

PLANNING COMMITTEE MEETING: 10th December 2009

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

UDC CASE NUMBER:	LTGDC-09-044-FUL	DATE MADE VALID:	26/06/2009
APPLICATION NUMBER:	09/00476/FUL/LBBD	TARGET DATE:	TBA

APPLICANT:	Lagmar (Barking) Ltd
AGENT:	CB Richard Ellis
PROPOSAL:	Full planning application for development comprising a mixed use scheme for 225 residential units (Class C3) ranging from 3 to 23 storeys in height, 1,333 sq.m of shopping, financial and professional services, restaurants and cafes (Classes A1, A2 and A3), alterations to the highway and ancillary parking and landscaping facilities and services.
LOCATION:	Vicarage Field Shopping Centre, Station Parade, Barking

1. SUMMARY

1.1 On 15 June 2009 Lagmar (Barking) Ltd. submitted a planning application to redevelop Vicarage Fields shopping centre to provide an additional 1,333m² of retail floorspace and 229 residential units within buildings ranging from 3 to 27 storeys in height with associated car parking, alterations to the highway, services and landscaping. Lagmar (Barking) Ltd. is a joint venture between Lagan Homes and Mar Developments. Mar Developments own Vicarage Fields Shopping Centre. The application has been in submitted in full.

1.2 On 13 October and 27 November 2009 the application was revised to reduce the height of the tower from 27 to 23 storeys and reduction in the number of residential units from 229 to 225 and alter the elevation design. The loss of only four residential units has been achieved through more efficient internal planning while achieving policy compliant space standards. The application, and its associated revision, is referable to the Mayor of London. The determination of the application is subject to an agreed Planning Performance Agreement (PPA) between the applicant and the Corporation. The PPA's target determination date will be amended to reflect the delay caused by the submission of, and associated consultation on, amendments.

1.3 The application site includes land owned by Lagmar and an adjacent Post Office. Lagmar has agreed terms to acquire and relocate the Post Office with the redeveloped

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

shopping centre. The Vicarage Fields shopping centre currently provides 12,331m² of retail floorspace over two floors and separate roof top and surface level public car parks accessed via Station Parade and Ripple Road/Vicarage Drive.

1.4 The site is bounded by Station Parade and Barking Station to the north west, St Awdry's Walk and the National Rail and London Underground corridor to the north east, 4 storey office accommodation in Vicarage Drive and the rear gardens of 2 storey Victorian terraced houses in Sunningdale Avenue and St Awdry's Road to the south east and Ripple Road to the south west.

1.5 The site is located outside but at the edge of the Abbey and Barking Town Centre Conservation Area. The Conservation Area includes Station Parade, Ripple Road and Vicarage Drive and adjacent buildings. The site is located within the setting of the 1961 concrete Grade II listed Barking Station Booking Hall fronting Station Parade and the late 18th Century Grade II listed St Margaret's Vicarage at 1 Vicarage Drive. The St. Maragaret's Vicarage now provides office accommodation.

1.6 The application proposes redevelopment to provide:

- Creation of 225 residential units (C3) within buildings A-G;
- Alterations to the shopping centre to provide 1,333m² of new Shops (A1), Financial and Professional Services (A2) and/or Restaurants and Cafes (A1, A2, A3);
- Creation of a new St Awdry's Walk integrated within the shopping centre alterations
- Removal of the Station Parade customer car park access and re-routing traffic via Ripple Road to access the roof top car park (275) and Vicarage Drive to access a new multi-storey car park (202);
- Reduction in customer car parking from 501 to 477 spaces;
- Creation of roof level residential amenity areas.

1.7 The principle of redeveloping the site with a mixed use development to provide new housing and additional retail floorspace is consistent with the adopted Unitary Development Plan, emerging Local Development Framework (LDF) and the London Plan. The proposed internal alterations to the shopping centre will create larger footprint units targeted at conventional anchor tenants. The provision of new housing is compatible with the site's excellent public transport accessibility and location within a major town centre.

1.8 The application proposes a height, scale and form of development that responds appropriately to its context. The 23 storey tower adopts a height that signposts Barking Station and Vicarage Fields shopping centre and exhibits a form and massing that contributes appropriately to the emerging architectural language of tall residential-led buildings within the town centre.

1.9 While concern has been expressed about the impact of the scale of the tower on the setting of the Abbey and Barking Town Centre Conservation Area and the Grade II listed Barking Station booking hall structure, planning policies promote tall buildings within the town centre, and in the location proposed, and the standard of architecture raises no significant objections. Despite its visual presence on the edge of the Abbey and Barking Town Centre Conservation Area and proximity to the listed station booking hall, the tower is not considered to harm their character or appearance to the extent that a refusal of planning permission is justified. While CABE have questioned the rationale behind the elevation designs for a building of this scale, the criticism raised about balcony design, the 'top' of the tower and façade articulation have been partly addressed and are not considered to justify a refusal of planning permission.

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

1.10 The 3 and 5 storey residential blocks located to the rear of the site successfully mark the transition between the shopping centre and the existing residential area to the south without creating undue harm to the setting of the listed St Margaret's Vicarage or the amenity enjoyed by existing residents. While the proposed development does not attempt to form a direct relationship to St Margaret's Vicarage, its setting is preserved. While the rear gardens of properties in St Awdry's Road and Sunningdale Avenue will experience some overlooking, the separation distances between buildings is considered sufficient to prevent an unacceptable loss of privacy and outlook or sunlight and daylight conditions.

1.11 The application proposes notable pedestrian improvements into and through the shopping centre. The closure of the vehicular access between Station Parade and the roof top car park creates the space to provide an enhanced pedestrian entrance into the shopping centre and a step free route through the shopping centre and the town centre's residential hinterland to the south east. This will replace St Awdry's Walk, which is currently accessed from Station Parade via steps and flanks the shopping centre within a poor environment adjacent to the railway corridor. The closure of the vehicular access between Station Parade and the roof top car park will also remove traffic from an area where priority should be given to pedestrians, cyclists and buses seeking access to and interchange with Barking Station.

1.12 While these alterations will remove congestion and conflict between general traffic, buses and pedestrians, and contribute to delivering planned improvements to the public realm and ease of interchange at Barking Station, it also relies on removing a vehicular exit from a service road located to the rear of existing retail units in Station Parade. The Highway Authority has advised that while the proposed solution is not ideal, it is workable with agreement from the owner and occupiers of the shopping parade.

1.13 On balance, and taking into account the planning benefits of the scheme, the removal of the service road exit is not considered to constitute a sufficient reason for refusal. The displaced traffic is proposed to be rerouted via Ripple Lane to a new ramp access to the roof top car park. While this will introduce additional traffic in a part of the town centre designed to give priority to buses and pedestrians, the highway design has been agreed in principle with the Highway Authority and Transport for London and the proposed access alterations are considered to result in a net benefit to the town centre.

1.14 The application proposes 30% affordable housing (on a habitable room basis) and a 62:38 split between social rented and intermediate housing. While this departs from the London Plan and LBBB LDF target of 50% affordable housing on a 70:30 or 60:40 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 reviewed and verified the development appraisal. The level of affordable housing is considered acceptable given scheme viability and the range of planning benefits secured.

1.15 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 refusal of planning permission 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.

1.16 The application provides amenity space in the form of private balconies and communal gardens. With the exception of ten units within block A, every unit within the scheme has

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

access to private balcony space. The application demonstrates an imaginative use of space to ensure that all units within blocks A and B have access to roof top communal garden space located above the shopping centre or multi-storey car park. Blocks C-G are oriented around pedestrian courtyard space.

1.17 The application raises no objections in relation to flood risk, sustainable design and the use of renewable energy.

1.18 The applicant has agreed to contribute a discounted standard charge of £3,000 per unit (£675,000) and to provide Works in Kind towards the Planning Obligations Community Benefit Strategy (POCBS) target of £6,000 per unit (£1,350,000). The agreed Works in Kind comprise a proportion (£675,000) of the cost of providing the new St. Awdry's Walk (£1,200,000). The applicant has submitted a development appraisal to justify the level of financial contribution that can be supported.

1.19 The removal of the car park access and townscape improvements to Station Parade; the alterations to St Awdry's Walk to improve pedestrian access into and through the shopping centre; the townscape improvements to Vicarage Drive and the creation of satisfactorily designed new housing constitute significant planning benefits within a scheme that makes efficient use of a key town centre site. The planning benefits are considered to outweigh concerns about the detailed design of the tower and policy departures relating to housing unit and tenure mix and amenity space.

1.20 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 (see appendices 1, 2 and 3)

2.1.1 The application site is located at the centre of Barking Town Centre and measures 2.5 hectares.

2.1.2 The site is bounded by Station Parade and Barking Station to the north west, St Awdry's Walk and the National Rail and London Underground corridor to the north east, Ripple Road to the south west and 3 storey office development (CosCo House), including the Grade II listed St Margaret's Vicarage and the rear gardens of 2 storey Victorian terraced houses in Sunningdale Avenue and St Awdry's Road and a 2 storey health facility to the south east. St Awdry's Walk is a pedestrian route located between the blank north east elevation of the shopping centre and the railway that links St Awdry's Road and Station Parade. A staircase addresses the level difference between St Awdry's Walk and Station Parade (see appendix 1).

2.1.3 The site is located at the edge of the Abbey and Barking Town Centre Conservation Area. The Conservation Area includes Station Parade, Ripple Road and Vicarage Drive and adjacent buildings. The site is located within the setting of the 1961 concrete Grade II listed Barking Station Booking Hall fronting Station Parade and the late 18th Century Grade II listed St. Margaret's Vicarage at 1 Vicarage Drive. The St. Margaret's Vicarage now provides office accommodation known as CosCo House (see appendix 2).

2.1.4 The site currently accommodates the Vicarage Fields Shopping Centre. The site was

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

previously a sports ground used by Barking Rovers Football Club until 1973. The shopping centre was opened in 1991.

2.1.5 The Vicarage Fields Shopping Centre is accessed from Station Parade and Ripple Road and provides two floors of retail accommodation linked by an atrium (see appendix 3). The lower level of the shopping centre, which is accessed from Ripple Road, trades more successfully than the upper floor, which is accessed from Station Parade. The applicant has advised that the upper floor, which comprises a number of small retail units, requires reconfiguration in order to attract larger retailers. At ground floor level, the shopping centre is anchored by an Asda supermarket.

2.1.6 The shopping centre is served by two car parks. A roof top car park providing 284 spaces is accessed via a ramp from Station Parade and a ground floor car park providing 217 spaces is accessed via Ripple Road and Vicarage Drive and located between the shopping centre and property in Vicarage Drive, St Awdry's Road and Sunningdale Avenue.

2.1.7 The shopping centre is serviced by yards accessed from Station Parade and located to the rear of nos. 12-18 and 24 Station Parade and accessed from Ripple Road and located to the rear of retail units 12-22.

2.1.8 The site benefits from a PTAL of 6b (where 6b is the highest) given its proximity to National Rail, London Underground and bus routes that serve Barking Station and the town centre. Station Parade is a key location for bus, rail and taxi interchange and the pedestrian entrance to the town centre.

2.2 Description of Proposal (see appendix 4)

Overall

2.2.1 Full planning permission is sought for development comprising a mixed use scheme for 225 residential units (Class C3) ranging from 3 to 23 storeys in height, 1,333 sq.m of shopping, financial and professional services, restaurants and cafes (Classes A1, A2 and A3), alterations to the highway and ancillary parking, landscaping, facilities and services.

2.2.2 On 11 November 2008, the Corporation 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 (see appendix 4):

- Creation of 225 residential units (C3) within buildings A-G;
- Alterations to the shopping centre to provide 1,333m² of new Shops (A1), Financial and Professional Services (A2) and/or Restaurants and Cafes (A3);
- Creation of a new St Awdry's Walk integrated within the shopping centre alterations
- Removal of the Station Parade customer car park access and re-routing traffic via Ripple Road to access the roof top car park (275) and Vicarage Drive to access a new multi-storey car park (202);
- Reduction in customer car parking from 501 to 477 spaces;
- Creation of roof level residential amenity areas.

Shopping Centre

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

2.2.4 The application proposes internal alterations to the shopping centre to create larger footprint retail units at ground and first floor (see appendix 4, 5 and 6). The significant alterations are proposed at the upper floor or Station Parade level. The shopping centre will be expanded through the acquisition of the adjacent Post Office at no. 36 Station Parade. This enables the individual units that currently flank the pedestrian entrance from Station Parade to be combined to create a larger retail unit. The individual retail units and toilet facilities located at the south east corner are also proposed to be combined to create a larger retail unit. Replacement toilet facilities will be provided in this location. A new island retail unit will be located between these two units.

2.2.5 The internal alterations also facilitate the creation of a new step free pedestrian access into and through the shopping centre between Station Parade and St. Awdry's Road. This route will replace the existing St Awdry's Walk and provide a more integrated and much improved and overlooked pedestrian and cycle environment. The route will be accessible at all times.

2.2.6 To release land to the south east of the site for new residential development, the existing surface level car park will be removed and replaced with a multi-storey car park abutting the shopping centre.

Block A

2.2.7 Block A is a 23 storey tower (see appendix 5 and 6) providing 162 units for private sale. Pedestrian access is provided direct from Station Parade via a residential lobby positioned between 2 retail units. The upper floors of the tower are set back from Station Parade by 4.5m. The tower has been designed internally to provide 50x1 bedroom units, 84x2 bedroom units and 28x3 bedroom units arranged around a single central core. The tower is sited on a north west-south east axis. The majority of floors accommodate 8 units with each corner flat benefiting from a dual aspect. The tower is served by a third floor semi private amenity space, including a children's playground, located above the shopping centre and adjacent to the customer roof top car park. The semi private amenity space measures approximately 1000m² and is protected from the shopping centre roof and car park by glazed screening and boundary treatment.

2.2.8 The tower is proposed to be constructed using a combination of a curtain wall glazing system, precast concrete cladding, glass reinforced concrete cladding panels, powder coated aluminium window frames, aluminium vent grilles and shading louvres. The submission of details and examples of external materials will be reserved to ensure a high quality finish is achieved.

Blocks B-G

2.2.9 Blocks B-G comprise 6 separate residential blocks located between the rear of the shopping centre and residential properties and office development in Vicarage Drive, St Awdry's Road and Sunningdale Road and currently occupied by a surface level car park (see appendix 5 and 6). The majority of this car park will be re-provided within a multi-storey structure abutting the shopping centre screened by block B.

2.2.10 Block B is a residential block that is oriented south east to front an extended Vicarage Drive and wrap a proposed multi storey car park. The block has a height of 5 storeys and provides 29 units with access to a communal amenity space located above a new multi-storey car park. The block is arranged internally to provide 16x2 bedroom units and 13x3 bedroom units for social rent. 2 storey maisonettes have direct access from Vicarage Drive

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

and 3 independent cores provide access to 2 storey maisonettes located at third and fourth floor and a fifth storey flats. The upper floor units are accessed from the rear and enjoy a dual aspect. The upper floor units benefit from direct access to a semi private amenity space located above the new multi-storey car park.

2.2.11 Blocks C-G are all 3 storey residential buildings located to the rear of existing residential properties in St Awdry's Walk and Sunningdale Avenue and adjacent to Cosco House and the Grade II listed St Margaret's Vicarage. Blocks C, D and F provide 24 intermediate units and blocks E and G provide 10 social rented units. Block G provides seven 3 storey town houses with back gardens.

2.2.12 The blocks are proposed to be constructed using a combination of brick, white render, ceramic balustrades, aluminium window frames and louvres. The submission of details and examples of external materials will be reserved to ensure a high quality finish is achieved.

3. MAIN ISSUES

3.1 The main planning issues for consideration are:

- Land Use
- Building Design
- Built Heritage
- Access, Parking and Servicing
- Housing Density
- Affordable Housing
- Housing Mix
- Housing Size
- Residential Amenity
- Amenity Space
- Children and Young People's Play Space
- Flood Risk
- Energy and Sustainability
- Planning Obligations Community Benefit Strategy

4. RELEVANT SITE HISTORY

On 3 February 2004 the erection of a two storey extension to the shopping centre to provide retail units on ground floor with a health club/retail unit on the first floor and car parking on roof was granted planning permission subject to a Section 106 legal agreement. The Section 106 agreement was never signed and the statutory register shows that no decision was taken (ref: DC/03/00692/FUL).

5. CONSULTATIONS/NOTIFICATIONS

Greater London Authority

5.1 The application is referable under categories 1A and 1C of Part 1 of the Schedule to the Town and Country Planning (Mayor of London) Order 2008.

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

5.2 On 6 August 2009 the Mayor of London issued a Stage 1 report stating that the application does not comply with the London Plan and that further information or amendments are required in relation to (1) the height and design of the tower, (2) the provision of affordable housing, (3) the provision of children's play space and associated access arrangements, (4) the location of proposed wheelchair access units and the extensive use of ramps within the development and particularly along St Awdry's walk, (5) energy demand reduction measures, district heating, combined heat and power, cooling proposals the use of photovoltaics and (6) servicing and access arrangements, the impact on East London Transit services and cycle parking.

5.3 Following an informal presentation, the GLA has indicated that the Mayor of London is content with the revised height and design of the tower and other concerns have been addressed.

London Borough of Barking and Dagenham

5.4 The LBB Development Control Board (DCB) considered the application in its capacity as a statutory consultee on 30 November 2009. The DCB expressed concern about the development rather than agree the officer recommendation that planning permission is granted subject to the Heads of Terms of a S106 Agreement and the planning conditions set out at paragraph 11.1 and section 12 of this report. The minutes of the DCB will be reported verbally at the Committee meeting.

5.5 The officer report to the DCB concluded that LBB's emerging Local Development Framework supports the principle of a residential-led mixed use development that includes a tower of the height proposed and creates design improvement to the shopping centre. The Committee report also comments that the residential development to the rear of the site is well designed, creates a high quality environment and makes efficient use of amenity space. The improvements to the pedestrian environment along Station Parade and St Awdry's Walk are recognised.

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

5.6 Following post-submission discussions with the applicant, TfL and LBB Development Management issued a position statement on 23 October 2009 that concluded the following:

- The proposed use of on-street loading and unloading within Salisbury Avenue to provide servicing to 50-74 Station Parade is considered acceptable on the basis that the servicing strategy and management arrangements are agreed with the owners and occupiers of the retail units and prevent disruption to bus stops on Station Parade.
- The proposed barrier control system would have sufficient capacity to deal with the peak requirements of vehicles wanting to access the car park(s) and its location should ensure that there is sufficient stacking to prevent queuing on Ripple Road;
- The proposed alterations to Ripple Road are considered acceptable subject to detailed design demonstrating that maximum kerb space for bus stopping and manoeuvring is achieved and cars seeking to enter the car parks give priority to buses using Ripple Road.
- The location and number of Advance Warning Information Signs is required to prioritise London Road multi-store car park and deter drivers from using already congestion parts of the town centre.

5.7 Discussions between the applicant, TfL and LBB about the detailed design and

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

operation are reaching a conclusion acceptable to all parties.

Commission for Architecture and the Built Environment (CABE)

5.8 CABE was consulted on the application and the subsequent October 2009 amendments. The following provides a summary of the comments:

- The proactive approach to re-invigorating the shopping centre by refurbishing the existing building and using this opportunity to increase its retail offer and intensify with the introduction of residential dwellings is commended; the changes proposed to internal environment will improve the experience and legibility of the internal route through the shopping centre;
- The proposed scheme maximises the potential of the location and could have the desired regenerative impact on the station and retail quarter of Barking town centre;
- The proposed design responds well to the constraints of the site; the overall distribution of massing and density works well and is an intelligent response to the immediate context.
- The changes proposed to the internal environment of the shopping centre St Awdry's will improve the experience and legibility of internal route through the shopping centre and between the station, the residential part of the development and further south east;
- As St Awdry's Walk will be open 24 hours a day, its management and maintenance strategy should be established;
- The urban design principles driving the design of the residential area around Vicarage Drive appear sound.
- The principle of a tall building in this location is acceptable; the height, proportions and overall form are sound;
- The design of the proposed tower, particularly its position, proportions and point block form work well;
- The vehicular access routes branching off Ripple Road to the car parking and Vicarage Drive work well;
- As the outlook of most flats will be roof top car park, landscape treatment should be used to improve its visual impact.

5.9 On 28 October 2009, CABE made the following detailed comments in response to the revision to the proposed tower:

- The projecting horizontal bands of concrete cladding panel are heavy handed and work against providing elegant proportion and are an expensive detail that will create a 'pigeon ledge';
- Stopping the rhythm of alternating balconies at the upper floors on the long elevation and the changing colour of balconies undermines the verticality of expression;
- The glazed enclosure at the top of the tower does not provide a strong enough

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

termination to the building;

- The microclimate will make the projecting balconies at the higher levels unusable.

5.10 The applicant has responded to CABE comments to confirm that (1) the horizontal concrete cladding panels will and be reduced in depth to correspond with the slab thickness and have a minimal projection from the building façade (2) the rhythm of alternating balconies will be introduced at the upper floors of the tower despite the loss of 6 units and (3) balconies will benefit from glazed screening to address microclimatic conditions.

English Heritage (EH)

Historic Buildings and Areas

5.11 In its consideration of the amended scheme, EH maintain comments made to the application as submitted and objects to the application for the following reasons:

- The proposed tower element relates poorly to the surrounding historic environment;
- The proposal is overbearing in scale in relation to the surrounding development and is detrimental to the character and appearance of the Abbey and Barking Town Centre Conservation Area;
- The architectural relationship between the tower and the Station Parade elevation (including the base of the shopping centre and more importantly the adjoining conservation area terrace) is poorly handled;
- The proposed tower dominates the setting of the station and the station forecourt.

Archaeology

5.12 EH raises no objection to the application and recommends a planning condition that requires archaeological investigations are undertaken in advance of development works in accordance with an approved method statement. See recommended condition K1.

Environment Agency (EA)

5.13 The EA raise no objection to the application and recommends the use of planning conditions that require the details of (1) surface water drainage, (2) site investigation and remediation strategy and (3) foul and surface water discharge to be submitted and (4) a restriction on impact piling. See recommended condition F4, H1 and J1-4.

London City Airport

5.14 LCA advise that the proposed tower does not conflict with its aerodrome safeguarding criteria and recommend the use of a planning condition that requires their notification should cranes or scaffolding be higher than the proposed tower.

Network Rail

5.15 Network Rail no objection to the application subject to (1) being notified of the commencement of development, (2) assurances that any demolition or construction works, including noise and vibration, will not endanger the safe operation of the railway and (3) drainage will not rely on railway culverts or drains.

6. APPLICATION PUBLICITY

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

6.1 Site Notice Expiry: 26/06/2009 and 05/11/09

6.2 Press Notice Expiry: 20/07/2009

6.3 Neighbour Notification

6.3.1 A total of 712 neighbouring properties were consulted on 29 June 2009. 14 letters of representation were received. The application was advertised using four site notices and a press notice. The notices advised that the application is within the setting of the Abbey and Barking Town Centre Conservation Area and Grade II listed Barking Railway Station Booking Hall and St. Margaret's Vicarage.

6.3.2 The material amendments made to the scheme were advertised by a site notice that expired on 5 November 2009.

7. REPRESENTATIONS

7.1 14 letters of objection have been received from residents in Sunningdale Avenue, St Awdry's Road, St. Erkenwald Road, Salisbury Avenue and Longbridge Roadm, an agent acting on behalf of the leasehold owner of the retail units at 50-74 Station Parade and the Post Office at 36 Station Parade. The following provides a summary of the comments raised:

Individual Comment

Response to Comment

1. The current vehicular exit [to Station Parade] from the rear [service road] of 50-74 Station Parade will be removed causing problems for loading and unloading and refuse collection for the existing retail units and have a detrimental effect on the value of the long leasehold interest;

The Highway Authority recommends that while not ideal, the proposed solution is workable with the agreement of the owner and occupiers. See paragraphs 9.36-9.45;

2. The proposed development will remove the existing rear access to 34 Station Parade;

The plans have been revised to illustrate that the access arrangements will remain unchanged;

3. The proposed development will create significant overlooking of Sunningdale Avenue and the surrounding area;

See paragraphs 9.66-9.73;

4. The planning application does not consider the impact of the proposed development on house prices and should not be permitted until this is independently assessed and agreed with local residents;

The impact of the development on house prices is not a material planning consideration;

5. There are no transit paths for site access or an indication of parking location;

This information was submitted with the application and the Highway Authority and Transport for London raise no objection to the proposed access arrangements and parking strategy;

6. There will be significant disruption and

Conditions F1-F3 require the submission

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

overlooking during the construction phase and this requires further assessment and discussion with local residents;

7. St Awdry's Road will be turned from a cul-de-sac into a through route and result in an increase in traffic flows, parking and disturbance inappropriate within a residential area;

8. The proposed development will result in a loss of car parking and open space;

9. The proposed development will generate noise, dirt and disturbance during construction;

10. Barking town centre is overdeveloped and does not require the construction of more tall buildings and new homes;

11. There are inadequate school places and hospitals to support the increase in population;

12. The Post Office should not be disturbed during development and any relocation should be agreed by Post Office Ltd and local residents;

13. The proposed development will result in a loss of outlook and result in development that is insensitive to Barking's history;

of a Construction and Environmental Management Plan, limit the hours of construction and prohibit impact piling;

The proposed development does not propose St. Awdry's Road and Vicarage Drive becoming a through route. General traffic will be unable to use residential streets in order to access the shopping centre car parks. See paragraph 9.43;

The proposed development makes efficient use of brownfield land in accordance with planning policy. While the 'open space' created by the existing car park will be lost, the scheme will provide improvements to the public realm and pedestrian permeability. See paragraph 9.15 and 9.36;

Conditions F1-F3 require the submission of a Construction and Environmental Management Plan, limit the hours of construction and prohibit impact piling;

The principle of redeveloping the site with a tall building to provide additional homes is in accordance with adopted and emerging planning policy relating to Barking town centre. See paragraphs 9.4;

The application makes an appropriate financial contribution in accordance with the Planning Obligations Community Benefit Strategy. This contribution will, along with other financial contributions, be pooled and contribute towards funding the public services necessary to support the increase in population. See paragraph 9.102;

The applicant has agreed terms with the Post Office to acquire the land and relocate the business within the shopping centre. See paragraph 1.3;

While the proposed development will constitute a significant change to the townscape and appearance of Barking town centre and affect the outlook of existing residential properties, it not considered to result in a level of harm that justifies a refusal of planning permission.

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

See paragraphs 9.30-9.35;

14. The proposed development will impact on TV and Radio reception; See condition R1;

15. The proposed development will result in a loss of outlook and sunlight and daylight to properties in Salisbury Avenue; While the proposed development will create a net reduction in outlook and sunlight and daylight conditions to some properties in Salisbury Avenue, it is not considered to result in a level of harm that justified a refusal of planning permission. See paragraphs 9.66-9.73;

16. The town centre is over provided with catering facilities; While the application seeks planning permission for Class A3 uses (restaurant and cafes) it does not seek planning permission for Class A5 uses (hot food take-away). The addition of A3 uses within the shopping centre is limited to the food hall proposed on the second floor and overlooking the new St. Awdry's Walk. This is considered to be an appropriate use and design response;

17. Investment should be directed towards London Road and North Street sites; This is not a material planning consideration. This planning application has to be considered in isolation and on its merits;

18. The development needs to include green roofs, living walls and tree planting in order to adapt to climate change and urban heat island effect. See condition E1.

8. RELEVANT PLANNING POLICY

8.1 Planning Policy Guidance

Planning Policy Statement 1	Delivering Sustainable Development
Planning Policy Statement 3	Housing
Planning Policy Statement 6	Planning for Town Centres
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 Guidance 24	Planning and Noise
Planning Policy Statement 25	Development and Flood Risk

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

Policy 2A.1	Sustainability criteria
Policy 2A.2	The spatial strategy for development

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

- Policy 2A.5 Opportunity Areas
- Policy 2A.7 Areas for Regeneration
- Policy 2A.8 Town Centres
- Policy 2A.10 Strategic Industrial Locations
- Policy 3A.1 Increasing London's supply of housing
- Policy 3A.2 Borough housing targets
- Policy 3A.3 Maximising the potential of sites
- Policy 3A.5 Housing choice
- Policy 3A.6 Quality of new housing provision
- Policy 3A.7 Large residential developments
- Policy 3A.8 Definition of affordable housing
- Policy 3A.9 Affordable housing targets
- Policy 3A.10 Negotiating affordable housing in individual private residential and mixed-use schemes
- Policy 3B.11 Improving employment opportunities for Londoners
- Policy 3C.1 Integrating transport and development
- Policy 3C.2 Matching development to transport capacity
- Policy 3C.3 Sustainable transport in London
- Policy 3C.9 Increasing the capacity, quality and integration of public transport to meet London's needs.
- Policy 3C.14 Enhanced bus priority, tram and busway transit schemes
- Policy 3C.17 Tackling congestion and reducing traffic
- Policy 3C.20 Improving conditions for buses
- Policy 3C.21 Improving conditions for walking
- Policy 3C.22 Improving conditions for cycling
- Policy 3C.23 Parking strategy
- Policy 3C.24 Parking in town centres
- Policy 3D.1 Supporting town centres
- Policy 3D.2 Town Centre Development
- Policy 3D.3 Maintaining and improving retail facilities
- Policy 3D.8 Realising the value of open space and green infrastructure
- Policy 3D.13 Children and young people's play and informal recreation strategy
- Policy 3D.14 Biodiversity and nature conservation
- Policy 4A.1 Tackling climate change
- Policy 4A.2 Mitigating climate change
- Policy 4A.3 Sustainable design and construction
- Policy 4A.4 Energy assessment
- Policy 4A.5 Provision of heating and cooling networks
- Policy 4A.6 Decentralised Energy: heating, cooling and power
- Policy 4A.7 Renewable energy
- Policy 4A.9 Adaptation to climate change
- Policy 4A.10 Overheating
- Policy 4A.11 Living Roofs and Walls
- Policy 4A.12 Flooding
- Policy 4A.13 Flood risk management
- Policy 4A.14 Reducing noise
- Policy 4A.19 Improving air quality
- Policy 4B.1 Design principles for a compact city
- Policy 4B.2 Promoting world-class architecture and design
- Policy 4B.3 Enhancing the quality of the public realm
- Policy 4B.5 Creating an inclusive environment
- Policy 4B.6 Safety, security and fire prevention and protection
- Policy 4B.8 Respect local context and communities

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

Policy 4B.9 Tall buildings – location
Policy 4B.10 Large-scale buildings – design and impact
Policy 4B.12 Heritage Conservation
Policy 4B.13 Historic conservation-led regeneration
Policy 4B.15 Archaeology
Policy 5C.1 The strategic priorities for North East London
Policy 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 S8	Food and Drink Uses
Policy S12	Rear Servicing
Policy S13	Extensions to Retail Premises
Policy E4	Access For People With Disabilities
Policy E6	Employment Promotion
Policy BTC1	Town Centre
Policy BTC12	Environmental Improvement
Policy G28	Contaminated Land
Policy G31	Waste Re-Use and Recycling
Policy G32	Litter and Fly tipping
Policy G33	Flooding
Policy G34	Flooding
Policy G36	Noise and Vibration
Policy G37	Light and Dust Pollution
Policy G38	Water Pollution
Policy G39	Air Pollution
Policy G46	New Developments
Policy G47	Trees in the Urban Area
Policy G67	Footpaths/Rights of Way/Green Chains
Policy DE1	Urban Design
Policy DE2	Microclimate
Policy DE3	Nature Conservation and the Built Environment
Policy DE6	Safety and Security
Policy DE7	High Buildings
Policy DE8	Views and Vistas
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

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

Policy DE26	Acceptable Development in Conservation Areas
Policy DE28	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 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 T21	Road Hierarchy
Policy T24	New Road Layout
Policy T25	Alterations to the Road Network
Policy T27	New Vehicle Accesses
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 CR4	Flood 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
Policy CP2	Protecting and Promoting our Historic Environment
Policy CP3	High Quality Built Environment

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 BR13	Noise Mitigation
Policy BR14	Air Quality
Policy BR15	Sustainable Waste Management
Policy BC1	Delivering Affordable Housing

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

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 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 2009)

Policy BTC1	Additional Shopping Floorspace
Policy BTC7	Improving Public Transport
Policy BTC8	Traffic Management
Policy BTC10	Pedestrian Movement
Policy BTC11	Cycling Facilities
Policy BTC12	Off Street Public Car Parking
Policy BTC13	Housing Supply
Policy BTC14	Affordable Housing
Policy BTC16	Urban Design
Policy BTC17	Tall Buildings
Policy BTC18	Public Realm
Policy BTC19	Heritage and the Historic Environment
Policy BTC20	Parks, Open Space, Play Areas and Tree Planting
Policy BTC22	Sustainable Energy
Policy BTC23	Developer Contributions

The application site falls within BTCAAP site allocation 10 and proposes up to 2,500m² of additional shopping floorspace and 250 new homes.

8.7 Barking Town Centre Area Action Plan Urban Design Guidance (Supplementary Planning Document) (Consultation Draft June 2009)

The Urban Design Guidance includes site specific guidance for the application site and requires the following:

- A review of car parking and servicing arrangements to encourage a more efficient use of the site and a reduced impact on the local road system;
- Redevelopment to provide an appropriate response to its location opposite Barking station;
- A tall building on the Station Parade frontage;
- Improvements to pedestrian movement through the Shopping Centre and to St Awdry's Walk;
- Enhanced integration with the town centre;
- A sympathetic relationship with existing residential development.

8.8 Other Relevant Planning Policy

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

- CABE and English Heritage “Guidance on Tall Buildings” (July 2007)
- London Thames Gateway Development Corporation Planning Obligations Benefit Strategy (March 2008)
- Mayor of London Supplementary Planning Guidance (Housing) (November 2005)
- Mayor of London Supplementary Planning Guidance (Sustainable Design and Construction) (May 2006)
- Mayor of London Supplementary Planning Guidance (Providing for Children and Young People’s Play and Informal Recreation) (March 2008)

9. ASSESSMENT OF MAIN ISSUES

Land Use

9.1 The principle of redeveloping the site with a mixed use development comprising retail and residential uses is established by planning policies adopted in the London Plan, Unitary Development Plan (UDP) and Pre-Submission Local Development Framework (LDF) documents.

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. 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. The UDP inset map locates the site within a Prime Retail Frontage and adjacent to the Abbey and Barking Town Centre Conservation Area.

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: Vicarage Fields, and identifies additional shopping floorspace and new housing as proposed land uses. The BTCAAP identifies the area around the station as particularly appropriate for tall buildings.

9.5 The site’s existing use, location within Barking Town Centre and proximity to Barking Station lends itself to the provision of additional retail floorspace and new housing. The principle of the proposed development is supported by adopted and emerging strategic and local planning policies.

Building Design

9.6 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.

9.7 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.

9.8 London Plan Policy 4B.10 requires large scale buildings to be of the highest quality and design and in particular to (1) be suited to their wider context in terms of proportion and

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

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.

9.9 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. 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.

9.10 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.

9.11 The application proposes modifications to create additional retail floorspace and improve access into and through the shopping centre (St Awdry's Walk) and create residential blocks in the form of a 23 storey tower (Block A) above the shopping centre and six 3-5 storey buildings (Blocks B-G) on land currently used as a surface level car park.

Shopping Centre

9.12 The application proposes expansion and internal reorganisation of the shopping centre to create larger footprint retail units at both ground and upper floor. The most significant alterations are proposed at first floor, from which direct access is achieved from Station Parade. The creation of additional floorspace is facilitated by removing the ramp providing vehicle access to the roof top car park and acquiring the adjacent Post Office site at no. 36 Station Parade. The implications of removing the ramp are discussed at paragraphs 9.36-9.45 of this report.

9.13 The proposed expansion and internal reorganisation enables the existing retail units flanking the pedestrian route from Station Parade to be combined to create a larger retail unit. The individual retail units and toilet facilities located at the south east corner are also proposed to be combined to create a larger retail unit. A new island retail unit will be located between these two units. The refurbishment and extension of the shopping centre is both needed and welcomed given the changing character of Barking town centre itself.

9.14 The alterations also deliver townscape and environmental improvements to the Station Parade frontage and its access into and through the shopping centre. The shopping centre will benefit from a more generous and contemporary designed entrance, while traffic seeking access to the roof top car park will be removed from this section of Station Parade. This will bring benefits to bus, taxi and pedestrian priority.

9.15 The application also proposes replacing the surface level car park to the south east of the shopping centre with a multi-storey facility in order to release land for enabling residential development. This represents a more efficient use of the site and the potential to

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

create an improved transition between the shopping centre and the adjacent residential area.

St Awdry's Walk

9.16 As part of the improvements proposed for the Station Parade entrance, the application proposes enhancing the shopping centre entrance and replacing the existing St Awdry's Walk with a pedestrian route that is fully integrated with the upper level of the shopping centre. This provides a much more attractive and step free route into and through the shopping centre to other parts of the town centre and the residential area south east. The route will replace the existing link between Station Parade and St. Awdry's Road. The route has been designed to enable access at all times and during hours when the shopping centre is closed.

9.17 The application proposes a stair and ramp arrangement to address the level change between the upper level of the shopping centre and St Awdry's Road. This section of the new St Awdry's Walk will flank the new multi-storey car park and residential block B. The alignment and design of this space helps establish a pedestrian vista and desire line between this route into and through shopping centre and St Awdry's Road. It constitutes a successful design response to a challenging part of the site. While there is some concern about the extent to which this space is overlooked, it represents a considerable improvement to the existing route, which provides a direct route from an established residential area to the station and bus services and access to the shopping centre.

9.18 The existing St Awdry's Walk, which is located between the flank wall of the shopping centre and the adjacent rail corridor, and only accessible via steps to and from Station Parade, offers a poor environment for pedestrians. It is not overlooked and provides an inhospitable space for pedestrians and cyclists. The existing route is proposed to be 'stopped up' as public highway, with the new route managed and maintained by the applicant as part of the shopping centre. The proposed route represents a significant environmental improvement to both the shopping centre and the permeability of the town centre.

Development Block A

9.19 Block A is a residential point block that rises out of the shopping centre to a full height of 23 storeys. The tower is accessed from Station Parade and its lower two floors are within the structure of the shopping centre. A combination of single and dual aspect residential accommodation is served by a central access core. The scheme amendments have resulted in the number of predominantly north facing units from 2 to 1 per floor.

9.20 The height, form and proportion of the tower are considered to respond appropriately to the site location and surrounding context. It is noted that CABE support the scheme in this regard.

9.21 The architect has sought to complement the emerging architectural language of tall buildings within the town centre by proposing a simple building form and façade treatment that provides visual elegance, interest and balance. The architect has sought to create an elegant proportion by offsetting the verticality of the building with the use of horizontal bands at alternate floors. While this expression is considered by CABE to be heavy handed and undermining the vertical expression, their depth can be reduced to the thickness of the slab and their projection is minimal and not as significant as some images suggest.

9.22 The architect has sought to achieve a balance between visual interest and coherence

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

through the seemingly random arrangement of glass reinforced concrete cladding panels, aluminium vent grilles and projecting balconies. The rhythm of alternating balconies on both long and short elevations helps realise this design principle. This is achieved less successfully on the long elevations given the internal arrangement of flats.

9.23 The need to balance scheme viability with an acceptable building height and form has seen the architect maximise the number of units per floor. This has resulted in the provision of open and projecting balconies. While a design based on the use of recessed balconies would create an amenity space that is more usable and adaptable to the microclimatic conditions experienced as you move up the building, the addition of glazing screens will act as wind break. This is a missed opportunity to create a higher standard of residential accommodation but does not, in itself, represent a refusal of planning permission.

9.24 The proposed palette of materials is considered appropriate to the type and scale of building. It is recommended that a planning condition be used to require the applicant to submit the detailed elevation designs for approval prior to implementation of the scheme.

Development Blocks B-G

9.25 Block B is a 5 storey residential block that wraps the new multi storey car park and creates a successful transition between the shopping centre and existing and proposed residential development to the south east. The block is designed to adopt the scale and character of contemporary town houses and proposes the use of brick and white render. The rendered elements are used on the projecting two storey elements to articulate the block and create a domestic building scale.

9.26 The block successfully defines and encloses an extension to Vicarage Drive and provides a strong termination to St Awdry's Road and point of entrance to St. Awdry's Walk and the extended Vicarage Drive. Vicarage Drive is designed as a shared surface where pedestrian activity has priority over vehicle movements. Vehicle movements will be limited to refuse collection, residential deliveries and service vehicles and access to plant and machinery located along the north east edge of the shopping centre. Given the proximity of the block to existing 2 storey housing in St. Awdry's Road and the proposed 3 storey blocks C and D, the block has been designed to reduce its visual impact by recessing the fifth floor.

9.27 Blocks C-G are 3 storey residential blocks that adopt simple forms oriented around a series of communal courtyard spaces and children's play space. The blocks are proposed to be constructed using a combination of brick and white render. Given their proximity to the Grade II listed St Margaret Vicarage, blocks C and E adopt a siting, scale and appearance that is sympathetic to the its architecture and setting. Given their proximity to existing properties in St Awdry's Walk and Sunningdale Avenue, block D, F and G adopt a siting, scale and appearance that respect the scale and architecture of surrounding properties and minimises amenity impacts. Blocks C and G are considered to exhibit a layout, form, scale and appearance that respond appropriately to the site context.

9.28 The application is considered to be in accordance with Policies DE1, DE6, DE7, DE8, DE24, DE25, DE26 and DE28 of the Unitary Development Plan, Policy CP3 of the Core Strategy Pre-Submission Report, Policies BP2, BP4 and BP11 of the Borough-Wide Development Policies Pre-Submission Report and Policies 4B.1, 4B.2, 4B.3, 4B.8, 4B.9, 4B.10, 4B.12 and 4B.13 of the London Plan.

Built Heritage

9.29 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

Local Planning Authorities, in considering planning application affecting a conservation area to pay special attention to the desirability of preserving or enhancing the character of appearance of the area. Strategic Policy R requires development to maintain and enhance listed building and 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 development adjacent to a Conservation Area to be designed to be in harmony in size, form and materials with the Conservation Area.

9.30 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.

9.31 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities, when considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting. The application is located at the boundary of the Abbey and Barking Town Centre Conservation Area and within the setting of the Grade II and listed Barking Station booking hall structure and Grade II listed St Margaret's Vicarage.

9.32 Barking Station entrance is located north of the site on the opposite side of Station Parade. The station booking hall was built in 1961 and displays a bold architectural statement typical of its time. While the tower will dominate the experience of arriving at or departing from the station, its overall scale, proportion and architectural expression are not considered to result in significant harm to the setting of the station booking hall. Furthermore, the removal of the vehicular ramp that currently provides access to the roof top public car park, and its associated traffic generation, in combination with improvements to the Station Parade building façade, create improvements that offset any concern about the visual impact of a tall building in the location proposed. As such the setting of the listed booking hall is considered to be preserved.

9.33 The former St Margaret's Vicarage is located to the south east of site and adjacent to the existing surface level car park. Constructed in the late 18th Century, St Margaret's Vicarage is a 3 storey building constructed of stock brick. The land to the north east of the Vicarage remained undeveloped until used as a surface level car parking to serve the shopping centre. St Margaret's Vicarage has been more recently extended to provide addition office accommodation. The extensions function as 'wings' to the former Vicarage and adopt a matching architectural style. A car park within the site separates the listed building from the site boundary by a minimum of 18m. This separation distance, enables the 3 storey blocks C and E to be sited close to the site boundary without harming the setting of the listed building. Furthermore, blocks C and E adopt a height, orientation and appropriate use of materials. As such the setting of the listed former Vicarage is preserved.

9.34 Given the existing and emerging policy support for tall buildings within the town centre and the standard of architecture proposes, the objection received by English Heritage is not considered sufficient to support and a refusal of planning permission.

9.35 The application is considered to be in accordance with Strategic Policy R, Policies DE24, DE25, DE26 and DE28 of the Unitary Development Plan and Policy BP2 of the Borough-Wide Development Policies Pre-Submission Report and Policies 4B.12 and 4B13 of the London Plan.

Access, Parking and Servicing

9.36 The application proposes alterations to the existing customer car park access and servicing arrangements and a reduction in customer car parking spaces from 501 to 477. Residential car parking is limited to disabled spaces given the proximity to town centre services and public transport. Under the existing arrangements customers access a roof top car park via a ramp from Station Parade and an alternative surface level car park via Ripple Road and Vicarage Drive. The Station Parade access also duplicates as an exit from an existing service road to the rear of retail units at 50-74 Station Parade. This service road operates one-way from Salisbury Avenue to Station Parade. Servicing these units is prohibited directly from Station Parade due to the existence of a number of bus stops.

9.37 The shopping centre is currently serviced in two separate locations: to the rear of 18-34 Station Parade via an access between 12-18 and 24 Station Parade and to the rear of the shopping centre via an access between its Ripple Road façade and 13-15 Ripple Road.

9.38 The application proposes complete removal of the Station Parade ramp and access in order to accommodate additional retail floorspace and create pedestrian access improvements into the shopping centre and along the new St Awdry's Way. Customers seeking to access the existing roof top car park and proposed multi-storey car park on the site of the existing surface level car park will be routed via Ripple Lane. Access to the roof top car park will be via a ramp that will replace the existing service yard access from Ripple Road. The new multi-storey car park, in addition to the retained service yard, is proposed to be accessed via Vicarage Drive. While it is disappointing that the two car parks have not been linked, and served by a single vehicular access/egress, the displacement of traffic from Station Parade is supported given the environmental and public transport benefits it delivers.

9.39 The environmental and public transport benefits of closing the Station Parade ramp and access is, however, at the cost of removing the ability of vehicles to exit the one-way service road that exists to the rear of retail units at 50-74 Station Parade. The width of the service road prevents vehicles from performing a three-point-turn to exit via Salisbury Avenue. The applicant and the agent acting on behalf of the leaseholder has advised that the retail units are likely to enjoy a 'prescriptive right of way' by virtue of the length of time the arrangement has been in place and openly used.

9.40 To mitigate the impact of removing the 'prescriptive right of way' the applicant has, at the request of LBBB, undertaken a survey of the existing servicing patterns in support of a proposal to rely on an on-street loading bay located on Salisbury Avenue. Under this arrangement, goods would be required to be transferred by trolley to each retail unit. The applicant concludes that in an average week, 98 vehicles load and unload on Salisbury Avenue without routing along the rear service yard, 78 vehicles use the rear service road and 20 use an existing loading bay on the north site of Station Parade. The applicant states that the number of vehicles directly impacted on by the proposed development is limited to 7-8 per day. While LBBB Transport Development Management describes the proposed solution as not very practical, they concede that it is a workable plan that can have minimal potential impact on the existing highway if the existing owner and occupiers agree to the arrangements. It is noted that LBBB Waste and Recycling Policy Manager do not object to the application.

9.41 LBBB and TfL raise no objection to the trip generation impact of the development on surrounding highway capacity. While there are significant advantages to removing shopping centre generated traffic from Station Parade, it will be rerouted via Ripple Lane and into a

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

short section of road north of Vicarage Drive previously identified as bus and pedestrian only. While TfL and LBBB recognise that a trade off exists between Station Parade and Ripple Road, the highway alterations required to accommodate shopping centre generated traffic need to ensure buses retain priority and pedestrians are not compromised.

9.42 The applicant has demonstrated that there is sufficient capacity on the approach ramp to reduce the risk of vehicles queuing on Ripple Road and has progressed a highway design that gives buses a right of way along Ripple Road. It is recommended that a planning condition is used to ensure the detailed highway design, including layout, vehicle tracking, surface materials, traffic management, car park management and advanced warning signage, is agreed with LBBB and TfL. It is noted that TfL prefer the use of the Vicarage Drive multi-storey car park to be given priority over the roof top car park.

9.43 Vicarage Drive provides access to the proposed multi-storey car park, residential blocks B and G and plant and machinery located along the north eastern edge of the shopping centre. Traffic will be unable to access Vicarage Drive from St. Awdry's Road to prevent traffic flowing through a residential area to access the multi-storey car park. St Awdry's Walk will continue to operate as is currently does. The 23 storey tower will be serviced using the shopping centre service yard accessed between 18-34 Station Parade.

9.44 The townscape, environmental and public transport benefits associated with removing the Station Parade access and ramp are considered to outweigh the impacts associated with the rear servicing to 50-74 Station Parade and rerouting traffic via Ripple Road. The replacement servicing arrangements for 50-74 Station Parade are considered workable. In the event that planning permission is granted, the applicant will be required to agree acceptable terms with the owner and occupiers of 50-74 Station Parade before development can proceed.

9.45 The proposed access and servicing arrangements are considered to be in accordance with Policies 3C.9, 3C.14, 3C.17, 3C.20, 3C.21, 3C.22 and 3C.23 of the London Plan, Policies T12, T17, T19, T24, T25, T27, T32 of the Unitary Development Plan and Policies BT7, BTC8, BTC10, BTC11 and BTC12 of the Barking Town Centre Area Action Plan Preferred Options Report.

Housing Density

9.46 The application site measures 2.5 hectares. The application proposes redevelopment to provide 229 units and 662 habitable rooms resulting in a density of 91 units or 265 habitable rooms per hectare.

9.47 The site has an existing PTAL (Public Transport Accessibility Level) of 6b (where 6b is the highest) given its proximity to rail services and bus routes that can be accessed at Barking station.

9.48 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.

9.49 The proposed density of 91 units or 265 habitable rooms per hectare places the site within a density range (200-700hr/ha) considered appropriate for development within an urban setting and having a PTAL (Public Transport Accessibility Level) of between 4 and 6. An area falling within an urban setting is expected to accommodate predominantly dense

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

development located within 800m of a Major Centre. As the application site includes the footprint of the shopping centre, the housing density appear low. If a residential density was calculated for the areas of the site accommodating blocks A-G, the resultant housing density would relate closer to that promoted by planning policy.

9.50 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 pedestrian access improvements between Barking station and to and through the shopping centre. The application is considered to be in accordance with Policy 3A.3 and 3C.1 of the London Plan and Policy BP10 of the Borough Wide Development Policies Pre-Submission Report.

Affordable Housing

9.51 London Plan Policy 3A.9 seeks 50% affordable housing based on a split between 70% social rented and 30% intermediate provision. 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. The proposed revised London Plan, currently out to consultation, removes the 50% target and proposes a 60% social rented and 40% intermediate split.

9.52 Policy CC1 of the Core Strategy Pre Submission Report 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.

9.53 The application proposes 30% affordable housing on a habitable room basis. The application proposes a 62:38 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.

9.54 The applicant has submitted a development appraisal in support of the affordable housing offer. The development appraisal has been verified by the Corporation. Given scheme viability and the wider planning benefits of the application, the amount of affordable housing is considered to be in accordance with Policy 3A.9 of the London Plan and Policy CC1 of the Core Strategy Pre-Submission Report and Policy BC1 of the Borough Wide Development Policies Pre-Submission Report.

Housing Mix

9.55 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. UDP Policy H8 requires development to provide a housing mix that meets the needs of the area and responds to market considerations.

9.56 Policy CC2 of the Core Strategy Pre-Submission document targets 40% family housing (3+ bedrooms) and the 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 and informal recreation. 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.

9.57 The application proposes the following housing mix:

Unit Type	Private	Intermediate	Social	Total
1-bed	50 (31%)	18 (75%)	-	68 (30%)
2-bed	84 (52%)	6 (25%)	19 (49%)	109 (48%)
3-bed	28 (17%)	-	13 (33%)	41 (19%)
4-bed	-	-	7 (18%)	7 (3%)
Total	162 (72%)	24 (11%)	39 (17%)	225

9.58 The table shows that 78% of the development is comprised of one and two bedroom units. The proportion of family sized units is restricted to only 22% of the total number of units. It is noted that 52% of units within blocks B-G are designed for upwards of 4 persons.

9.59 However, it is acknowledged that the site location and character does not lend itself to a form of development form that can accommodate a significant amount of family housing. The need to imaginatively respond to the presence of the existing shopping centre requires a development form that is more suited to flatted accommodation as opposed to the creation of traditional family housing typologies. Where the opportunity exists to provide larger units with access to usable outdoor space, they have been provided. The applicant has submitted a toolkit and open book appraisal in support of the application. This has been independently verified by the Corporation.

9.60 While the mix of housing is below that sought by London Plan and LBBB 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 and in accordance with Policy 3A.5 of the London Plan, Policy H8 of the Unitary Development Plan and Policy CC2 of the Core Strategy Pre-Submission Report.

Housing Size

9.61 The draft Mayor of London's London Housing Design Guide requires minimum internal space standards to be achieved for new flats and houses. The following table shows that the scheme compares favourably with the minimum policy standard.

	House type	Minimum GIA (sqm)	Proposed scheme (sqm)
Flats	1b2p	50	50.9 - 55.7
	2b3p	61	58.9
	2b4p	70	71.7 - 72.5
	3b4p	74	81.9 - 87.4
	3b5p	86	88.2 - 91.4
3 storey house	4b6p	113	104.5

9.62 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. The Design and Access Statement confirms that the majority of rooms achieve the emerging policy standards.

9.63 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.

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

9.64 All units compare favourably against 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).

9.65 The application proposes units sizes that are compliant with a range of standards being applied to new development. The application is considered to be in accordance with the draft Mayor of London Housing Design Guide, Policy H16 of the UDP and Policy BP6 of the Borough-Wide Development Policies Pre-Submission Report.

Residential Amenity

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

9.67 UDP Policy H14 requires new development to ensure that sufficient distance is achieved between windows to habitable rooms to allow adequate privacy. In circumstances where windows face onto a flank wall, it is recommended that a minimum 12m separation is achieved. The policy also requires adequate sunlight and daylight conditions to be afforded to all existing and proposed dwellings and refers to the Building Research Establishment (BRE) criteria for assessing the sunlight and daylight impact of new development on existing buildings.

9.68 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.

9.69 The part of the site accommodating residential block C-G shares a boundary with existing 2 storey Victorian terraced housing in St. Awdry's Road and Sunningdale Avenue and the 4 storey office development (CosCo House) comprising the listed St. Margaret's Vicarage. The north east facing flank walls of the 3 storey blocks D, F and G are sited adjacent to the boundaries of the rear gardens of 143-157 St Awdry's Walk. The separation distance between these flank walls and the rear elevations of the nearest house ranges from 15-17m. An objection has been received from one of the occupiers. The flank wall of block D includes secondary windows to kitchen/living rooms. The flank wall of block F has no window openings. The flank wall of block G has secondary windows to a kitchen, a living room and bedrooms. While the flank wall elevations currently indicate window openings, it is recommended that a planning condition is used to ensure the detailed design, and glazing type, does not create an unacceptable loss of privacy.

9.70 The south east facing rear elevation of Block G is positioned 6m from the boundaries of the rear gardens of properties in Sunningdale Avenue. The separation distance between rear elevations ranges from 21 to 24m. While the rear depth is below that recommended by planning policy (12m) and will cause some loss of privacy to existing rear gardens, the overall separation distance is considered sufficient to prevent unacceptable levels of sense of enclosure and loss of outlook and privacy experienced by existing residents.

9.71 A combination of the height of blocks D, F and G and the separation distance between the rear elevations of existing properties is not considered to result in any significant reduction in sunlight and daylight conditions experienced by existing residents. The applicant has submitted a Sunlight and Daylight Assessment that concludes that the scheme has a minor impact on surrounding properties.

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

9.72 The height and siting of Block A where it terminates St. Awdry will cause some loss of privacy to the rear garden of 157 St. Awdry's Walk. This is, however, limited to what is considered tolerable levels given the separation distance of 10-12m created by Vicarage Drive which increases by recessing the upper floors.

9.73 The application is considered to be in accordance with Policies 4B.1 and 4B.10 of the London Plan and Policy BP8 of the Borough Wide Development Policies Pre-Submission Report.

Amenity Space

9.74 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.

9.75 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 20m² and 2+ bedroom flats to provide 40m² and 4 bedroom houses to provide 75m² 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 7,645m² of private and/or communal amenity space.

9.76 The application provides a total of 6,1201m² of amenity space.. This is provided in the form of private and communal amenity space (4,051m²), including children's place space, and private balconies and gardens. With the exception of ten units located at 3rd and 4th floor every unit within block A benefits from access to private balcony space or winter garden measuring between 4.3 and 10.4m² in size. The 3rd and 4th floor units do however benefit from their proximity to the roof top communal garden (1,011m²). The use of projecting balconies on a tall building, as opposed to part-recessed within the building frame in order to create a more protected and versatile space, is considered a design weakness.

9.77 All units within Blocks B have access to a private balcony and a communal garden (1,953m²) located above the multi-storey car park. The ground floor maisonettes include a first floor private balcony measuring 4.8m². The 3rd floor maisonettes include a private balcony measuring 4.2m² and defensible space at the entrance threshold. The 5th floor flats enjoy access to a generous terraces.

9.78 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 every units to have access to private 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.

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

Children's Play Space

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

9.80 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 a benchmark standard 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 90 (35 x 0-4; 34 x 5-11; 21 x 12+). In the event that existing play space provision is deficient within proximity of the site, the development would be required to provide 900m² of designated play space.

9.81 The application proposes designated play space for 0-5 and 5-11 year olds adjacent to Block A (approximately 200m²) and between blocks C and E (approximately 100m²). In addition, opportunities for play are provided within the communal gardens serving blocks A and B (1,953m²). It is recommended that a planning condition is used to require the detailed design of these play spaces to be submitted for approval. It is acknowledged that Abbey Green provides other facilities for children aged between 0-11, and those aged 12+, within 800m of the site.

9.82 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.

Flood Risk

9.83 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.

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

9.85 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 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.

9.86 The site is located within Flood Risk Zone 3. The Environment Agency raises no objection to the impact of the development on flood risk. The application is considered to be in accordance with Policies 4A.12 and 4A.13 of the London Plan, Policies G33 and G334 of the Unitary Development Plan and Policy CR4 of the Core Strategy Pre-Submission Report.

Energy and Sustainability

9.87 Policy 4A.3 of the London Plan and Policy BR1 of the Borough Wide Development Policies requires development to meet a high standard of sustainable design and construction. Policies 4A.5, 4A.6 and 4A.7 require the use of heating and cooling networks, decentralised heating, cooling and power and renewable energy within major developments. Beyond reducing carbon emissions through the use of energy efficient construction techniques, the London Plan and Mayor's Energy Strategy seeks 20% of energy demands to

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

be achieved through the use of on-site renewable energy technologies.

9.88 To reduce carbon emissions the application proposes to adopt sustainable design and construction principles. The scheme has been designed to avoid the need for mechanical ventilation and reduce heat loss through the insulation of walls, floor and roofs. The application proposes the use of two combined heat and power plants and compatibility to connect to the proposed Barking District Heating Network. A combination of photovoltaic cells and wind turbines are proposed to provide on-site renewable energy. The future connection to the Barking District Heating System will increase the use of renewable energy in meeting the energy demands of the development.

9.89 As currently designed, the proposed development will achieve a very high Code for Sustainable Homes of Level 3 (CfSH). While this departs from planning policies that target a CfSH Level 4, the scheme performance is only marginally below that required to achieve the policy target. The future connection to the Barking District Heating System would enable the scheme to achieve a CfSH Level 4.

9.90 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 provision of green roofs and spaces within the site will contribute to a Sustainable Urban Drainage System (SUDS) and enhanced biodiversity. The roof top car parking provides an additional opportunity for increased planting.

9.91 The application is considered to be in accordance with Policies 4A.3, 4A5, 4A.6 and 4A.7 of the London Plan and Policies BR1 of the Borough Wide Development Policies Document.

S106 Planning Obligations Community Benefit Strategy

9.92 The applicant has offered £3,000 per unit (£675,000) and the provision of Works in Kinds towards the S106 Community Benefit Strategy requirement to contribute £6,000 per unit (£1,350,000). The agreed Works in Kind include a proportion (£675,000) of the cost of providing the new St Awdry's Walk (£1,200,000). The financial contribution will help fund social and community facilities and physical infrastructure required to support the level of development proposed within Barking town centre. The POCBS does allow for a proportion of Works in Kind to be offset where there is a clear benefit outside of the development site. The improvements to St. Awdry's Walk fall within that category.

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

9.94 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, Policy CC4 of the Core Strategy Pre-Submission Report and Policy BTC 23 of the Barking Town Centre Area Action Plan Preferred Options Report.

9.95 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 to provide new housing and additional retail floorspace is consistent with the adopted Unitary Development Plan, emerging Local Development Framework and the London Plan. While the shopping centre is well used, its require refurbishment and extension will improve its attraction to anchor tenants and contribute to the on-going regeneration of the town centre.

10.2 The application adopts an appropriate housing density given the site's existing and future public transport accessibility, location within 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 and Barking Town Centre Conservation Area and surrounding listed buildings, creates an acceptable relationship to adjacent development, responds imaginatively to the constraints posed by the shopping centre, deliver significant environmental and accessibility improvements to and through the shopping centre and creates a higher quality environment for future visitors and residents. The application is considered to be in accordance with Policies DE1, 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 The application proposes notable pedestrian improvements into and through the shopping centre. The closure of the vehicular access between Station Parade and the roof top car park creates the space to provide an enhanced pedestrian entrance into the shopping centre and a step free route through the shopping centre and the town centre's residential hinterland to the south east. This will replace St Awdry's Walk, which is currently accessed from Station Parade via steps and flanks the shopping centre within a poor environment adjacent to the railway corridor. The closure of the vehicular access between Station Parade and the roof top car park will also remove traffic from an area where priority should be given to pedestrians, cyclists and buses seeking access to and interchange with Barking Station.

10.5 While these alterations will remove congestion and conflict between general traffic, buses and pedestrians, and contribute to delivering planned improvements to the public realm and ease of interchange at Barking Station, it also relies on removing a vehicular exit from a service road located to the rear of existing retail units in Station Parade. The Highway Authority has advised that while the proposed solution is not ideal, it is workable with agreement with the owner and occupiers of the shopping parade. The application is considered to be in accordance with Policies 3C.9, 3C.14, 3C.17, 3C.20, 3C.21, 3C.22 and 3C.23 of the London Plan, Policies T12, T17, T19, T24, T25, T27, T32 of the Unitary Development Plan and Policies BT7, BTC8, BTC10, BTC11 and BTC12 of the Barking Town Centre Area Action Plan Preferred Options Report.

10.6 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 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

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

London Plan and Policy CC1 of the Core Strategy Pre-Submission Report and Policy BC1 of the Borough Wide Development Policies Pre-Submission Report.

10.7 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 reason for refusing planning permission given the suitability of the site for family housing, the overall type and standard of development proposed and the range of planning benefits secured. The application is considered to be in accordance with Policy 3A.5 of the London Plan, Policy H8 of the Unitary Development Plan and Policy CC2 of the Core Strategy Pre-Submission Report. The proposed unit sizes are considered to be in accordance with the draft Mayor of London Housing Design Guide, Policy H16 of the UDP and Policy BP6 of the Borough-Wide Development Policies Pre-Submission Report.

10.8 While the rear gardens of properties in St Awdry's Road and Sunningdale Avenue will experience some overlooking, the separation distances between buildings is considered sufficient to prevent an unacceptable loss of privacy and outlook or sunlight and daylight conditions. The application is considered to be in accordance with Policies 4B.1 and 4B.10 of the London Plan and Policy BP8 of the Borough Wide Development Policies Pre-Submission Report.

10.9 The application provides amenity space in the form of private balconies, communal gardens and children's play space. With the exception of ten units within block A, every unit within the scheme has access to private balcony space. The application demonstrates an imaginative use of space to ensure that all units within blocks A and B have access to roof top communal garden space located above the shopping centre or multi-storey car park. Blocks C-G are oriented around pedestrian courtyard space and designated and informal play space is provided to serve all blocks. The application is considered to be in accordance with Policies 3D.13 and 4B.1 of the London Plan and the Providing for Children and Young People's Play and Informal Recreation SPG, Policy H15 of the Unitary Development Plan and Policy BP5 of the Development Policies Pre-Submission Report.

10.10 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 £3,000 per unit towards the POCBS £6,000 per unit tariff and construct the new St. Awdry Walk (£1,200,000) 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.

10.11 The internal alterations and improvements to the shopping centre and St Awdry's Walk; the townscape, environmental and public transport improvements to Station Parade; the improved transition between the shopping centre and the residential area to the south east; the provision of new housing within a good quality residential environment, constitute significant planning benefits within a mixed use development that makes efficient use of a key site.

10.12 The objections raised by the GLA, London Borough of Barking and Dagenham, English Heritage and local residents and businesses have been assessed as part of this report, along with the comments of CABE. Having regard to the financial appraisal and the 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

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

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 a Discount Standard Charge of £6,000 per residential unit (£1,350,000) towards the Corporation's Planning Obligations Community Benefit Strategy comprising a financial contribution of £3,000 per unit (£675,000) and a proportion (£675,000) of the construction cost associated with building the new St Awdry's Walk (£1,200,000).
 - 2. A commitment to payment of a Deferred Charge (up to £28,800 per unit) in accordance with the Planning Obligations Community Benefit Strategy;
 - 3. A commitment to prevent occupation of residential units in block A until works to the Shopping Centre and the new St Awdry's Walk are completed and made publicly accessible;
 - 4. A commitment to maintain public access along St Awdry's walk during construction and until works to the Shopping Centre are completed;
 - 5. A commitment to make the new St Awdry's Walk publicly accessible 24 hours a day and 7 days a week;
 - 6. A commitment to provide 30% affordable housing (on a habitable room basis) on a 68:32 split between social rented and intermediate, including a 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;
 - 7. Phasing Plan;
 - 8. Car Park Management Strategy;
 - 9. S278 Agreement (the applicant to fund all relevant enabling highway works, including pedestrian/cycling, public realm improvements and signage and maintenance as part of access/servicing proposals);
 - 10. A commitment to connect to the proposed community heat main if and when the opportunity becomes available;
 - 11. A commitment to promote the use of Local Goods, Labour and Contractors in the construction and occupation of the development;
 - 12. Travel Plan;
 - 13. A commitment to ensure residents are aware that they are not eligible for on-street parking permits;
 - 14. All monies to be indexed upwards only.

12. CONDITIONS AND REASONS

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

A1. The development hereby permitted shall not commence until a Phasing Plan has been submitted to and approved by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority, the development shall be implemented in accordance with the approved Phasing Plan.

Reason: To ensure that the development is constructed in accordance with the Phasing

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

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. 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 12 October 2009 prepared by PRP 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. No development shall take place until full details, including samples, specifications and annotated plans of all facing materials and plant have been submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details and 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. With the exception of roof mounted antennae or satellite dish designed for communal use by the occupiers of each development block, no antennae or satellite dishes shall be placed on any elevation unless submitted to and approved in writing by 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).

C. Sustainability

C1. All residential units shall be constructed to achieve a minimum Code for Sustainable Homes Level 3 as described in the 'Preliminary Code for Sustainable Homes Report' dated October 2009 unless otherwise agreed in writing by the Local Planning Authority. The development shall not be occupied until the applicant has demonstrated that all reasonable

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

endeavours have been made to achieve a higher Code for Sustainable Homes rating.

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 provided, 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).

C3. No development shall take place until details of renewable energy technologies, including combined heat and power plant, photovoltaic panels and wind turbines, have been submitted to and approved in writing by the Local Planning Authority. The details shall demonstrate that 10% of the development's energy demands shall be met by the approved renewable energy technologies and include a strategy for monitoring the energy demand. The renewable energy technologies shall be installed in accordance with the approved detail and thereafter permanently retained.

Reason: To ensure compliance with the propose energy strategy in accordance with Policies 4A.6 and 4A.7 of the London Plan.

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. No development shall take place 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,

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

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. Public Realm and Landscaping

E1. No development shall take place until details of hard and soft landscaping have been submitted to and approved in writing by the Local Planning Authority for the following area.

- a) roof top car park;
- b) St. Awdry's Walk;
- c) Vicarage Drive;
- d) public realm between block B-G;
- e) semi-private/communal gardens accessed from block A and B;
- f) children's play space;
- g) highway alterations to Station Parade, Ripple Road, Vicarage Drive and St. Awdry's Road;

The hard and soft landscaping scheme for each area shall include details of the following:

1. tree and planting species;
2. surface materials;
3. boundary treatment;
4. highway design and layout;
5. street furniture;
6. signage and information boards;
7. 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 demonstrate:

- a. the use of suitable native and locally appropriate marginal and aquatic 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 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

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

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).

F. Construction

F1. No development shall take place until a Construction and Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall provide details of all methods of site preparation and construction of the development and include:

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

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

Act 1974.

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 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).

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. No development shall take place 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).

H. Hydrology and Water Resources

H1. No development shall take place until details of foul and surface water drainage and pollution prevention measures have been submitted to and approved in writing by the Local Planning Authority. Details of foul and surface water infrastructure required pursuant to this

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

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 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 hereby approved shall only be carried out in accordance with the flood mitigation measures recommended in the Flood Risk Assessment (FRA) Revision A dated June 2009 prepared by Water Environment 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 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004)..

J. Contamination

J1. No development shall take place 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

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

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. No development shall take place 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 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

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

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. No development shall take place until a programme of archaeological work, in accordance with a written scheme for investigation that includes 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

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

4B.15 of the London Plan (Feb 2008, Consolidated with Alterations Since 2004).

L. Noise and Vibration

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. No development shall take place 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;
- 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. No development shall take place 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 development 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. No development shall take place 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).

P. Lighting

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

P1. No development shall take place until details of the external lighting to all buildings and public rights of way have 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. No development shall take place until detailed design drawings and safety audits of the new 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).

Q2. No development shall take place until a Travel Plan is submitted to and approved by the Local Planning Authority. The Travel Plan shall include details of funding, implementation, monitoring and review. The development shall be occupied only in accordance with the approved Travel Plan.

Reason: To promote sustainable travel patterns in accordance with Policies 3C.1 and 3C.3 of the London Plan and Strategic Policy X of the Unitary Development Plan.

Q3. No development shall take place until a Deliveries and Servicing Plan has been submitted to and approved by the Local Planning Authority. The development shall be occupied only in accordance with the approved Deliveries and Servicing Plan.

Reason: To ensure bus priority is achieved and maintained along the public transport corridor in accordance with Policy 3C.20 of the London Plan.

R. Television and Radio Reception

R1. No development shall take place until an assessment of the impact of the development on television and radio reception has been submitted to and approved by the Local Planning Authority. In the event that television and radio reception will be harmed, the assessment shall recommend appropriate mitigation measures. The development shall be implemented only in accordance with the approved assessment and potential mitigation measures.

Meeting: 10 December 2009
Agenda Item: 5
Report No: LTGDC/09/PC56

Reason: To ensure local residents receive an acceptable level of television and radio reception in accordance with Policy

CASE OFFICER: Will Steadman

Appendix 1	Site Location Plan
Appendix 2	Abbey and Barking Town Centre Conservation Area + Barking Station book hall and St. Margaret's Vicarage Listed Buildings
Appendix 3	Existing Plans (General Arrangement)
Appendix 4	Proposed Plans (General Arrangement)
Appendix 5	Proposed Elevations
Appendix 6	Computer Generated Images