
CD10.1e – Former Site of Sebastian Court, Barking (2019) – Application Ref: 19/00624/FUL

Proof Reference – Paragraphs 5.2.13 – 5.2.14;

Relevant Officer Report Paragraphs – 7.6.1 – 7.6.4

Located in a **PTAL 3** and within a Controlled Parking Zone (CPZ), a parking ratio of 0.08 spaces per unit (all blue badge spaces) has been agreed and deemed appropriate for the location. The mitigation package secured for this PTAL 3 location offers the same mechanisms as intended for agreement at this Appeal site, despite the lower PTAL level.

Barking and Dagenham Council Planning Committee		Date: 3 June 2019
Application No:	19/00624/FUL	Ward: Eastbury
Reason for Referral to Planning Committee as set out in Part 2, Chapter 9 of the Council Constitution:	The proposal is a major application submitted by the Council and additionally is a major development which is of a scale and importance that should be determined at Planning Committee.	
Site Address:	Former Site of Sebastian Court, Meadow Road Barking	
Proposed Development:	Redevelopment of the site involving the construction of three x 7-storey buildings comprising a total of 95 residential units (58 x 1-bedroom units and 37 x 2-bedroom units); a 133 sqm Class D1 community room; and ancillary works.	
Applicant:	London Borough of Barking and Dagenham	
Link to Application Documents:	Planning Application File	
Contact Officer: Nasser Farooq	Title: Principal Development Management Officer	Contact Details: 020 8227 5834 nasser.farooq@befirst.london

RECOMMENDATION

1. That the Planning Committee grant planning permission subject to the conditions set out in full at section 10 of this report and summarised below (with any amendments that might be necessary up to the issue of the decision, including any other conditions) and the completion of a S106 Agreement securing:

Sub-market Housing

Secure 100% sub-market housing comprising low cost rented units (30%); affordable rented units (35%) and shared ownership units (35%).

Local Labour / Local Supply

Secure a commitment to local labour/local supply so that residents and businesses in the Borough will benefit from the proposed development.

Restrictions on Controlled Parking Zone (CPZ) Permits

Secure restrictions preventing future residents from obtaining parking permits for any controlled parking zone (CPZ).

Energy and Carbon Offset

The development shall achieve a minimum 35% reduction in carbon emissions over Part L of the Building Regulations 2013 through on-site provisions and the remaining carbon emissions to zero-carbon should be offset through a monetary contribution to the Local Authority's carbon offset fund calculated on the basis of £60 per tonne over 30 years.

S106 Legal Fees

Pay the Council's professional fees associated with the preparation and completion of the S106 Agreement.

Summary of Conditions

1. Time limit – 3 years to commence development
2. In accordance with approved drawings
3. Crime prevention measures
4. Contaminated land
5. Noise and vibration controls
6. Community use controls
7. Construction related controls
8. Provision and retention of cycle spaces and refuse stores
9. Samples of all materials
10. Full details of any signage
11. Tree protection measures
12. Full details of landscaping and children's playspace
13. Archaeology
14. Piling impact
15. Building Regulations 10% units M4 (3) and 90% units M4 (2)
16. Water conservation
17. Implementation of energy strategy
18. Implementation of drainage strategy
19. Blue badge and electric vehicle charging points
20. Travel Plan implementation
21. Communal television and satellite system.

KEY PLANNING CONSIDERATIONS

Neighbour Consultation (see section 4.4)

- 8 objections and 2 general comments have been received as follows:
 - All the comments raised concerns over lack of parking within the development and resulting impacts on street parking. Some residents raised concerns over theft of vehicles not parked outside their house and an increase in tension within the community as a result.
 - Other comments, primarily from two of the objectors, relate to noise from the play area, anti-social behaviour, privacy, loss of sunlight and hours of construction.

- These matters have been considered as part of the assessment within the transport and amenity sections of the report.

Principle of Development (see section 7.1)

- 95 residential units (Use Class C3).
- 133 sqm community room (Use Class D1).
- The principle of the development is considered to be acceptable.

Housing (see section 7.2)

- Mix: 58 x 1-bed units (61%) and 37 x 2-bed units (39%).
- Tenure: 100% sub-market housing comprising 30% London Affordable Rent, 35% Affordable Rent and 35% Shared Ownership.
- All units designed to London Plan internal space standards.
- 10% of units will meet Building Regulations M4 (3) 'wheelchair adaptable units' and 90% will meet M4 (2) 'accessible/adaptable units'.
- Overall, the provision of 100% sub-market housing and the mix and tenure split above are strongly supported.

Design (see section 7.3)

- 3 x 7-storey buildings.
- Core external material – brick.
- Proposed design is considered an appropriate site-specific response that is well conceived and would result in a high-quality built environment.

External Amenity Space and Playspace (see section 7.4)

- All units have private amenity space designed in accordance with the Mayor of London's Housing Supplementary Planning Guidance (SPG).
- 174 sqm of communal amenity space proposed.
- 348 sqm of children's playspace proposed which is in keeping with policy.
- The provision of amenity space within the development overall accords with the London Plan.

Amenity Issues (see section 7.5)

- Sunlight, daylight, outlook and privacy have been fully considered and the proposal will not have an unduly detrimental impact on the amenity of neighbouring residents.
- Noise – satisfactory internal noise level to residential units and control of noise from the community use and plant will be imposed to preserve residential amenity.
- Overall, officers are satisfied the proposal will not have an unduly detrimental impact on the amenity of local residents.

Transport / Parking (see section 7.6)

- Public transport accessibility level (PTAL) of site = 3 (moderate).
- 8 residential car parking spaces proposed (ratio 0.08), all blue badge spaces.

Potential for 2 additional spaces on Meadow Road should additional need arise. • Dedicated residential cycle parking = 162 spaces. • Visitor and commercial cycle parking = 10 spaces. • Electric vehicle charging points = 25% active (2 spaces) and 25% passive (2 spaces). Not fully compliant but considered acceptable in this instance. • With the exception of the 8 blue badge spaces, the development is to be secured as permit free (restriction on permits to park on the public highway). • Overall, with the exception of the electric vehicle charging points, the proposal fully accords with the London Plan and Local Plan.
Energy and Sustainability (see section 7.7)
• Minimum 35% reduction in carbon dioxide emissions through on-site provision and remainder to zero-carbon target to be secured through a carbon offset payment. This accords with the London Plan and Local Plan.
Other Considerations: Drainage and Flooding (see section 7.8) Ecology (see section 7.9)
• The proposal incorporates below ground storage to attenuate surface water run-off. • The development proposals include a comprehensive landscape scheme to encourage biodiversity. • The matters are acceptable and accord with policy.

1.0 SITE AND SURROUNDINGS

- 1.1 The application site is the site of a recently demolished 7-storey residential building (known as Sebastian Court) located within the Eastbury Ward.
- 1.2 The site is bounded by Meadow Road to the north, Meadow Close to the east, Ripple Road to the south and Upney Lane to the west.
- 1.3 Ripple Road to the south connects onto the A13, a major connection between London and Essex.
- 1.4 The surrounding area consists of primarily low-rise residential properties. Other uses nearby include several small convenience shops, circa 550 metres to the west of the site on Ripple Road, the Rippleside Cemetery (circa 50 metres to the east of the site) and Mayesbrook Park (circa 350 metres to the north-east of the site). To the south-east, there are a number of industrial uses within the Barking Industrial Park.
- 1.5 Upney Station is located around circa 300 metres to the north of the site. The station serves the District Line and is one stop to Barking Station.
- 1.6 Outside the site on Upney Lane and Ripple Road are a number of bus stops including route 62 towards Marks Gate and Barking, route 287 towards Rainham and route 368 towards Chadwell Heath.

2.0 THE PROPOSAL

- 2.1 The application proposes the construction of three x 7-storey buildings comprising a total of 95 residential units (58 x 1-bedroom units and 37 x 2-bedroom units), a 133 sqm Class D1 community room; and ancillary works.

3.0 RELEVANT HISTORY

- 3.1 Prior Approval for the demolition of the existing building was approved in March 2018 (application reference: 18/00293/PRIOR4).
- 3.2 A planning application submitted concurrently with this application for a substation is currently under consideration (application reference: 19/00623/FUL).

4.0 CONSULTATIONS

Applicant's Own Consultation

- 4.1 The application was accompanied by a Statement of Community Involvement (SCI) which outlines the applicant's consultation event which took place at Eastbury Manor House on Wednesday 6th March 2019 from 2pm to 8pm. A total of 436 invites to the consultation event were posted to local households. The responses are covered within the SCI.

Statutory Consultation

4.2 Publicity

Site Notice	Yes – 15 April 2019
Press Notice	Yes – 17 April 2019

4.3 Neighbouring Properties

Date of consultation	10 April 2019
Total letters sent	201
Total responses received	12
Number of objections	10
Number in support	0
Number of other representations (neither objecting nor supporting)	2

4.4 Summary of Responses

- All the comments referenced the lack of parking within the development and resulting impacts on street parking. Some residents raised concerns over theft of vehicles not parked outside their house and an increase in tension within the community as a result.
- Other comments, primarily from two of the objectors, relate to noise from the play area, anti-social behaviour, privacy, loss of sunlight and hours of construction.

***Officer Comment:** All the above points are considered within sections 7.5 and 7.6 of this report, with the exception of motor theft, as officers are unable to control where residents park and are not able to substantiate a concern over where residents currently park. In relation to noise from the play area, this is considered acceptable.*

External and Internal Consultation

- 4.5 A summary of responses received from external and internal consultees is set out below:

Consultee response	Officer response
London Fire Brigade – Water Team No additional hydrants are required, and no further action is required by our office.	Noted.
London Fire Brigade - Safety The Commissioner will be satisfied with the proposals subject to access for fire and rescue service vehicles being in compliance with the sections of the JGA Technical Note regarding fire-fighting shafts, fire appliance access (including Fig. 6) and the provision of fire hydrants.	Noted.
Designing Out Crime Officer A condition has been recommended and 10 site-specific concerns were raised during consultation.	The concerns have been addressed by the applicant. See condition 3.
Environment Agency (EA) The culvert survey provided would suffice to show location and condition of the culvert for planning. However, the EA would still need to see this survey used to illustrate distances of the development from the culvert and also a loading assessment.	This information has been provided to the EA.
Environmental Health No objections subject to conditions relating to contaminated land; noise mitigation; specific controls on D1 community use; lighting; air quality and construction.	See conditions 4 to 7.
Transport Development Management There are no apparent major adverse highway safety implications. No objection.	Noted.
Urban Design Officer Comments received on layout, height, scale, massing, appearance, internal design, amenity space, landscape and public realm. The proposals are supported and no	Noted.

objections raised.	
Arboricultural Officer The tree survey provided with the application correctly identifies the highway chestnuts outside as potentially impacted in the root zone. The survey identifies protection measures.	See condition 11.
Historic England Archaeology Deeply buried prehistoric and palaeo-environmental remains are likely at the site given its location along the Mayesbrook. Some impact can be expected and agree with the approach in the applicant's desk-based archaeological assessment which recommends a condition securing geoarchaeological borehole evaluation and then a second stage of appropriate mitigation.	See condition 13.
Thames Water The proposed development is located within 15 metres of a strategic sewer. Thames Water request a piling impact condition. Prior approval from Thames Water Developer Services will be required to discharge to a public sewer.	See condition 14.
Access Officer Provided a list of comments that have been relayed to the applicant.	Noted.
Essex & Suffolk Water Refuse Team No comments received from the above consultees.	Noted.

5.0 LOCAL FINANCIAL CONSIDERATIONS

- 5.1 The developer would be liable for the Mayoral Community Infrastructure Levy (CIL) and the Borough's CIL. However, as the development comprises 100% sub-market housing, full social housing relief would be applicable.

6.0 PLANNING DOCUMENTS AND GUIDANCE

National Planning Policy Guidance

National Planning Policy Framework (NPPF) (February 2019)
Planning Practice Guidance

The London Plan (March 2016)

Local Plan

Core Strategy (2010)

Other

Draft new London Plan showing Minor Suggested Changes (August 2018)
Technical Housing Standards – Nationally Described Space Standard (2015)
Planning Advice Note - Waste and Recycling Provisions in New and
Refurbished Residential Developments (2013)

Mayor of London's Supplementary Planning Guidance:

Shaping Neighbourhoods: Character and Context (2014)
Accessible London – Achieving an Inclusive Environment (2014)
Sustainable Design and Construction (2014)
Housing (2016)
Shaping Neighbourhoods: Play and Informal Recreation (2012)
Affordable Housing and Viability (2017)

7.0 ANALYSIS

7.1 Principle of Development

PROPOSED USE	FLOORSPACE (GIA)
Residential use	
95 units	7,691.5 sqm
Non-residential uses	
Commercial floorspace (Use Classes D1)	133 sqm

ASSESSMENT AGAINST KEY POLICIES

The previous 59 social rented units have been demolished and previous occupants re-housed elsewhere within the Borough. The redevelopment of the site to increase the level of housing in a much better-quality development is supported in principle.

The proposal will provide much needed new homes and will contribute to the Borough's annual target of additional new homes per year, and specifically sub-market housing.

(London Plan policy 3.3 and draft policy H1)

The provision of a community facility to support residential use and the surrounding neighbourhood is considered acceptable. The community facility will be managed by the Council.

(Local Plan policy CM1)

CONCLUSION

Overall the principle of development on the site is welcomed and supported and accords with the above-mentioned planning policies.

7.2 **Housing**

Mix and Tenure

Unit Size	LAR (30%)	AR (35%)	S/O (35%)
1-bedroom	19	20	19
2-bedroom	10	13	14
Total units	29	33	33

LAR = London Affordable Rent; AR = Affordable Rent (up to 80% of Market Rent); S/O = Shared Ownership.

ASSESSMENT AGAINST KEY POLICIES

Housing Mix

The proposed lack of family-sized units (contrary to Policy CC1) is acceptable given the flatted nature of the development and given it provides 100% sub-market housing. Furthermore, Be First has a pipeline of developments coming forward which, when considered, will be providing larger units to meet locally identified needs and to off-set the loss of the three-bedroom units on this site. (*Local Plan policy BC1*)

Sub-market Housing

The development will deliver 100% sub-market housing. Accordingly, no viability report was required to accompany the application. The 100% sub-market housing is strongly supported. The tenure split as outlined above is acceptable and will ensure a mixed and balanced community. (*London Plan policy 3.12*)

Internal Design

All units have been designed to meet London Plan space standards which is supported and have very good access to daylight. Furthermore, the units are at least dual aspect and have adequate separation distances. Whilst the closest distances between habitable rooms is around 8 metres, officers are satisfied these are secondary windows with limited outlook. (*London Plan policy 3.5*)

Accessible Housing

10% of the residential units will meet M4 (3) of the Building Regulations 'wheelchair adaptable units' and 90% will meet M4 (2) 'accessible/adaptable units'. (*London Plan policies 3.8 and 7.2*)

Density

The exemplar design quality of the proposal (see below for details) and the good public transport accessibility (level 3) of the site justifies the nature of the development. (*Local Plan policy BP10 and London Plan draft policy 3.4*)

CONCLUSION

The proposed housing mix, tenure, density and internal standard of design are acceptable. A condition will secure the provision of 10% of the units as M4 (3) and 90% of the units as M4 (2) which will ensure the proposed development will be designed to be accessible to all.

7.3

Design

ASSESSMENT AGAINST KEY POLICIES

Height, Scale and Massing

The proposed 7 storey buildings are marginally taller than the former Sebastian Court building which was also 7 storeys in height. The scale and massing is considered to be well thought out. The evolution of the asymmetrical roof form which exaggerates the corners and marks the prominent 'gable ends' creates an appropriate response to local contextual cues and the characteristics of the site. (*London Plan policy 7.4 and Local Plan policy BP11*)

Design and Appearance

The proposed replacement of Sebastian Court, a poor-quality prominent building of little design merit (now demolished), and the redevelopment of the site to provide additional residential units, landscaping and a community room is supported.

The design and appearance with the predominant use of brick is of a high quality and will make a positive contribution to the streetscene. This is also the view shared by the Design Review Panel who reviewed the scheme at the pre-application stage.

Additional architectural detailing in the form of corduroy brickwork to mark the entrances and chequerboard patterned brickwork to mark the cores and upper floor windows (as a visual reference to the original Sebastian Court building) is welcomed. The bespoke balcony balustrades designed to provide a balance of privacy and openness, as well as subtly referencing the design of the roof form, contributes to the high-quality feel of the development.

(*London Plan policy 7.6 and Local Plan policy BP11 and CP3*)

Residential Amenity

The internal design principles are well considered with adequate daylight to the cores and dual or triple aspect units ensuring that all future occupants benefit from good standards of daylight/sunlight provision.

Crime Prevention Measures

The proposal has taken on board secure by design principles in the design following discussions with the Designing Out Crime Officer. (*Local plan policies CP3 and BC7*)

Landscaping

The landscape strategy, which seeks to reinforce the existing green frontage to Upney Lane and includes a play area to the north and a community

growing garden to the south, with permeable links from Meadow Close to Upney Lane, is supported.

The retention of existing trees and the planting of an evergreen hedge to create a consistent boundary treatment along Upney Lane are welcomed.

The inclusion of an informal 'play on the way' route leading to the main play area to the north is a welcomed addition and will help activate the green 'buffer' space.

The hard and soft landscaping proposals provide an opportunity to significantly improve the public realm, particularly the shared space with Meadow Close, with the potential to help merge these 'separate' developments both visually and functionally.

(Local Plan policies BP11, CP3 and BR7 and London Plan policy 7.6)

CONCLUSION

Overall, the proposed design is considered an appropriate site-specific response that is well conceived and would result in a high-quality built environment.

7.4 External Amenity Space and Playspace

- 7.4.1 In addition to private gardens for the ground floor units and private balconies for the upper floor units, the proposal includes a dedicated children's playspace of 230 sqm between Blocks A and B, an informal 'play on the way' link in front of Blocks B and C and a community gardening area measuring 174 sqm to the south of Block C.

ASSESSMENT AGAINST KEY POLICIES

Private Amenity Space

All residential units have private amenity space comprising of a balcony or garden designed in accordance with the Mayor's Housing SPG. *(Local Plan policy BP5)*

Communal Space

The proposal provides adequate and dedicated provision of communal amenity space. *(Local Plan policy BP5)*

Children's Playspace

The proposed provision of 348 sqm of children's playspace meets the playspace requirement of 339 sqm set out in the Mayor's Shaping Neighbourhoods: Play and Informal Recreation' SPG. *(London Plan policies 3.6 and Local Plan policy BP5)*

CONCLUSION

The proposed external amenity space and playspace provision are acceptable. Details of the playspace will be secured by condition.

7.5 **Amenity Issues**

- 7.5.1 The surrounding area consists of several residential properties, including those located at Meadow Road, Meadow Close, Upney Lane, Dawson Avenue, Clarke Mansions and Brook Court.
- 7.5.2 Given the existing site has been cleared for redevelopment, it is considered unreasonable to assess the cleared site as a benchmark for assessing loss of daylight/sunlight. As such, the previous building on the site has been used instead.

ASSESSMENT AGAINST KEY POLICIES

Daylight/Sunlight and Overshadowing

Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011).

For calculating daylight to neighbouring properties affected by the proposed development, the primary assessment is the vertical sky component (VSC) method of assessment together with the no sky line (NSL) assessment where internal room layouts are known or can reasonably be assumed. These tests measure whether buildings maintain most of the daylight they currently receive.

BRE guidance in relation to VSC requires an assessment of the amount of daylight striking the face of a window. The VSC should be at least 27%, or should not be reduced by more than 20% of the former value, to ensure sufficient light is still reaching windows. The NSL calculation takes into account the distribution of daylight within the room, and again, figures should not exhibit a reduction beyond 20% of the former value.

In relation to VSC, the proposed development would result in a noticeable loss of daylight to 7 windows out of 159 windows tested nearby. The 7 windows serve 3 properties all located opposite the site to the north:

1 Meadow Road:

Two windows would see a VSC loss of between 20-30% and one window 30-40%. The NSL results show there will not be a greater than 20% loss of daylight distribution within the rooms. As such, the overall impact is relatively minor and considered acceptable.

209 Upney Lane:

2 windows would see a VSC loss of between 20-30%.

211 Upney Lane:

2 windows would see a VSC loss of between 30-40%.

In relation to 209 and 211 Upney Lane, the windows affected are all the eastern bay windows which face the application site. All four rooms have south and west-facing bay windows which ensure the rooms will remain well

lit. This is demonstrated by the NSL results which show a less than 20% drop in daylight distribution.

Overall, the proposal will not result in an unduly detrimental impact on the daylight of existing properties.

The sunlight results show that all windows apart from one will meet the BRE recommendations for sunlight hours. The window which doesn't meet the BRE recommendations forms part of a bay window, which is also served by two other windows. Overall, the impact to the room is therefore considered minor and acceptable.

None of the amenity areas of neighbouring properties will suffer a detrimental loss of sunlight as a result of the development.

(Local Plan policy BP8 and London Plan policy 7.6)

Privacy/Overlooking

The separation distances to neighbouring properties are 19 metres and above with the exception of the flank wall of 1 to 2 Meadow Close which is around 16 metres. Given the flank wall of 1 to 2 Meadow Close contains one small window it is considered that overall adequate separation distances have been provided within the development and the proposal will not have an adverse impact on the privacy of neighbouring properties.

In relation to the separation distances between the blocks, there are separation distances of around 8 metres. However, in these instances the windows are offset to avoid direct overlooking and in most cases, the windows are secondary windows added to provide visual interest to what would otherwise be blank elevations. Therefore, this is considered acceptable.

(Local Plan policy BP8 and London Plan policy 7.6)

Microclimate

The surrounding microclimate has been tested and it is considered that, with the proposed development in place, the proposal will not result in an adverse impact on the surrounding environment. *(Local Plan policy BP8 and London Plan policy 7.6)*

Construction Related Noise and Air Quality

Construction impacts will be temporary and are considered acceptable, subject to conditions including restrictions on hours of work, dust suppression and a Construction Management Plan. *(Local Plan policy BP8 and London Plan policy 7.6)*

CONCLUSION

Overall, in accordance with policy BP8 of the Local Plan, the proposal will not have an unduly detrimental impact on the amenity of neighbouring properties.

7.6 **Transport / Parking**

- 7.6.1 The application site is well served by public transport with Upney Station being located approximately 300 metres to the north of the site. The station provides District Line services.
- 7.6.2 The public transport accessibility level (PTAL) of the site is 3 on a scale of 1-6 where 6 indicates excellent accessibility.
- 7.6.3 The main concern throughout the consultation process was the lack of car parking within the development and the parking area surveyed by the applicant as part of the Transport Statement. In relation to parking, future occupiers of the development will not be able to obtain a permit to park on the public highway within the Control Parking Zone (CPZ). Officers are aware of plans to extend CPZ times and this would need to occur outside the scope of this application should the parking situation outside CPZ times deteriorate as a result of this development.
- 7.6.4 In relation to the parking area surveyed as part of the application, this was determined following advice from the Transport Development Management Officer and was considered appropriate.

ASSESSMENT AGAINST KEY POLICIES

Car Parking

The proposed level of car parking (8 blue badge spaces) is appropriate for this location as part of the approach taken in the draft London Plan which seeks to increase development in areas of good public transport.

A S106 Agreement will secure a restriction on future occupiers applying for permits to park vehicles on the public highway. This is considered acceptable and supported by the Transport Development Management Officer.

No parking is proposed for the community facility. However, given its size and location this is considered acceptable.

Two of the proposed on-site blue badge parking spaces are to be fitted with active electric vehicle charging points and a further two will have passive provision. The passive provision is below policy requirements which require 80% provision. In this instance, this is considered acceptable as the blue badge parking requirement in the draft London Plan is 3 spaces and these will all have active or passive provision. The additional provision of blue badge parking is a benefit of the scheme. Also given the parking is provided solely for blue badge holders, there is also less likely to be a requirement for the full 80% passive provision.

A Travel Plan has been submitted with the application and this will be secured by condition to ensure sustainable modes of transport are promoted and encouraged.

(London Plan policy 6.3 and Local Plan policy BR9)

Cycle Parking

The application proposes dedicated cycle spaces for the residential use and additional spaces for visitors and the community use in keeping with draft London Plan standards. This will be secured by the imposition of condition and is considered acceptable. (*London Plan draft policy T5*)

Emergency Access

The application was accompanied by a Transport Statement which confirms access to the site in emergencies will continue from Meadow Road as per the existing situation.

Refuse Servicing

The application has been designed to incorporate dedicated refuse areas which can easily be accessed. This is acceptable.

CONCLUSION

The proposal is considered to be acceptable in terms of transport/parking matters. A S106 Agreement will secure the development as permit-free (aside from the on-site blue badge parking) and conditions will secure the cycle and refuse facilities, the Travel Plan and the electric vehicle charging points.

7.7

Energy and Sustainability**ASSESSMENT AGAINST KEY POLICIES****Energy**

The submitted Energy Statement confirms that a 35% reduction in carbon dioxide (CO₂) emissions against Part L of the Building Regulations will be achieved. The Mayor's Energy Hierarchy has been followed to reduce CO₂ emissions as follows:

- Be Lean: 5.5% - achieved through improved U-value performance, reduced thermal leakage and incorporation of solar control glazing;
- Be Clean: 19% - achieved through use of combined heat and power (CHP) generation; and
- Be Green 10.5% - achieved through the use of 150 sqm of photovoltaic (PV) panels mounted on roofs.

This approach is acceptable.

To achieve the zero-carbon target, 67 tonnes per annum of regulated CO₂ needs to be off-set off site. This is equivalent to 2,010 tonnes over 30 years. The remaining regulated CO₂ emissions, to 100%, are to be off-set through a cash in-lieu contribution to the Council, to be ring-fenced to secure delivery of CO₂ savings elsewhere. The overall approach is considered acceptable.

(*London Plan policy 5.2 and draft policies GG6 and SI2, the Mayor's Sustainable Construction SPG and Local Policies CR1, BR1 and BR2.*)

CONCLUSION

Subject to conditions securing the energy strategy and a S106 obligation to off-set carbon, the proposed development accords with the above-mentioned policies.

7.8 Drainage and Flooding**ASSESSMENT AGAINST KEY POLICIES****Sustainable Drainage**

The proposed sustainable drainage strategy aims to treat rainwater at source, to reduce the burden on existing Thames Water infrastructure and minimise the risk of flooding elsewhere. The proposal incorporates below ground storage to attenuate any additional surface water run-off as a result of the proposed development, before the water leaves the site via a flow control device. This is considered acceptable. (*London Plan policies 5.12 and 5.13 and Local Plan policies CR4 and BR4*)

Flood Risk

The site is located in Flood Zone 1 and is not at risk of flooding. As such, a site-specific Flood Risk Assessment is not required.

CONCLUSION

Subject to a condition securing the drainage strategy, the proposed development accords with the above-mentioned policies.

7.9 Ecology**ASSESSMENT AGAINST KEY POLICIES****Ecology**

The site is currently a demolition and construction site and therefore comprises 100% hardstanding and buildings which currently have no ecological value.

The development proposals include a comprehensive landscape scheme to encourage biodiversity.

The landscape proposals include:

- A tree strategy with new tree planting;
- The replacement of the existing yew hedge with evergreen New Zealand privet; and
- Mixed species planting beds including shrubs and herbaceous plants.

This will ensure there is a net ecological gain.

(*London Plan policy 7.19 and Local Plan policies BR3, CM1, CR1 and CR2.*)

CONCLUSION

Subject to conditions securing the soft landscaping proposals, the development accords with the above-mentioned policies.

7.10 S106 Developer Contributions

- 7.10.1 Having regard to Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) and Policy CC3 of the Core Strategy, a S106 Agreement is required to secure:

Sub-market Housing

Secure 100% sub-market housing comprising low cost rented units (30%); affordable rented units (35%) and shared ownership units (35%).

Local Labour / Local Supply

Secure a commitment to local labour/local supply so that residents and businesses in the Borough will benefit from the proposed development.

Restrictions on Controlled Parking Zone (CPZ) Permits

Secure restrictions preventing future residents from obtaining parking permits for any controlled parking zone (CPZ).

Energy and Carbon Offset

The development shall achieve a minimum 35% reduction in carbon emissions over Part L of the Building Regulations 2013 through on-site provisions and the remaining carbon emissions to zero-carbon should be offset through a monetary contribution to the Local Authority's carbon offset fund calculated on the basis of £60 per tonne over 30 years.

S106 Legal Fees

Pay the Council's professional fees associated with the preparation and completion of the S106 Agreement.

8.0 EQUALITIES

- 8.1 The Equality Act 2010 requires the Council to advance equality of opportunity in the exercise of its functions. In this respect, conditions are proposed to ensure that the residential units are accessible and adaptable, with 10% of residential units having a layout and size specifically enabling ease of use by a wheelchair user. The community use unit would also be fully accessible.

9.0 CONCLUSION

- 9.1 The proposed development would replace an under-utilised, poorly designed and now demolished building, with three high quality 7-storey buildings. The development is considered to be of exemplar design quality to justify its location, height and residential density.
- 9.2 The proposed development would provide 95 high-quality residential units (all of which will be sub-market housing), as well as a ground floor community use. The proposed sub-market housing offer is strongly supported by policy and

would provide affordable homes for local residents. Overall the development is considered to have significant regeneration benefits for the Borough.

9.3 The proposal generally complies with the relevant policies set out in the National Planning Policy Framework, the London Plan and the Local Plan.

9.4 It is recommended that the Planning Committee grants planning permission subject to a S106 Agreement to secure the matters set out in Section 7.10 of this report and the conditions listed in this report (with any amendments that might be necessary up to the issue of the decision).

10.0 PLANNING CONDITIONS

Time Limit

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

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

Plan Numbers

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

SEB-PTE-1A-ZZ-DR-A-10300, SEB-PTE-1A-ZZ-DR-A-10501,
SEB-PTE-1B-ZZ-DR-A-10100, SEB-PTE-1B-ZZ-DR-A-10301,
SEB-PTE-1C-ZZ-DR-A-10100, SEB-PTE-1C-ZZ-DR-A-10302,
SEB-PTE-XX-ZZ-DR-A-10200, SEB-PTE-XX-ZZ-DR-A-10300,
SEB-PTE-XX-ZZ-DR-A-10301, SEB-PTE-XX-ZZ-DR-A-10500,
SEB-PTE-XX-ZZ-DR-A-10501, SEB-PTE-XX-ZZ-DR-A-10502,
SEB-PTE-XX-ZZ-DR-A-10503, SEB-PTE-XX-ZZ-DR-A-10504,
SEB-PTE-ZZ-00-DR-A-10001, SEB-PTE-ZZ-00-DR-A-10002,
SEB-PTE-ZZ-00-DR-A-10003, SEB-PTE-ZZ-00-DR-A-10005,
SEB-PTE-ZZ-01-DR-A-10001, SEB-PTE-ZZ-ZZ-DR-A-10002,
SEB-PTE-ZZ-ZZ-DR-A-10003, SEB-PTE-ZZ-ZZ-DR-A-10004,
SEB-PTE-ZZ-ZZ-DR-A-10100, SEB-PTE-ZZ-ZZ-DR-A-10101,
SEB-PTE-ZZ-ZZ-DR-A-10102, SEB-PTE-ZZ-ZZ-DR-A-10103,
SEB-PTE-1A-ZZ-DR-A-10100 A and SEB-PTE-ZZ-00-DR-A-10000 A

Reason: For the avoidance of doubt and in the interests of proper planning.

Crime Prevention Measures

3. The development hereby permitted shall not be occupied until a scheme showing the provisions to be made for external lighting, CCTV coverage, access control and any other measures to reduce the risk of crime, has been submitted to and approved in writing by the Local Planning Authority. The external lighting of the development is to be designed, installed and maintained so as to fully comply with The Association of Chief Police Officers Secured by Design publication "Lighting Against Crime – A Guide for Crime Reduction Professionals", ACPO SPD, January 2011. The design shall satisfy

criteria to limit obtrusive light presented in Table 1, p25 of the guide, relating to Environmental Zone E3 – medium district brightness areas.

The development shall not be occupied until the approved scheme has been installed. Thereafter the approved measures shall be permanently retained.

Reason: In the interests of security and safety, to avoid light pollution and safeguard neighbouring amenity and in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document.

Contaminated Land Risk Assessment

4. a) No development shall commence until an investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of 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; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments; and
- (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'.

b) No development shall commence until a detailed remediation scheme, to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment, has been prepared and submitted to the Local Planning Authority for approval in writing. 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.

c) The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

d) 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 4a), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 4b), 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, which is subject to the approval in writing of the Local Planning Authority.

Reason: Contamination must be identified prior to commencement of development 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 off-site receptors in accordance with policy BR5 of the Borough Wide Development Policies Development Plan Document and policy 5.21 of the London Plan.

Noise and Vibration Controls

5. a) The development shall be carried out in accordance with the mitigation measures specified within section 6 (p11) of the Road Traffic Noise Assessment prepared by Acoustic Associates Sussex Ltd, issue 3 dated 05/04/2019, unless otherwise agreed in writing by the Local Planning Authority.

b) The combined rating level of the noise from any plant installed pursuant to this permission (other than plant which is only to be operated in emergency circumstances) shall not exceed the existing background noise level outside the window to any noise-sensitive room. Any assessment of compliance with this condition shall be made according to the methodology and procedures presented in BS4142:2014.

c) Any machinery and equipment installed pursuant to this permission shall be designed and installed to ensure that structure borne (re-radiated) noise emissions shall not exceed 35 LAeq dB (5 min) when measured in any habitable room in adjoining residential premises.

d) If piling or other ground improvement work is undertaken pursuant to this permission then the 5% level of vibration attributable to these activities shall not exceed a peak particle velocity of 1.5mm/sec when measured at the point of entry to any adjoining residential development. In the event of reasonable complaint of vibration nuisance and at the request of the Local Planning Authority monitoring to evaluate compliance with this condition is to be carried out and the results submitted to the Local Planning Authority.

Reason: In order to reduce the impact of construction and development on the amenities of neighbouring residents, and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

Community Use Controls

6. The community use as identified on drawing No. SEB-PTE- 1A-ZZ-DR-A-10100 Rev A shall be carried out in accordance with the following requirements:

- a) The handling of bottles and/or the movement of bins and rubbish associated with the community use is not permitted to take place outside the premises between the hours of 23.00 hrs on one day and 07.00 hrs the following day.
- b) The delivery/collection of goods is only permitted to take place between the hours of 07.00 hrs and 21.00 hrs on any day.
- c) The proposed community use is permitted to trade between the hours of 07.00 and 23.00 on any day and at no other time.
- d) Noise from the community use, including, but not limited to, live and amplified music shall be controlled so as to be inaudible inside adjoining and other noise-sensitive premises in the vicinity of the use. The initial test for compliance with the 'inaudibility' criterion will be that noise should be no more than barely audible outside those noise-sensitive premises. In the event there is disagreement as to whether such noise is or is not audible the following numerical limits shall be used to determine compliance with this condition:
 - the LAeq (CUAN) shall not exceed LA90 (WCUAN); and
 - the L10 (CUAN) shall not exceed L90 (WCUAN) in any 1/3 octave band between 40Hz and 160Hz.

CUAN = Commercial Use Activity Noise Level, WCUAN = representative background noise level without commercial use activity noise, both measured 1 metre from the façade of the noise-sensitive premises.

Reason: To prevent any undue disturbance to residential occupiers and occupants of neighbouring properties at unreasonable hours and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

Construction Management Plan & Site Waste Management Plan and Hours of Operation

7. a) No development shall commence, until a Construction Environmental Management Plan (CEMP) and a Site Waste Management Plan (SWMP) have been submitted to and approved in writing by the Local Planning Authority. These Plans shall incorporate details of:

- I. construction traffic management;
- II. the parking of vehicles of site operatives and visitors;
- III. loading and unloading of plant and materials;
- IV. storage of plant and materials used in constructing the development;
- V. the erection and maintenance of security hoarding(s) including decorative displays and facilities for public viewing, where appropriate;
- VI. wheel washing facilities;
- VII. measures to control the emission of dust, dirt and emissions to air during construction; such measures to accord with the guidance provided in the document "The Control of Dust and Emissions during Construction and Demolition", Mayor of London, July 2014; including but not confined to, non-road mobile machinery (NRMM) requirements;
- VIII. noise and vibration control;
- IX. a scheme for recycling/disposing of waste resulting from demolition and construction works;
- X. the use of efficient construction materials;
- XI. methods to minimise waste, to encourage re-use, recovery and recycling, and sourcing of materials; and

- XII. a nominated Developer/Resident Liaison Representative with an address and contact telephone number to be circulated to those residents consulted on the application by the developer's representatives. This person will act as first point of contact for residents who have any problems or questions related to the ongoing development.

b) Demolition and construction work and associated activities are to be carried out in accordance with the recommendations contained within British Standard 5228:2009, "Code of practice for noise and vibration control on construction and open sites". Parts 1 and 2. The approved the Plans shall be adhered to throughout the construction period.

c) Demolition and construction work and associated activities, other than internal works not audible outside the site boundary, are only to be carried out between the hours of 08.00 and 18.00 Monday to Friday and 08.00 and 13.00 Saturday, with no work on Sundays or public holidays without the prior written permission of the Local Planning Authority. Any works which are associated with the generation of ground borne vibration are only to be carried out between the hours of 08.00 and 18.00 Monday to Friday.

Reason: The CEMP and SWMP are required prior to commencement of development in order to reduce the environmental impact of the construction and the impact on the amenities of neighbouring residents, and in accordance with policy BP8 of the Borough Wide Development Policies Development Plan Document.

Provision and retention of cycle parking and refuse facilities

8. The development hereby permitted shall not be occupied until the 162 cycle parking spaces within the buildings, 10 cycle spaces outside the buildings and refuse stores as shown on drawing Nos. SEB-PTE-1A-ZZ-DR-A-10100 Revision A and SEB-PTE-ZZ—00-DR-A-10000 Revision A have been fully implemented. Thereafter, the cycle parking facilities and refuse stores shall be permanently retained for the duration of the development.

Reason: In the interests of promoting cycling as a safe, efficient and non-polluting mode of transport and sustainable waste management and in accordance with policies BR11 and BR15 of the Borough Wide development Policies Development Plan Document.

Samples of materials

9. No above ground new development shall commence until full details, including samples (brick with mortar), specifications, annotated plans and fire safety ratings, of all external facing materials have been submitted to the Local Planning Authority for approval in writing. The development shall only be implemented in accordance with the approved details and to the satisfaction of the Local Planning Authority.

Reason: To protect or enhance the character and amenity of the area and to ensure an exemplar finish to the building in accordance with policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document and policies 7.1, 7.4 and 7.6 of the London Plan.

Full details of any signage

10. Prior to the occupation of the relevant part of the development, full details of any signage for the buildings and/or the community use shall be submitted to the Local Planning Authority for approval in writing. The development shall only be implemented in accordance with the approved details and to the satisfaction of the Local Planning Authority.

Reason: To protect or enhance the character and amenity of the area and to ensure an exemplar finish to the building in accordance with policies BP8 and BP11 of the Borough Wide Development Policies Development Plan Document and policies 7.1, 7.4 and 7.6 of the London Plan.

Tree Protection Measures

11. The trees identified to be retained shall be protected during construction in accordance with the Arboricultural Method Statement found within section 6.0 of the Tree Survey BS 5837:2012, Trees in relation to design, demolition and construction – Recommendations prepared by Cedar Land Management dated February 2019.

Reason: To ensure a high-quality environment in accordance with policy BP11 of the Borough Wide Development Policies Development Plan Document.

Landscaping and Play Design

12. The development shall not be occupied until:

a) The implementation of the Landscape Design as set out within document D-002 dated March 2019. The development shall be maintained in accordance with the details provided.

b) Until a Recreation and Play Strategy has been submitted to and approved in writing by the Local Planning Authority. The scheme should include details of the play equipment and how the communal areas will be managed. The development shall be carried out in full prior to first occupation and maintained in accordance with the details provided.

Reason: To ensure the amenity spaces are well-used and well-designed, in accordance with Policy 3.6 of the London Plan and the Mayor's Shaping Neighbourhoods Supplementary Planning Guidance.

Archaeology

13 a) No development, other than site clearance and demolition to existing ground level, shall take place until the developer has secured the implementation of a programme of archaeological evaluation in accordance with a written scheme which has been submitted to and approved in writing by the Local Planning Authority and a report on that evaluation has been submitted to the Local Planning Authority.

b) If heritage assets of archaeological interest are identified by the evaluation under a), then before development commences, other than site clearance and demolition to existing ground level, the developer shall secure the implementation of a programme of

archaeological investigation in accordance with a Written Scheme of Investigation which has been submitted to an approved in writing by the Local Planning Authority.

c) No development, other than site clearance and demolition to existing ground level, shall subsequently take place other than in accordance with the Written Scheme of Investigation approved under Part b).

d) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part b), and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: Heritage assets of archaeological interest may survive on the site. The Local Planning Authority wishes to secure appropriate archaeological investigation prior to development, followed by the publication of results, in accordance with policies BP2 and BP3 of the Borough Wide Development Policies Development Plan Document.

Piling Impact

14. No piling shall take place until a piling method statement detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works, has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to, and have the potential to impact on, local underground sewerage utility infrastructure.

Building Regulations 10% units M4 (2) and M4 (3)

15. 10% of the residential units hereby permitted shall meet Building Regulations Approved Document M Volume 1 (2015 Edition) M4 (3) 'wheelchair adaptable dwellings' and 90% of the residential units hereby permitted shall meet Building Regulations Approved Document M Volume 1 (2015 Edition) M4 (2) 'accessible and adaptable dwellings'. Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.

Reason: To ensure that sufficient accessible housing is provided in accordance with policy BC2 of the Borough Wide Development Policies DPD and policy 3.8 of the London Plan.

Water conservation

16. The development hereby permitted shall comply with the water efficiency optional requirement in paragraphs 2.8 to 2.12 of the Building Regulations Approved Document G. Evidence of compliance shall be notified to the building control body appointed for the development in the appropriate Full Plans Application, or Building Notice, or Initial Notice to enable the building control body to check compliance.

Reason: To minimise the use of mains water in accordance with policy BR4 of the Borough Wide Development Policies Development Plan Document and policy 5.15 of the London Plan

Implementation of energy strategy

17. The development hereby permitted shall be carried out in accordance with the submitted Energy and Sustainability Assessment for Planning, 27th March 2019, Issue 3. Minor amendments to the Energy Strategy may be agreed in writing from time to time by the Local Planning Authority. The development shall not be occupied until the approved details have been implemented.

Reason: In the interests of safeguarding the environment and providing sustainable development in accordance with policies BR1 and BR2 of the Borough Wide Development Policies Development Plan Document and policies 5.2, 5.3, 5.5, 5.6 and 5.7 of the London Plan.

Surface Water Drainage

18. No building hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the Drainage Strategy Report prepared by Price and Myers. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To prevent an increased risk of flooding and to prevent pollution of the water environment and in accordance with policy BR4 of the Borough Wide Development Policies Development Plan Document.

Blue Badge and Electric Vehicle Charging Points

19. The 8 blue badge car parking spaces shall be constructed and marked out prior to the occupation of the development as accessible parking bays (to be clearly marked with a British Standard disabled symbol). Two blue badge car parking spaces shall be fitted with active electric vehicle charging points and the two shall have passive provision.

Reason: To ensure and promote easier access for disabled persons, to ensure sufficient off-street parking, and to encourage the use of electric cars in order to reduce carbon emissions, in accordance with policies BC2, BR9 and BR10 of the Borough Wide Development Policies Development Plan Document and policy 6.13 of the London Plan.

Travel Plan

20. The development shall be carried out in accordance with the objectives (set out in section 5) and Travel Plan Management (set out in section 6) of the submitted Travel Plan prepared by Price & Myers dated March 2019, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In accordance with the requirements of policies 6.3 and 6.11 of the London Plan.

Communal Television and Satellite System

21. The development hereby permitted shall not be occupied until details of a communal television and satellite system have been submitted to and approved in writing by the Local Planning Authority. The approved system shall be provided prior to occupation and be made available to each residential unit. No antennae or satellite dishes may be installed on the exterior of the building, with the exception of a single antennae or satellite dish per block to support the communal television and satellite system. The proposed antennae or satellite dishes shall be designed to minimise their visual impact and shall not be mounted on any publicly visible façade.

Reason: To safeguard the external appearance of the building in accordance with policy CP3 of the Core Strategy and policy BP11 of the Borough Wide Development Policies Development Plan Document.