities for play are provided at Abbey Green and within the Gascoigne Estate. The children's play space provision is considered to be in accordance with Policy 3D.13 of the London Plan and the London Plan Providing for Children and Young People's Play and Informal Recreation SPG.

Parking, Transport and Access

9.93 The site is accessed by vehicles, pedestrians and cyclists via Abbey Road, a single carriageway with no through route with a single point of entry and egress with St Paul's Road. LBBB is concerned about the combined effect of this cul-de-sac arrangement and increased pressure on parking created by development growth. Abbey Road currently allows unrestricted parking. LBBB advises that the introduction of a Controlled Parking Zone is being considered for the Gascoigne Estate including Abbey Road. While concern has been expressed about the condition of the road surface along Abbey Road, the applicant will be expected to enter into a S278 agreement to undertake improvement works to the footway along the site frontage, the details of which will be required to be submitted by planning condition.

9.94 The application proposes three vehicle access/egress junctions with Abbey Road. Two provide access to undercroft car parking within the site and one provides access to the proposed public transport corridor that bisects the site and bridges the River Roding. Until the public transport corridor is implemented, an interim solution involves the construction of the eastern approach ramp that will provide vehicular, pedestrian and cycle access to the public square and pedestrian and cycle access to the riverside walk and all development blocks within a high quality landscaped compatible with future bus use. LBBB raise no objection to the vehicle tracking for movements into, through and out of the the site or the capacity of the local road network to accommodate the number of trips generated by the development. TfL has requested further information

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on the impact of the development during the PM peak.

9.95 The application proposes a total of 127 car parking space located at undercroft level or as chevron parking along Abbey Road. 69 car parking spaces are provided at undercroft level below the public square. 32 car parking spaces are provided at undercroft level below block C/D. 26 chevron car parking spaces are located along Abbey Road. The car parking is allocated to the residential (68), commercial (55) and retail (3) elements of the development. A 6 space car club is also proposed to use the chevron parking in Abbey Road. Cycle parking is provided at a ratio of 1 space per residential unit with 57 spaces provided for the commercial premises located within the undercroft car parks and the public realm.

9.96 The development is proposed to be serviced via delivery bays located on Abbey Road and adjacent to the undercroft car park entrances. The public square is proposed to be serviced by light goods vehicles accessing via the eastern ramp approach. As deliveries are expected infrequently and during off peak hours this arrangement is considered compatible with use of the corridor by buses or busway transit. LBBDD raises no objection to the proposed servicing arrangements.

9.97 The application includes a Travel Plan designed to promote sustainable travel patterns and reduce reliance on the private car. As discussions with TfL are ongoing about modal share targets, it is recommended that a planning condition requires its future submission.

9.98 The application is considered to be in accordance with Policies T24, T25 and T27 of the Unitary Development Plan.

Navigational Risk

9.99 Policy 4C.14 of the London Plan requires the navigational impact of development adjoining the Blue Ribbon Network to be assessed.

9.100 The proposed River Roding bridge crossing will require the bridge span to achieve an air draft for navigation purposes of 3.5m above Mean High Water Spring Tides (MHWS). As MHWS is 3.6m above ordnance datum (AOD) the soffit of the bridge structure is required to a minimum of 7.1m AOD for the width of the river.

9.101 The Port of London Authority raises no objection to the application and advises that all works that extend over the MHWS require a River Works Licence.

Flood Risk

9.102 Policy 4A.12 of the London Plan requires boroughs to protect the integrity of existing flood defences, whilst Policy EQ64 of the UDP states that the Council will oppose development which would adversely affect the stability and continuity of tidal defences.

9.103 UDP Policies G33 and G34 require new development to incorporate appropriate flood protection and attenuation measures.

9.104 The Core Strategy Pre-Submission Report Policy CR4 requires development to comply with the Sequential and Exceptions Test set out in PPS25. Where it is not possible for development to be located in areas of lower flood risk, development may exceptionally occur in higher flood risk zones provided that it makes a positive

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contribution to sustainable communities, it is on developable brownfield land, a Flood Risk Assessment demonstrates that the residual risk of flooding are acceptable and can be managed and that it makes a positive contribution to reducing or managing flood risk.

9.105 The site is located within Flood Risk Zone 3. The Environment Agency raises no objection to the impact of the development on flood risk.

Sustainability

9.106 The London Plan and Mayor's Energy Strategy seeks a reduction in carbon emissions through the use of energy efficient technologies of which 20% is achieved through the use of on-site renewable energy.

9.107 To reduce carbon emissions the application proposes to adopt sustainable design and construction principles, including avoiding the need for mechanical ventilation, reducing heat losses through insulation and using low energy appliances. A site wide heating system is proposed that is compatible with the Barking District Heating network proposed for the town centre. Photovoltaic cells mounted on the roof of block C will provide on-site renewable energy.

9.108 To protect water resources and promote energy efficiency the use of water will be minimised through the use of low water-use fittings and rainwater will be harvested to provide water for irrigation and toilets. The use of green and brown roofs and permeable paving will form part of a Sustainable Urban Drainage System (SUDS) and enhance biodiversity.

9.109 The applicant is committed towards achieving a Code for Sustainable Homes of Level 4.

S106 Planning Obligations Community Benefit Strategy

9.110 Regulation 9 of the Town and Country Planning General Regulations 1992 provides that a planning permission granted to a local planning authority enures only for the benefit of that authority. In this case, it is understood that the Corporation intends to sell on the development site to a developer in due course. That developer will then need to obtain his own planning permission, but, if granted, this permission would establish the principle of development and the S106 obligations required. Obviously, the Corporation cannot enter into a S106 Agreement with itself.

9.111 It is therefore recommended that the Corporation and Roof Holdings Ltd., as joint applicants, submit a S106 Unilateral Undertaking to bind the land currently in their ownership. Apart from containing the substantive clauses below, the undertaking would contain a covenant from the Corporation to provide further undertakings to bind the remainder of the site as it comes into the Corporation's ownership. Any permission granted to a developer acquiring the site would be subject to a bilateral agreement with the Corporation, as planning authority, to secure the same substantive covenants below.

9.112 The applicant has offered £1,000 per unit and the provision of Works in Kinds towards the S106 Community Benefit Strategy requirement to contribute £6,000 per unit. The agreed Works in Kind include a proportion of the cost of providing the interim public transport corridor (£1,800,000)

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9.113 The applicant has submitted a toolkit appraisal and development appraisal. The Corporation has independently verified the appraisal.

9.114 The application is considered to provide an adequate S106 contribution that facilitates the regeneration of the area and mitigates its impact on physical and social infrastructure in accordance with the Corporation's Planning Obligations Community Benefit Strategy, Policies 6A.4 and 6A.5 of the London Plan, the Lower Lea Valley Opportunity Area Planning Framework and Policy S2 Unitary Development Plan.

9.115 It is recommended that delegated authority is given to the Planning Development Manager to finalise negotiations with the applicant and completion of the S106 Agreement based on the Heads of Terms identified in paragraph 11.1.

10. CONCLUSION AND REASONS FOR APPROVAL

10.1 The principle of redeveloping the site with a mixed use development, comprising new office, studios and workshops and housing, with ancillary retail, café and crèche facilities, is consistent with the adopted Unitary Development Plan, emerging Local Development Framework and the London Plan subject to planning conditions restricting occupation of part of the development for creative industry uses.

10.2 The application adopts an appropriate housing density given the site's existing and future public transport accessibility, proximity to a major town centre and the standard of townscape and residential environment created. The application is considered to be in accordance with Policy 3A.3 and 3C.1 of the London Plan.

10.3 The development adopts a coherent approach to development height, scale and massing that responds adequately to the Abbey Road Riverside Conservation Area, creates an acceptable relationship to adjacent development, responds successfully to the River Roding and creates a quality environment for future residents and visitors. The application is considered to be in accordance with Policies DE1, DE10, DE24 and DE28 of the Unitary Development Plan, Policy CP3 of the Core Strategy Pre-Submission Report, Policies BP4 and BP11 of the Borough-Wide Development Policies Pre-Submission Report and Policies 3A.6, 3A.7, 3C.1, 4B.1, 4B.2, 4B.3, 4B.9 and 4B.10 of the London Plan.

10.4 While the affordable housing offer is below the London Plan target of 50% affordable housing on a 70:30 split between social rented and intermediate housing, the applicant has submitted a toolkit and development appraisal in support of the amount of affordable housing. The Corporation has independently verified the development appraisal. The level of affordable housing is considered acceptable given the scheme viability and the range of planning benefits secured. The application is considered to be in accordance with Policy 3A.9 of the London Plan and the London Plan Housing SPG.

10.5 The application proposes a housing mix that compromises predominantly one and two bedroom units. While the mix of housing is below that sought by London Plan policy, it is not considered to justify a defensible reason for refusal given the suitability of the site for family housing, the overall type and standard of development proposed and the range of planning benefits secured.

10.6 The application provides sufficient public open space and private and semi private/communal amenity space given the quantum and density of housing proposed.

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While the application departs from planning policy by providing 26% of residential units without access to private amenity space, this is not considered to justify a defensible reason for refusal when taking into account the large unit sizes, the high standard of housing design, access to high quality public realm within the site and proximity to existing amenity space at Abbey Green. The application is considered to be in accordance with Policy H15 of the Unitary Development Plan, Policy BP5 of the Development Policies Pre-Submission Report and Policy 4B.1 of the London Plan.

10.7 The application will reduce the daylight conditions experienced by some residents of the adjacent Gladedale housing development. While the resulting daylight conditions fall below the Building Research Establishment (BRE) target, it is not considered to justify a defensible reason for refusal given that primarily bedrooms are affected to flats located with an already north facing elevation with small window openings, the majority of affected flats are dual aspect, the proposed development establishes an acceptable height and massing relationship to the Gladedale housing development and the BRE guidelines are intended to be interpreted flexibly. The application is considered to be in accordance with Policies EQ19 and H17 of the Unitary Development Plan and Policies 4B.1 and 4B.10 of the London Plan.

10.8 The applicant has agreed to contribute a discounted standard charge in accordance with the Corporation's Planning Obligations Community Benefit Strategy. The applicant will contribute £1,000 per unit towards the POCBS £6,000 per unit tariff and construct the interim public transport corridor (£1,800,000) as Works in Kind to offset against the tariff. The application is considered to be in accordance with Corporation's Planning Obligations Community Benefit Strategy, Policy C17 of the Unitary Development Plan, Policy CC4 of the Core Strategy Pre-Submission Report and Policies 6A.4 and 6A.5 of the London Plan.

10.9 The preservation and enhancement of the Abbey Road Riverside Conservation Area; the refurbishment of the Granary and Malthouse buildings; the provision of affordable workspace and studios to establish a Creative Industries Quarter; the safeguarding of land required to facilitate public transport improvements through the site and across the River Roding; and the creation of public access within and through the site and along the River Roding constitute significant planning benefits within a genuinely mixed use development.

10.10 The objections raised by both LBB and GLA to different elements of the application have been assessed as part of this report, along with the comments of both CABE and English Heritage. Having regard to the financial appraisal and the overall varied benefits of the proposal, and the proposed S106 Heads of Terms and planning conditions, it is not considered that the objections justify refusal of planning permission.

11. RECOMMENDATION

11.1 It is recommended that Members give delegated authority to the Planning Development Manager to GRANT PLANNING PERMISSION subject to:

- A. any direction from the Mayor of London to refuse planning permission;
- B. the planning conditions set out at section 12. of the report;
- C. the submission of a S106 Unilateral Undertaking that is required to secure the following heads of terms:

1. A commitment to payment of an agreed discounted standard charge of

- £1,000 per residential unit (index linked) in accordance with the POCBS;
2. A commitment to payment of the deferred standard charge ("recapture the discount") in accordance with the POCBS;
 3. A commitment to construct the interim public transport corridor prior to the occupation of block C/D as Works In Kind to be offset from the discounted standard charge in accordance with the POCBS;
 4. A commitment to make available for dedication/adoption or transfer the interim public transport corridor (eastern approach ramp) at nil cost to TfL or LBBD when either calls for the corridor to implement improvements to the local bus network or busway transit;
 5. A commitment to provide 35% affordable housing based on a 70:30 split between intermediate and social rented, including cascade mechanism in response to the availability of housing grant and a requirement to provide an agreed percentage of affordable housing before occupation of the market housing;
 6. A commitment to ensure the occupation of the commercial floorspace for use within Class B1 of the Town and Country (Use Classes) Order 2005 within the Malthouse, Block A and Block B shall be restricted to creative industry uses defined by the Department for Culture, Media and Sports;
 7. A commitment to ensure the occupation of the commercial floorspace within the Granary and Granary extension, that is not occupied by Roof Holdings Ltd., shall be marketed for a period of 12 months at rents that do not exceed £12 per square foot (excluding service charge) for creative industry uses defined by the Department for Culture, Media and Sport;
 8. A commitment to provide the studios and workshops allocated for creative industry use as affordable workspace as defined by the Department for Culture, Media and Sports;
 9. A commitment to make the public transport corridor, CIQ square and riverside walk publicly accessible at all times;
 10. A commitment to make an appropriate contribution to future parking management controls along Abbey Road.
 11. A commitment to enter into a S278 to undertake the necessary highway works to Abbey Road;
 12. The implementation of car club;
 13. A commitment to provide Local Labour and Training Initiatives.

11. CONDITIONS AND REASONS

A. Time Limits, approved drawings / documents and content of development

A1. Unless otherwise agreed in writing by the Local Planning Authority the development shall be implemented in accordance with Phasing Plan 15.000_P1, which shall comprise:

- Phase 1: Refurbishment and extension of the Granary, plus associated temporary car park;
- Phase 2: Development of blocks A and B, the CIQ public square, that part of the interim public transport corridor required to provide access to the CIQ public square and the refurbishment and foyer extension to the Malthouse building;
- Phase 3: Development of block C/D, the remainder of the interim public transport corridor and the riverside walkway;
- Phase 4: Construction of the public transport bridge, completion of the eastern

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approach ramp and bridge abutment and construction of the western approach ramp and bridge abutment to adoptable standard.

Reason: To ensure that the development is constructed in accordance with the Phasing Plan and in the interest of the amenities of future occupiers of the development, in accordance with Policy DE1 of the London Borough of Barking and Dagenham Unitary Development Plan (adopted 1996, saved from 18th September 2007 by direction from the Secretary of State) and Policies 4A.3, 4B.1, 4B.2 and 4B.3 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

A2. The development hereby permitted must be commenced not later than the expiration of THREE YEARS from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 and because of the scale and timescale of the development.

A3. The development blocks A and B shall not be occupied until completion of the CIQ public square and that part of the interim public transport corridor that is required to provide access to the CIQ public square.

Reason: To ensure that the development is constructed in accordance with the Phasing Plan and in the interest of the amenities of future occupiers of the development, in accordance with Policy DE1 of the London Borough of Barking and Dagenham Unitary Development Plan (adopted 1996, saved from 18th September 2007 by direction from the Secretary of State) and Policies 4A.3, 4B.1, 4B.2 and 4B.3 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

A4. The development block C/D shall not be occupied until the completion of the riverside walkway and interim public transport corridor.

Reason: To ensure that the development is constructed in accordance with the Phasing Plan and in the interest of the amenities of future occupiers of the development, in accordance with Policy DE1 of the London Borough of Barking and Dagenham Unitary Development Plan (adopted 1996, saved from 18th September 2007 by direction from the Secretary of State) and Policies 4A.3, 4B.1, 4B.2 and 4B.3 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

A5. Save as these conditions provide otherwise or any matter is reserved for the later approval of the Local Planning Authority, all works are to be completed in accordance with the drawings referred to in the Planning Drawing Set dated April 2009 prepared by Schmidt Hammer Lassen Architects unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the development is constructed in accordance with the approved plans and other details submitted, in accordance with Policy DE1 of the London Borough of Barking and Dagenham Unitary Development Plan (adopted 1996, saved from 18th September 2007 by direction from the Secretary of State) and Policies 4A.3, 4B.1, 4B.2 and 4B.3 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

B. External Design

B1. Works to the relevant Phase of the development hereby approved shall not

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commence until full details, including samples, specifications and annotated plans where appropriate, of all external materials (which for the avoidance of doubt shall also include hard landscaping) have been submitted to and approved in writing by the Local Planning Authority. The relevant Phase shall only be implemented in accordance with the approved details, to the satisfaction of the Local Planning Authority.

Reason: To ensure a satisfactory standard of external appearance, in accordance with Policy DE1 of the London Borough of Barking and Dagenham Unitary Development Plan (adopted 1996, saved from 18th September 2007 by direction from the Secretary of State) and Policies 4A.3, 4B.1, 4B.2, 4B.3, 4B.9 and 4B.10 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

B2. Works to the western approach ramp to the public transport bridge shall not commence until detailed plans, sections and elevations showing the following Reserved Matters have been submitted to and approved in writing by the Local Planning Authority for that part of the development:

- a. layout
- b. appearance
- c. landscaping

Reason: To ensure that the Local Planning Authority is satisfied as to the details of the development, in accordance with Policies DE16 and DE17 of the London Borough of Barking and Dagenham Unitary Development Plan (adopted 1996, saved from 18th September 2007 by direction from the Secretary of State) and Policies 4A.3, 4B.1, 4B.2, 4B.3, 4B.9 and 4B.10 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

C. Sustainability

C1. All residential units shall be constructed in accordance with the Code for Sustainable Homes Level 4 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the principles of sustainability are achieved in all new housing in accordance with Policies H20 and DE9 of the London Borough of Barking and Dagenham Unitary Development Plan (adopted 1996, saved from 18th September 2007 by direction from the Secretary of State) and Policy 4A.3 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

C2. All residential units within the development shall be constructed and permanently retained in accordance with Lifetime Homes standards, as defined in the Joseph Roundtree Foundation publication "Achieving Part M and Lifetime Homes standards" and the joint collaboration of JRF, Major of London, GML Architects and Habinteg HA in the publication 'Lifetime Homes' and as referred to in the GLA Accessible London SPG (Appendix 4).

Reason: To ensure that accessible housing is providing, in accordance with Strategic Policy C of the London Borough of Barking and Dagenham Unitary Development Plan (adopted 1996, saved from 18th September 2007 by direction from the Secretary of State) and Policies 3A.5, 4B.1, 4B.2 and 4B.3 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

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D. Access

D1. Unless otherwise agreed in writing by the Local Planning Authority, no fewer than 10% of the total number of residential units within the development shall be constructed to be easily adapted for residents who are wheelchair users in accordance with the publication "Wheelchair Housing Guide Second Edition" by Stephen Thorpe and Habinteg HA.

Reason: To ensure that accessible housing is providing, in accordance with Strategic Policy C of the London Borough of Barking and Dagenham Unitary Development Plan (adopted 1996, saved from 18th September 2007 by direction from the Secretary of State) and Policies 3A.5, 4B.1, 4B.2 and 4B.3 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

D2. Works to the relevant Phase of the development hereby approved shall not commence until a security management scheme, including, for example, details of CCTV, concierge services, door entry systems and car park security, has been submitted to and approved in writing by the Local Planning Authority. The security management scheme shall be implemented in accordance with the approved details and prior to the occupation of the relevant Phase of development and permanently retained thereafter to the satisfaction of the Local Planning Authority.

Reason: In order to provide a safe and secure development, in accordance with Policy DE6 of the London Borough of Barking and Dagenham Unitary Development Plan (adopted 1996, saved from 18th September 2007 by direction from the Secretary of State) and Policies 4B.1, 4B.2, 4B.3 and 4B.6 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

E. Open Space

E1. Works to the relevant Phase of the development hereby approved shall not commence until details of proposed brown and green roofs within such phase, including details of location, design, dimensions, materials and a maintenance scheme, shall be submitted to and approved in writing by the Local Planning Authority. The brown and green roofs shall be provided in accordance with the approved details and prior to the occupation of the building to which they relate. The brown and green roofs shall be maintained as such and shall not be used for any other purpose.

Reason: To promote biodiversity and safeguard the appearance of the building, in accordance with Policies DE1 and G44 of the London Borough of Barking and Dagenham Unitary Development Plan (adopted 1996, saved from 18th September 2007 by direction from the Secretary of State) and Policies 3D.14, 4A.11, 4B.1 and 4B.2 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

E2. Works to Block C/D of the development hereby approved shall not commence until details of the semi-private courtyard and crèche play area have been submitted to and approved in writing by the Local Planning Authority. The semi-private courtyard and crèche play area shall be provided in accordance with the approved details and shall be available for use prior to the occupation of the building to which they relate. The semi-private courtyard and crèche play area shall be maintained as such and shall not be used for any other purpose.

Reason: To ensure residents have access to adequate amenity space and to

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safeguard the appearance of the development, in accordance with Policy H18 and DE1 of the London Borough of Barking and Dagenham Unitary Development Plan (adopted 1996, saved from 18th September 2007 by direction from the Secretary of State) and Policies 3D.14, 4A.11, 4B.1 and 4B.2 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

F. Construction

F1. Works to the relevant Phase of the development hereby approved shall not commence until a Construction Management Plan for that Phase has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall provide details all methods of site preparation and construction of the development and include:

- a. traffic management;
- b. use of the river to transport materials;
- c. demolition and clearance;
- d. site remediation and ground works;
- e. waste management;
- f. surface water pollution control;
- g. sourcing of materials;
- h. location and type of stored materials
- i. smoke and odour control;
- j. avoidance of fires;
- k. wheel washing;
- l. noise and vibration;
- m. hours of operation;
- n. implementation and monitoring.

The Construction Management Plan shall be implemented for the entire period of the works at the site, to the satisfaction of the Local Planning Authority.

Reason: In the interest of pollution and residential amenity, in accordance with Policies G31, G36, G37, G38, G39, T24 of the London Borough of Barking and Dagenham Unitary Development Plan (adopted 1996, saved from 18th September 2007 by direction from the Secretary of State) and Policies 4A.3, 4A.19, 4A.20 and 4B.1 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

F2. All construction compounds for the development hereby permitted shall be erected within the site, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to minimise noise and disturbance, in the interest of residential amenity, in accordance with Policy G36 of the London Borough of Barking and Dagenham Unitary Development Plan (adopted 1996, saved from 18th September 2007 by direction from the Secretary of State) and Policies 4A.3, 4A.19, 4A.20 and 4B.1 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

F3. No demolition, construction or building works shall be carried out except between the hours of 08.00 to 18.00 Monday to Friday and 08.00 to 13.00 Saturday or at any time on bank or public holidays without the prior written approval of the Local Planning Authority, unless the works have been approved in advance under section 61 of the Control of Pollution Act 1974.

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Deliveries of construction and demolition materials to and from the Site by road shall take place between 08:00 - 18:00 Monday to Friday & 08:00 - 13:00 on Saturday and at no other time except with the prior written approval of the Local Planning Authority.

Reason: In order to minimise noise and disturbance, in the interest of residential amenity, in accordance with Polic G36 of the London Borough of Barking and Dagenham Unitary Development Plan (adopted 1996, saved from 18th September 2007 by direction from the Secretary of State) and Policies 4A.3, 4A.19, 4A.20 and 4B.1 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

F4. No impact piling shall take place without the prior written approval of the Local Planning Authority and shall only take place in accordance with the terms of any such approval.

Reason: In order to minimise noise and disturbance, in the interest of residential amenity, in accordance with Policy G36 of the London Borough of Barking and Dagenham Unitary Development Plan (adopted 1996, saved from 18th September 2007 by direction from the Secretary of State) and Policies 4A.3, 4A.19, 4A.20 and 4B.1 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

F5. Notwithstanding the provisions of Parts 4 and 5 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, no part of the Site shall be used for the stationing of caravans or mobile homes or any other form of temporary residential accommodation, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To maintain planning control and in the interest of residential amenity, in accordance with Policies G36 of the London Borough of Barking and Dagenham Unitary Development Plan (adopted 1996, saved from 18th September 2007 by direction from the Secretary of State) and Policies 4A.3, 4A.19, 4A.20 and 4B.1 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

F6. Works to the relevant Phase of the development hereby approved shall not commence until detailed drawings showing the following have been submitted to and approved in writing by the Local Planning Authority:

- (a) public access to and through the site during works and upon completion of works in relation to the relevant Phase;
- (b) any temporary works, including any boundary treatment around later Phases.

Provisions for pedestrians shall be fully accessible to all including people with disabilities.

The development shall be implemented in accordance with the approved details and to the satisfaction of the Local Planning Authority.

Reason: In the interest of accessibility, in accordance with Policy T12 of the London Borough of Barking and Dagenham Unitary Development Plan (adopted 1996, saved from 18th September 2007 by direction from the Secretary of State) and Policies 3C.21, 3C.22, 4B.1 and 4C.11 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

F7. Prior to the commencement of the development hereby approved, details of the

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feasibility of, and associated strategy for, maximising the use of the River Roding for the transport of construction and waste materials to and from the site shall be submitted to and approved by the Local Planning Authority. The approved strategy shall be implemented for the entire period of the works at the site, to the satisfaction of the Local Planning Authority.

Reason: To maximise the use of the river and to promote sustainable transport, in accordance with Policy T34 of the London Borough of Barking and Dagenham Unitary Development Plan (adopted 1996, saved from 18th September 2007 by direction from the Secretary of State) and Policies 4A.3, 4B.1 and 4C.8 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

G. Ecology

G1. Works to the relevant phase of the development shall not commence until the results of a wildlife survey has been carried and submitted to the Local Planning Authority. The wildlife survey shall identify the presence of bats, nesting birds and reptiles and be carried out not more than 30 days before works commence by a suitably qualified body. In the event that nesting birds are identified, works shall not commence until breeding has been completed.

Reason: In the interest of impacts on biodiversity and maximising the ecological potential of the site, in accordance with Strategic Policy M and Policy G46 of the London Borough of Barking and Dagenham Unitary Development Plan (adopted 1996, saved from 18th September 2007 by direction from the Secretary of State) and Policies 3D.14, 4A.3, 4B.1 and 4C.3, 4C.4 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

G2. Works to the relevant phase of the development hereby approved shall not commence until an Ecological Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Ecological Management Plan shall provide details of the location of bird and bat boxes, trees, hedges, green and brown roofs, wetland terraces, planting species and include the submission of plans, materials, specifications and data, to demonstrate how the recommendations and mitigation measures identified at paragraph 4.30 (i) to (v) of EDP's Ecological Appraisal and section 3.32 of the Ecological Appraisal will be implemented within the relevant Phase of development.

The Ecological Management Plan shall also include details of the long term ecological objectives, maintenance schedules and management responsibilities.

The development shall be carried out in accordance with the approved Ecological Management Plan, to the satisfaction of the Local Planning Authority

Reason: In the interest of impacts on biodiversity and maximising the ecological potential of the site, in accordance with Strategic Policy M and Policy G46 of the London Borough of Barking and Dagenham Unitary Development Plan (adopted 1996, saved from 18th September 2007 by direction from the Secretary of State) and Policies 3D.14, 4A.3, 4B.1 and 4C.3, 4C.4 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

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H. Hydrology and Water Resources

H1. Works to the relevant Phase of the development hereby approved shall not commence until details of foul and surface water infrastructure and pollution prevention measures for the relevant Phase have been submitted to and approved in writing by the Local Planning Authority. Details of foul and surface water infrastructure required pursuant to this condition shall comprise:

- a. Specification of all pollution prevention measures;
- b. Flow estimates and calculations for all drainage infrastructure and details of sizing of pipes;
- c. Details of discharge points and discharge rates (including relevant calculations);
- d. Details of any proposed measures of surface water attenuation.

Where possible, all surface water drainage systems shall be designed using the principles of Sustainable Urban Drainage.

The approved drainage works and pollution prevention measures shall be implemented prior to the first occupation of the relevant Phase of development and thereafter permanently maintained to the satisfaction of the Local Planning Authority.

Reason: To prevent pollution of the water environment, in accordance with Policy G38 of the London Borough of Barking and Dagenham Unitary Development Plan (adopted 1996, saved from 18th September 2007 by direction from the Secretary of State) and Policies 4A.3, 4A.14, 4A.16 and 4B.1 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

H2. No hazardous substances included in the Schedule of Planning (Hazardous Substances) Regulations 1992 shall be used, handled or stored on the Site until details of such use, handling or storage have been submitted to and approved in writing by the Local Planning Authority. Such hazardous substances shall only be used, handled or stored in accordance with the approved details, to the satisfaction of the Local Planning Authority.

Reason: To prevent pollution of the water environment, in accordance with Policy G30 of the London Borough of Barking and Dagenham Unitary Development Plan (adopted 1996, saved from 18th September 2007 by direction from the Secretary of State) and Policies 3D.14, 4A.3 and 4C.3 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

I. Flood Risk

I1 The development permitted by this planning permission shall only be carried out in accordance with the flood mitigation measures recommended in the "Creative Industries Quarter" Flood Risk Assessment (FRA) revised 2 Final, dated 5 November 2008 by Scott Wilson Limited unless otherwise agreed by the Local Planning Authority

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site. Ensuring the structural integrity of existing and proposed flood defences and reduce the impact and risk of flooding on the proposed development and future occupants in accordance with Policies G33 and G34 of the London Borough of Barking and Dagenham Unitary Development Plan (adopted 1996, saved from 18th September 2007 by direction from the Secretary of State) and Policies 4A.12 and 4A.13

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of the London Plan (Feb 2008, Consolidated with Alterations Since 2004)..

J. Contamination

J1. Works to the relevant Phase of the development hereby approved shall not commence until an investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme shall be submitted to and approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report shall be submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- ground waters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy G28 of the London Borough of Barking and Dagenham Unitary Development Plan (adopted 1996, saved from 18th September 2007 by direction from the Secretary of State) and Policies 3D.14, 4A.3 and 4A.17 and 4A.33 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

J2. Works to the relevant Phase of the development hereby approved shall not commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely

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without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy G28 of the London Borough of Barking and Dagenham Unitary Development Plan (adopted 1996, saved from 18th September 2007 by direction from the Secretary of State) and Policies 3D.14, 4A.3 and 4A.17 and 4A.33 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

J3. The remediation scheme approved pursuant to Condition J2 must be carried out in accordance with its terms prior to the commencement of development other than works required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced prior to the commencement of the development other than works required to carry out remediation, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy G28 of the London Borough of Barking and Dagenham Unitary Development Plan (adopted 1996, saved from 18th September 2007 by direction from the Secretary of State) and Policies 3D.14, 4A.3 and 4A.17 and 4A.33 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

J4. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition J1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition J2 which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared prior to the commencement of the development other than works required to carry out remediation, which is subject to the approval in writing of the Local Planning Authority in accordance with condition J3.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy G28 of the London Borough of Barking and Dagenham Unitary Development Plan (adopted 1996, saved from 18th September 2007 by direction from the Secretary of State) and Policies 3D.14, 4A.3 and 4A.17 and 4A.33 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

K. Archaeology

K1. The development hereby approved shall not commence until a programme of archaeological work, in accordance with a written scheme for investigation that includes

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the recording and historic analysis of building structure, architectural details and archaeological evidence, has been submitted to and approved in writing by the Local Planning Authority. Works to the relevant phase of development shall only take place in accordance with the approved scheme. The archaeological works shall only be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

Reason: As important archaeological remains may exist on site the Local Planning Authority wishes to secure the provision of an archaeological investigation and the recording of any remains prior to commencement of development, in accordance with Policies DE36 and DE37 of the London Borough of Barking and Dagenham Unitary Development Plan (adopted 1996, saved from 18th September 2007 by direction from the Secretary of State) and Policies 4B.15 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

K2 Should the remains of an icehouse be identified on either the Barford Chemicals or Wigzell Engineering sites during the archaeological investigations required by condition K1, the applicant will notify the Local Planning Authority and make such provision on site including but not limited to the erection of a commemorative plaque as the Local Planning Authority shall reasonably require to commemorate its existence.

Reason: As important archaeological remains may exist on site the Local Planning Authority wishes to secure the provision of an archaeological investigation and the recording of any remains prior to commencement of development, in accordance with Policies DE36 and DE37 of the London Borough of Barking and Dagenham Unitary Development Plan (adopted 1996, saved from 18th September 2007 by direction from the Secretary of State) and Policies 4B.15 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

L. Noise and Vibration (Savills seeking advice)

L1. Noise from construction activities shall not exceed 75dB Laeq 10 hour between 8.00 and 18.00 Monday to Friday and shall not exceed 75dB Laeq 5 hour between 8.00 and 13.00 on Saturdays, measured 1 metre from the façade of any occupied building, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity, in accordance with Policy G36 of the London Borough of Barking and Dagenham Unitary Development Plan (adopted 1996, saved from 18th September 2007 by direction from the Secretary of State) and Policies 4A.3 and 4A.20 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

L2. Works to the relevant Phase of the development hereby approved shall not commence until a strategy for noise monitoring at the site perimeter during construction has been submitted to and approved in writing by the Local Planning Authority. The approved monitoring measures shall be implemented and undertaken during the demolition and construction of the relevant Phase of development, unless otherwise agreed in writing by the Local Planning Authority. As a minimum the monitoring shall meet the following requirements:

- a. Continuous monitoring of noise shall be undertaken throughout the construction phase and monitoring shall be at a minimum of 4 locations (1 permanent base station and 3 mobile stations) and the following parameters shall be measured: Laeq 1hr and LA1 1hr;

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- b. Noise results shall be forwarded to the Local Planning Authority within 48 hours of being taken
- c. Construction noise will be assessed using BS5228 (control of noise from construction sites) and best practicable means will be used at all times to minimise noise and vibration from construction.

Reason: In the interests of amenity, in accordance with Policy G36 of the London Borough of Barking and Dagenham Unitary Development Plan (adopted 1996, saved from 18th September 2007 by direction from the Secretary of State) and Policies 4A.3 and 4A.20 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

L3. Works to the relevant Phase of the development hereby approved shall not commence until an acoustic report of on-site plant and machinery noise has been submitted to and approved in writing by the Local Planning Authority. On-site plant and machinery shall not give rise to a BS4142 rating level greater than the background level at the nearest or worst affected property. Where it is considered impractical to meet this noise standard the report shall detail mitigation measures taken to reduce noise to a minimum. The approved scheme shall be implemented prior to the occupation of the relevant Phase of the development and shall permanently retained thereafter. The developer shall certify to the Local Planning Authority that the noise mitigation measures agreed have been installed.

Reason: To protect the amenity of future residents and neighbours, in accordance with Policy G36 of the London Borough of Barking and Dagenham Unitary Development Plan (adopted 1996, saved from 18th September 2007 by direction from the Secretary of State) and Policies 4A.3 and 4A.20 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

M. Air Quality

M1. The relevant Phase of the development hereby approved shall not be occupied until details of any mechanical ventilation or other plant associated with all commercial units within Use Class B1 (business), A3/A4/A5 (food and drink) and D1 (non-residential institutions) unit within the relevant Phase of development has been submitted to and approved in writing by the Local Planning Authority. Such details shall include full specifications of all filtration, deodorising systems, noise output and termination points. Where it is not possible to provide full details of systems to be fitted, details of passive provision of where such facilities are to be fitted shall be provided. Particular attention shall be given to the potential high-level discharge of kitchen extract air and/or the discharge of toxic or odoriferous extract air where a high level of discharge is usually essential. The approved ventilation equipment and/or other plant shall be installed and commissioned prior to occupation of the relevant Phase of the development and shall be permanently maintained in proper working order thereafter to the satisfaction of the Local Planning Authority.

Reason: To protect the amenity of future occupants and / or neighbours, in accordance with Policy G39 of the London Borough of Barking and Dagenham Unitary Development Plan (adopted 1996, saved from 18th September 2007 by direction from the Secretary of State) and Policies 4A.3 and 4A.20 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

N. Waste Management

N1. Works to the relevant Phase of the development hereby approved shall not commence until a Waste Management Strategy has been submitted to and approved in writing by the Local Planning Authority. The Waste Management Strategy shall include the following information:

- a. Details of the sourcing and use of sustainable construction materials;
- b. Details of the amount of construction waste to be produced and re-used on-site;
- c. Details of a strategy for minimising the production of waste both during construction and for the occupied development;
- d. Details of the provision of facilities for the storage and collection of separated wastes (including separated storage of recyclable materials),
- e. Details of an awareness programme for waste management issues for residents and tenants;
- f. Details of the proposed methods for collection and analysis of waste production and materials recovery data; and
- g. Details of service vehicle routing and access points for all commercial units.

The approved Waste Management Strategy shall be implemented at all times during construction and occupation of the relevant Phase, to the satisfaction of the Local Planning Authority.

Reason: To ensure that waste management issues are fully addressed, in accordance with Policy G31 of the London Borough of Barking and Dagenham Unitary Development Plan (adopted 1996, saved from 18th September 2007 by direction from the Secretary of State) and Policies 4A.3, 4A.21, 4A.22 and 4A.28 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

O. Public Realm and Landscaping

O1. Notwithstanding the plans hereby approved, works to the relevant phase of the development hereby approved shall not commence until details of hard and soft landscaping to the areas of public realm within that phase have been submitted to and approved in writing by the local planning authority. The scheme shall include details of:

- a) trees and planting;
- b) surface treatment;
- c) internal and site boundary treatment;
- d) highway design and layout and surface materials;
- e) river wall
- f) river terraces and river edge treatment
- g) street furniture;
- h) public art;
- i) external lighting;
- j) signage and information boards;
- k) management and maintenance

The hard and soft landscaping shall be implemented in accordance with the approved details and thereafter permanently maintained, to the satisfaction of the Local Planning Authority.

The soft landscaping details shall be accompanied with adequate information to

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demonstrate:

- a. the use of suitable native and locally appropriate marginal and aquatic species planting species , which where practical shall be locally sourced;
- b. that planting shall be selected and designed to maximise the habitat available to locally important and protected species.
- c. that rivers walls, inter tidal areas and any other feature of the development located within or against the water edge shall include features that provide habitat for relevant local species associated with such a water environment.
- d. that all landscaping that is intended to be accessible shall be fully accessible and useable by disabled people, including wheelchair users, people with sight impairment and people with prams or pushchairs

The soft landscaping scheme shall be implemented in the first planting season following first occupation. Any plants or trees required as part of the implementation of the condition that die or are removed, damaged or diseased within a period of FIVE years from the substantial completion of the development shall be replaced to the satisfaction of the Local Planning Authority in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent for a variation.

Any trees, shrubs or grassed areas become diseased, damaged or die within the first five years from the date of planting within any part of the development shall be replaced within the next planting season, to the satisfaction of the Local Planning Authority.

Reason: In the interest of design quality, residential amenity, walking, cycling, accessibility, public safety and biodiversity, in accordance with Policies DE1, DE16 and DE177 of the London Borough of Barking and Dagenham Unitary Development Plan (adopted 1996, saved from 18th September 2007 by direction from the Secretary of State) and Policies 3C.18, 3C.21, 3C.22, 3D.14, 4B.1, 4B.2, 4B.3, 4C.11 and 4C.15 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

O2. The relevant phase of the development hereby approved shall not be occupied until details of riparian life saving equipment including grab chains, access ladders and life buoys along the river edge have been submitted to and approved in writing by the Local Planning Authority. The life saving equipment shall be to a standard recommended in the Hayes Report on the Inquiry into River Safety and provided in accordance with the approved details prior to the occupation of any part of the development.

Reason: In the interests of public safety, in accordance with Policy DE16 of the London Borough of Barking and Dagenham Unitary Development Plan (adopted 1996, saved from 18th September 2007 by direction from the Secretary of State) and Policies 4B.1, 4B.2, 4B.3, 4B.6, 4C.11 and 4C.15 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

P. Lighting

P1. Works to the relevant phase of the development hereby approved shall not commence until details of the external lighting to all buildings within that phase have

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been submitted to and approved by the Local Planning Authority. The external lighting shall be provided in accordance with the approved details prior to the occupation of the relevant phase of development and shall thereafter be permanently maintained, to the satisfaction of the Local Planning Authority.

All external lighting shall be designed to prevent light spill into the watercourse or adjacent river corridor habitat. The specifications, location and direction of external artificial lights should be such that the lighting levels within 8m of the top of the bank of the watercourse are maintained at background levels (Lux Level of 0-2).

Reason: In the interest of visual amenity, residential amenity, highway safety and public safety, in accordance with Policy G37 of the London Borough of Barking and Dagenham Unitary Development Plan (adopted 1996, saved from 18th September 2007 by direction from the Secretary of State) and Policies 4B.1, 4B.2, 4B.3 and 4B.6 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

Q. Transport

Q1. Works to the relevant phase of the development, where a new vehicle access is required, hereby approved shall not commence until detailed design drawings and safety audits of the highway layout and site access arrangements have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of highway safety, in accordance with Policies T24, T25 and T27 of the London Borough of Barking and Dagenham Unitary Development Plan (adopted 1996, saved from 18th September 2007 by direction from the Secretary of State) and Policies 3C.16, 3C.18 and 4B.1 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

CASE OFFICER: Will Steadman

Appendix 1: Land ownership and demolition plan
Appendix 2: Site Location Plan
Appendix 3: Proposed Development Layout
Appendix 4: Proposed Elevations and Sections
Appendix 5: Scheme Images
Appendix 6: LBD internal consultation summary