**Strategic planning application stage 1 referral (new powers)**


## The proposal

Demolition of existing site and erection of ten-storey building consisting of a superstore with café, five retail units (A1, A2, A3 and B1), 54 one-bedroom flats, 36 two-bedroom flats and 10 three-bedroom flats with associated playspace, access, servicing and parking

## The applicant

The applicant is Bouygues Development Ltd and the architect is Chetwoods

## Strategic issues

This scheme has the potential to contribute towards the ongoing regeneration of Barking Town Centre and provide wider community benefits. Notwithstanding this, the applicant needs to address significant issues concerning London Plan policy on planning obligations, housing and urban design. Further information is also required in relation to climate change and transport before this application can be considered acceptable in London Plan terms.

## Recommendation

That Barking and Dagenham Council be advised that the application does not comply with the London Plan, for the reasons set out in paragraphs 92 and 93 of this report; but that the possible remedies set out in paragraph 94 of this report could address these deficiencies.

## Context

1. On 12 December 2011 the Mayor of London received documents from Barking & Dagenham Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor has until 20 January 2012 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor’s use in deciding what decision to make.

2. The application is referable under Category 3F of the Schedule to the Order 2008:
“Development for a use, other than residential use, which includes the provision of more than 200 car parking spaces in connection with that use.”

3 Once Barking & Dagenham Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

4 The environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 has been taken into account in the consideration of this case.

5 The Mayor of London’s statement on this case will be made available on the GLA website www.london.gov.uk.

Site description

6 The site is approximately 0.89 hectares and is located in Barking town centre, to the east of Abbey Green and on the south eastern corner of the London Road and North Street junction. Barking is designated as a Major town centre in the London Plan. The site falls within the boundary of the London Riverside Opportunity Area Planning Framework (OAPF) and is identified as BTCSSA1 in the Barking Town Centre Area Action Plan. Barking station is located 200 metres to the northeast of the site, and the site is also in the vicinity of the East London Transit 1 and 2 as well as other bus routes. As such, the site has a public transport accessibility level (PTAL) of 6, on a scale of 1-6, where 6 is excellent. The nearest part of the Transport for London Road network (TLRN) is the A406 North Circular Road located approximately 500 metres to the west of the site, whilst the nearest part of the Strategic Road Network (SRN) is the A124 Northern Relief Road situated about 300 metres away to the north and west.

7 The site currently contains a car park, with ground floor retail units forming a partial perimeter along London Road and North Street. There are three floors of residential units above these retail units. The retail units are empty, as are the residential units which were a mix of private and social rented units. These have been unoccupied for some time and were deemed below decent standard and not cost effective to upgrade by Barking and Dagenham Council.

8 The site is bounded by the conservation area buildings along East Street to the south, a church and skills centre (currently under construction) to the east. The boundary between the skills centre and the site contains a wide area of public open space accessed from East Street.

Details of the proposal

9 The scheme is part of a wider initiative to regenerate Barking Town Centre and responds to policy BTCSSA1 of the adopted Barking Town Centre Area Action Plan. Public realm improvements planned around the development site include a new pedestrian linkage between East Street and London Road, down the eastern edge of the site and a new market square forming part of this linkage. A new skills centre is currently under construction on the eastern side of the new pedestrian link. It was understood at pre-application stage, that this was to be at least partly delivered by section 106 contributions secured as part of this application. Barking and Dagenham Council is now proposing that these works be funded using monies from the sale of the site, which is currently in its ownership.

10 The proposals for the London Road site involve demolition of all existing buildings and construction of a 8,013 sq.m. ASDA food and comparison goods superstore at first floor level, with 360 car parking spaces at basement and ground floor levels. It is proposed that these spaces be “town centre”, rather than being solely for ASDA customers, and vehicular access to will be from
11 100 residential units are to be located in up to six floors above the store. These are located towards the London Road/ North Street corner of the store and step down along the London Road and North street elevations.

12 A customer cafe will be 278 sq.m. and located within the ground floor level facing the market square. The London Road elevation will contain a small retail/ business unit, three ATM machines and entrances to the residential cores and the units above. The North Street elevation will include entrances to the residential units as well as three retail/ business units. The corner of London Road and North Street contains a large retail/ business unit which turns the corner as a curve at ground floor level.

13 The North Street elevation also includes an exposed CHP Plant and back of house areas to the superstore.

Case history

14 On 27 August 2011 a pre-planning application meeting was held at City Hall with representatives of the developer and officers from the planning and regeneration departments of the London Borough of Barking and Dagenham. An advice note was issued on 8 September 2011 setting out an officer response to the key strategic issues raised at the meeting.

15 It was explained by both the developer and the borough officers that the redevelopment of this site would not only deliver a new retail facility and housing units, but contribute towards the delivery of significant public realm improvements such as a new Market Square and a pedestrian link between London Road and East Street. In addition to this a contribution will be secured towards delivering a skills centre that seeks to improve the employment prospects of young people in one of London’s most deprived communities.

16 The land use principle was considered broadly acceptable; however, the proposals did not accord with London Plan policies on housing, planning obligations and design. Further work was also required in relation to climate change mitigation, play space and transport.

17 The applicant was advised that only in exceptional cases it may be possible to deviate from some London Plan policy areas, but this deviation would have to be clearly and robustly justified and could only be considered as part of an application that demonstrated exemplary design and contributes strongly towards other objectives of the London Plan.

18 Whilst it was accepted that there are significant challenges associated with developing this site and delivering on all local and strategic policies, it was felt that it should be possible to address the main issues without compromising the viability of the scheme. It was explained to the applicant at both the meeting and in the subsequent advice note that submission of a comprehensive financial appraisal, with planning obligations clearly itemised, would be key to understanding this.

Strategic planning issues and relevant policies and guidance

19 The relevant issues and corresponding policies are as follows:

- Mix of uses  
  London Plan
- Planning obligations  
  London Plan
20 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the 2010 Barking and Dagenham Core Strategy, the 2011 Borough-wide Development Policies DPD, the Barking Town Centre Area Action Plan and the London Plan 2011.

21 The consultation draft London Riverside Opportunity Area Planning Framework is also a relevant material consideration.

Principle of development and mix of uses

22 The site is in Barking Town Centre, which is identified as a major town centre in the London Plan. London Plan policy 2.15 states that development proposals in town centres should sustain and enhance the vitality and viability of the centre; accommodate economic and/or housing growth; support and enhance the competitiveness, quality and diversity of town centre retail and promote access by public transport, walking and cycling. London Plan policies 4.7 and 4.8 deal with retail development and provide that such proposals should be focussed in town centres to support a successful, competitive and diverse retail sector which promotes sustainable access to the goods and services that Londoners need. The consultation draft London Riverside Opportunity Area Planning Framework identifies the regeneration of Barking Town Centre as being key to a large number of the new jobs and homes that can potentially be delivered within the opportunity area. Strengthening Barking’s town centre functions is therefore paramount to the success of London Riverside as a whole, and as such the town centre should be the main focus of retail development within the opportunity area.

23 The existing ASDA store is currently located in smaller premises at the Vicarage Fields, which is constrained in size and layout, and therefore is at a competitive disadvantage to the large competing out of town facilities in the wider opportunity area, such as at Gallions Reach or Beckton Retail Park. Furthermore, these out of town facilities offer a significantly wider range of goods, and a large number of dedicated car parking spaces, drawing trade from Barking Town Centre.

24 The applicant’s current proposals would allow ASDA to relocate to a larger, more modern facility. The proposal to provide 8,013 sq.m. (GIA) of retail floorspace within a new store at the London Road site would improve the quality of the retail offer in Barking Town Centre. Furthermore, by replacing the current dilapidated buildings and bringing increased footfall the scheme seeks to enhance the viability and competitiveness of Barking Town Centre and contribute toward an environment that encourages further investment and regeneration of Barking Town
25 The ASDA store is to be part of retail-led mixed use scheme, which also includes the re-provision of residential units on the site. This is in accordance with London Plan policy and the Barking Town Centre Area Action Plan, which is supported by the consultation draft London Riverside Opportunity Area Planning Framework. As such the principle of providing residential units as part of a retail-led mixed use scheme is strongly supported.

Viability and Planning obligations

Toolkit appraisal and viability

26 London Plan Policy 8.2 deals with the use of planning obligations and states that when determining applications the Mayor will take into account, among other issues including economic viability, the existence and content of planning obligations. At pre-application stage the applicant was advised that any application should be accompanied by a financial appraisal, with clearly itemised planning obligations. This would inform discussions and subsequent decisions to be made regarding planning obligation priorities, within the framework of policy 8.2.

27 In clearly setting out planning obligations, as well as other key factors such as land acquisition cost and build costs, the toolkit appraisal also aids a more comprehensive understanding of how the scheme works financially and therefore how different, potentially competing areas of policy interact.

28 The applicant has submitted a toolkit appraisal in order to demonstrate the financial viability of the scheme. This is accompanied by supporting documentation, which details the rationale underpinning key variables that feed into the appraisal. This document explains that the proposal is conceived as an enabling development for the delivery of a market square and route between East Street and London Road, as well as partially enabling the construction of the skills centre. These schemes are not part of this application, but are local policy priorities for this site, as set out in Barking Town Centre Area Action Plan.

29 The supporting documentation states that the land acquisition cost is fixed at £6.4m by the need to deliver policy objectives outlined in the Barking Town Centre Area Action Plan, as well as providing some monies for future land assembly. This is broken down as follows:

<table>
<thead>
<tr>
<th>Works</th>
<th>Cost (£)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delivery of Market place</td>
<td>250,000</td>
</tr>
<tr>
<td>Highway improvements</td>
<td>750,000</td>
</tr>
<tr>
<td>Adult skills centre</td>
<td>3,500,000</td>
</tr>
<tr>
<td>Future land acquisitions</td>
<td>1,900,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>6,400,000</strong></td>
</tr>
</tbody>
</table>

30 Using this approach, the applicant proposes that the £6.4m acquisition cost of the land, agreed with Barking and Dagenham Council, be used to benchmark the viability of the scheme. The toolkit appraisal provided therefore uses this value, and only stipulates £100,000 as being provided towards unspecified planning obligations. This does not allow other areas of policy to be balanced.
Strategic and local priorities

31 Planning obligations should address strategic as well as local priorities, and across London the two main strategic priorities are affordable housing and transport. London Plan policy 8.2 reflects this, although it provides that importance can also be given to other areas, such as tackling climate change, learning and skills, health facilities and services, childcare provisions and the provision of small shops.

32 In adopting the approach set out above, the local policy objectives of the Barking Town Centre Area Action Plan are essentially “ring fenced” within the land acquisition cost, whereas they should be itemised separately as planning obligations. This would allow for proper consideration of London Plan policy 8.2 with regards to prioritisation of local and strategic objectives, and how viability may be affected. Had this been done, then the Mayor’s priorities, as set out in London Plan policy 8.2 would have been balanced with the local priorities set out in the Barking Town Centre Area Action Plan.

33 London Plan policy 8.2 accords highest priority to the provision of affordable housing, yet no affordable housing is proposed as part of this scheme. At pre-application stage the applicant was asked to reconsider the inclusion of affordable housing, or provide robust justification as to why it is not possible. The applicant has submitted that the site should be considered within the wider context of Barking Town Centre, which has high existing levels of affordable housing provision.

34 London plan policy 3.9 states that more mixed and balanced tenures should be particularly sought in neighbourhoods where social renting predominates and there are concentrations of deprivation. It is accepted that Barking Town Centre and its environs currently have relatively high levels of existing affordable housing provision, and that Barking and Dagenham Council is currently delivering largely affordable schemes elsewhere in the borough. It is also anticipated that the earmarked regeneration of the Gascoigne Estate will re-provide a large number of affordable homes within the vicinity of the town centre. In itself this would not necessarily justify zero affordable housing provision, however, combined with the desire to tackle the persistent deprivation in this part of East London the provision of zero affordable housing in favour of other identified priorities as part of this scheme is considered acceptable.

35 The Mayor’s second highest priority is the provision of public transport improvements. Whilst the prioritising of skills above affordable housing on this scheme is considered acceptable, consideration must first be given to public transport improvements. Transport for London has advised that some public transport contributions will be sought (explained in the transport section of this report), however it is unclear how these relate to the planning obligations set out in the toolkit appraisal provided. The applicant should consider the issues raised in the transport section of this report and provide information as to how the planning obligations identified by Transport for London are to be addressed before the Mayor sees this application again.
Summary

36. London plan policy 8.2 sets out the Mayor’s approach to planning obligations and provides the basis for assessment of development proposals with regards to strategic priorities and viability. The approach used by the applicant, in which local planning priorities are “ring fenced” within the land acquisition cost, instead of being itemised separately is not supported. This approach is not helpful in that it does not allow for a rational approach to balancing local and strategic needs. Furthermore, it confuses the issue of viability for the purpose of discussing other areas of policy, such as design, which may have an impact on build costs.

37. Whilst it is accepted that there is demonstrable need for regeneration in this deprived part of East London, and for community benefits such as the skills centre, the applicant must also address the issues raised by Transport for London before the application can be assessed against London Plan policy 8.2.

Housing

Housing delivery

38. London Plan policy 3.4 deals with optimising housing potential. The Mayor recognises the pressing need for more homes in London and taking into account local context and character, the design principles in Chapter 7 and public transport capacity, development should optimise housing output within the relevant density range shown in the table below. Development proposals which compromise this policy should be resisted.

Table 3.2

<table>
<thead>
<tr>
<th>Setting</th>
<th>PTAL 4-6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urban</td>
<td>200-700 hr/ha</td>
</tr>
<tr>
<td>3.8-4.6 hr/unit</td>
<td>45-185 u/ha</td>
</tr>
<tr>
<td>3.1-3.7 hr/unit</td>
<td>55-225 u/ha</td>
</tr>
<tr>
<td>2.7-3.0 hr/unit</td>
<td>70-260 u/ha</td>
</tr>
<tr>
<td>Central</td>
<td>650-1100 hr/ha</td>
</tr>
<tr>
<td>3.8-4.6 hr/unit</td>
<td>140-290 u/ha</td>
</tr>
<tr>
<td>3.1-3.7 hr/unit</td>
<td>175-355 u/ha</td>
</tr>
<tr>
<td>2.7-3.0 hr/unit</td>
<td>215-405 u/ha</td>
</tr>
</tbody>
</table>

39. The London Plan defines central areas as being typified as having dense development, a mix of different uses, large building footprints and buildings of four to six storeys, located within 800 metres walking distance of an International, Metropolitan or Major town centre. The development site is located within Barking Town centre and as such is defined in the London Plan as being central for the purpose of calculating indicative appropriate housing density. The site has an indicative public transport accessibility level (PTAL) of 6, which is excellent. On a central site with a PTAL rating of 6, the development should be seeking to deliver between 140 and 405 units or between 650 and 1100 habitable rooms per hectare of land, depending on the proposed unit size split of the scheme. In addition to this, Barking and Dagenham Council policy BTCSSA1 identifies that there is potential for up to 200 homes on this site. The expectation that housing would be provided at levels broadly in line with those indicated in London Plan and local policy was confirmed with the applicant at pre-application stage.

40. The applicant proposes 100 residential units, which represents a residential density of approximately 110 units per hectare. When considering that the proposed units are largely 2 bedroom or smaller, this translates as approximately 256 habitable rooms per hectare. This is a significantly lower level of housing delivery than set out in the London Plan.
The applicant contends that there are several factors limiting housing development on the site, and therefore justifying the current levels of proposed housing provision. Firstly, that the proposals are mixed use and need to give primacy to delivering retail facilities that can compete with nearby out of town facilities. The applicant states that the ability to deliver other uses on site is therefore compromised.

The London Plan Interim Housing SPG provides guidance on assessing residential density in schemes with a vertical mix of uses, to avoid creating development out of scale with its context. The applicant has provided a breakdown of floorspace which shows that the development is proposed to have approximately 70% non-residential uses. In such schemes the SPG recommends that rooms per hectare not be considered for use as a measure of appropriate density. The Interim Housing SPG provides that in such circumstances plot ratio (ratio of floorspace to site area) is more appropriate, as it would be in commercial development. In this part of the London Riverside Opportunity Area, with good public transport links it is considered that a residential plot ratio of between 3:1 and 5:1 should be achievable. Using gross floorspace figures provided by the applicant, the proposed plot ratio of this development is calculated at 2.82:1.

It is accepted that the need to prioritise delivery of competitive retail facilities may have an impact on the ability to deliver housing levels commensurate within the upper ranges of those indicated in table 3.2. In addition, the applicant states that it is not viable or acceptable to superstore owners to have residential accommodation above the sales floor area, as this involves excessive costs and ongoing maintenance issues. It is known that delivering residential accommodation as part of such schemes is feasible in some locations, where high land values justify the additional building and maintenance costs involved. Some such schemes have already been built and there is currently such an application being assessed by GLA officers. It has already been accepted, however, that in similar areas to Barking Town Centre the land values mean that such a move is not viable.

It is also contended that further constraints are imposed by the townscape, the need to respond positively to East Street conservation area and Abbey Green, and that only the current layout can achieve optimal levels of dual aspect apartments and deliver minimum space standards before viability is impacted. This need to respond to the local townscape and have well designed layouts is accepted and assessed in further detail in the urban design section of this report.

It is acknowledged that the site is subject to both physical and policy constraints and in view of this, the level of housing provision proposed as part of this scheme is considered acceptable in strategic terms. The current proposals therefore accord with London Plan policy 3.4.

### Space standards

London Plan policy 3.5 states that housing developments should be of the highest quality internally, and seeks to ensure that new development reflect the minimum space standards set out in table 3.3. The applicant has provided plans and supporting information that demonstrate that the residential units proposed meet the minimum space standards set out in London Plan table 3.3 (see table below) and this is welcomed.

<table>
<thead>
<tr>
<th>Flat size</th>
<th>London Plan GIA range (SQM)</th>
<th>Proposed GIA range GIA (SQM)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 bedroom</td>
<td>37-50</td>
<td>50-55</td>
</tr>
<tr>
<td>2 bedroom</td>
<td>61-70</td>
<td>61-72</td>
</tr>
<tr>
<td>-----------</td>
<td>-------</td>
<td>-------</td>
</tr>
<tr>
<td>3 bedroom</td>
<td>74-95</td>
<td>89-90</td>
</tr>
</tbody>
</table>

Values from London Plan Table 3.3

Unit size mix

47 London Plan Policy 3.8 deals with Housing choice and requires that developments provide a range of housing sizes and types. This is supported by the London Plan Housing SPG, which seeks to secure family accommodation within residential schemes, particularly within the social rented sector, and sets guidelines for councils assessing their local needs. The housing SPG seeks to achieve the following housing mix in line with strategic need: 32% 1 bed units, 38% 2 and 3 bed units, and 40% 4 bed units. It is accepted that this is an indicative strategic mix, and that the mix on any particular site may vary depending on local need.

48 The applicant has explained that the unit size mix is made up of 54% 1 bed units, 36% 2 bed and 10% 3 bed units. Such a mix does not reflect the London-wide need identified in the Housing SPG. The applicant has submitted information showing that the constraints on the site made housing accommodation unfeasible, and therefore only flatted accommodation was possible above the retail store. Furthermore, the applicant states that a mix of largely smaller units was chosen following consultation with Barking and Dagenham Council in order to maximise the development potential of the site. It is acknowledged that the site is suited for flat-only residential accommodation and that this type of development is less appropriate for provision of family accommodation. It is also accepted that there are no specific targets for market family accommodation in the London Plan. The housing unit size mix is therefore broadly acceptable in strategic policy terms.

Play space

49 Development proposals that include housing should make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs. This is set out in Policy 3.6 and expanded upon in the “Providing for Children and Young People’s Play and Informal Recreation” supplementary planning guidance (SPG). The SPG explains how to calculate child yield, based on unit numbers, size and tenure split and sets a benchmark of 10 sqm of useable child play space to be provided per child, with under 5 child play space to be provided on-site.

50 At pre-application stage, the applicant was asked to provide a child yield calculation by age group, as well as a detailed play strategy, explaining how adequate facilities will be provided and the space needs of children will be met, both on and off-site. The applicant was also asked to set out details of the quantum and nature of private amenity spaces in the proposal.

51 The applicant has submitted that the anticipated yield of the development is 49 children, and therefore the play space requirement is between 300 and 500 sqm for children between the ages of 5 and 11, and 100 sqm for the under 5’s. The applicant has submitted a design and access statement showing that 100 sqm of provision will be provided on site, for the under 5’s. This is welcomed. The applicant states that site constraints prohibit delivery of further on-site playspace for older children, and proposes that children of between 5 and 11 years old use the existing play facilities at Abbey Green, which is within 400m of the site. Barking and Dagenham Council has confirmed that this play area contains sufficient capacity to allow for this without additional expenditure. The applicant proposes and enhance pedestrian crossing over North Street to facilitate this. This is welcomed as it will also enable residents to have improved access to the
Urban design

52 Good design is central to all objectives of the London Plan (2011) and is specifically promoted by the policies contained within chapter seven which address both general design principles and specific design issues. London Plan Policy 7.1 sets out a series of overarching design principles for development in London. Other design policies in this chapter and elsewhere in the London Plan include specific design requirements relating to maximising the potential of sites, the quality of new housing provision, tall and large-scale buildings, built heritage and World Heritage Sites, views, the public realm and the Blue Ribbon Network. New development is also required to have regard to its context, and make a positive contribution to local character within its neighbourhood (policy 7.4). In this case, the proposed development sits on a strategically important site in Barking. Development on this site should create a distinctive gateway into the town centre, provide a high-quality park frontage onto Abbey Fields, and generate activity to ensure the safety of the proposed lane linking London Road to Market Square.

Layout

53 The proposed scheme wraps the ground level car park with development, and although active frontages do not occupy the entire street elevations, there would be a sufficient level of activity generated by the proposed uses, and a reasonable level of surveillance within the pedestrianised streets at the east of the site. The location of the café facing the Market Square and of the supermarket entrances half way along the lane will encourage people to use these new spaces, providing a critical amount of activity to make it feel safe and well used.

54 However, servicing and operational activities associated with the supermarket are located on the ground floor facing both London Road and North Street. These uses do not create any pedestrian activity or passive surveillance to contribute to making the public realm feel safe, well used and attractive and have a detrimental impact on the spaces surrounding them. This is of particular concern along the North Street edge of the development, where the access to servicing and car park will increase levels of traffic along this street, creating a hostile environment for pedestrians and increasing the severance between the town centre and Abbey Fields. Consideration needs to be given to locating uses that will benefit from the park frontage and will bring pedestrian activity to the public realm to balance the role of this street as a street for social activity as well as vehicular access.

55 It is also considered that the small, isolated retail units along these streets will not provide enough critical mass to make them viable or provide sufficient levels of activity and overlooking to make the public realm feel safe and well used. Serious consideration needs to be given to providing more retail units along this edge to maximise the benefits of the park across the road and ensure the public realm is safe and well used.

Scale, height and massing

56 The site of the proposed development would play a strategic role in creating a gateway into Barking Town Centre and articulating the edge of Abbey Fields. The bulk of the development is focused at the corner of London Road and North Street. Whilst this successfully articulates this important corner, this needs to be balanced by the need to provide enclosure and articulation of Abbey Fields. The strong massing of the proposed residential element would ensure that this is sufficient.
The podium element of the building, which accommodates the supermarket, would successfully address the similar scale of the development on other corners. The taller element, which houses the residential accommodation, appears slightly isolated from the podium and the street, but is anchored by the residential core entrances, which provides legibility for the residential use.

The applicant has provided a document demonstrating the impact of the proposal on local views, including views from within the adjoining conservation area. From views within the town centre, the proposal would adopt an appropriate scale. There would be no detrimental strategic impact on heritage features, including the conservation area.

Residential Layout

Policy 3.5 of the London Plan introduces a new policy on the quality and design of housing developments. Part A of the policy states that housing developments should be of the highest quality internally, externally and in relation to the wider environment. Part C of the policy states that new dwellings should generally conform to the dwelling space standards set out in Table 3.3, have adequately sized rooms and convenient and efficient room layouts. Part E of the policy states that the Mayor will provide guidance on implementation of this policy including on housing design for all tenures. The reasoned justification provides further guidance and explanation. In particular, paragraph 3.32 makes clear that “Securing new housing of the highest quality and protecting and enhancing residential neighbourhoods are key Mayoral priorities”. The Mayor’s Interim Housing Design Guide (July 2009) and the draft replacement Housing SPG (December 2011), provides further guidance on the implementation of these policies.

The housing element of the proposal is laid out around two cores accessed directly from the public realm, one from London Road and the other from North Street. This arrangement is welcomed as the entrances to the cores will be clearly identifiable and they will contribute to adding pedestrian activity to the surrounding public realm.

The applicant has positively responded to the advice on residential quality provided at the pre-application stage, and reduced the number of flats per floor, meaning that no more than eight dwellings are accessed from each floor. This is welcomed. Whilst the proposal does include a number of single aspect units, an effort has been made to keeping these to a minimum. There are two north-facing single-aspect units per floor which is acceptable in this case, owing to the reasonably open views from the affected flats, and the expected good levels of internal daylight as demonstrated in the environmental statement.

Elevations

Whilst a significant amount of work has been put into the elevation of the building, this does not compensate for the lack of activity on the ground floor. Changes to the layout of the ground floor will have a significant impact on the elevation of the building so further consideration will be necessary should these occur.

The main material for the upper residential element would be brick, which is the main material used in the buildings immediately surrounding the site. There is a contrast between the restrained style used in the materials in this development, and the new iconic schemes within the town centre, and the applicant has chosen to apply a more muted effect on this gateway site. Although the brick would be designed in an interesting pattern on the outer elevations, the effect would not be visible when viewed from a distance. As such, these elevations could appear bland in some long views, and the applicant should consider the introduction of additional detailing.
The separation between the ground floor and supermarket units and the residential element above would be achieved through a horizontal cladding pattern, which would have a height of around two storeys (occupying the equivalent of the first and second storeys). Although this provides an anchor to the supermarket and the building, there is little relief provided by windows or other openings, and its effect is to give a heaviness to the elevation that could draw the eye away from the more important ground floor elevation. The applicant should provide further justification for this approach.

Summary

The design of the proposed development does not comply with the design policies set out in the London Plan. Whilst some aspects of the scheme are well considered and the residential layout is acceptable, the proposed development fails to successfully address London Road or North Street, particularly at ground floor level. As discussed elsewhere in this report, the applicant’s inability to address this on the grounds of impacting viability of the scheme is not accepted and this remains a serious concern that must be addressed before the Mayor sees this application again. Further consideration of the building’s appearance on these elevations is also required.

Inclusive design

London Plan policy 7.2 seeks to ensure that proposals achieve the highest standards of accessibility and inclusion (not just the minimum), and all developments should seek to better minimum access requirements. Design and access statements should explain the design thinking behind the application and demonstrate how the principles of inclusive design, including the specific access needs of people with disabilities and older people, have been integrated into the proposed development and how inclusion will be maintained and managed. The supporting material should also explain whether relevant best practice standards such as British Standard BS 8300:2009 have been complied with, and how inclusion will be maintained and managed beyond construction.

It is acknowledged that access to residential cores and retail areas from blue-badge car parking and the street, and necessary store configuration are challenging factors to reconcile. In light of this it was explained at pre-application stage that there needs to be a clear access strategy, which demonstrates how the principles of inclusive design have been incorporated into the scheme. A design and access statement has been submitted, which attempts to deal with these issues. The applicant has stated that all units will comply with Lifetime Homes requirements and that 12% of units will be fully wheelchair accessible, with wheelchair units in the form of 2-bedroom, 3-person units distributed two per floor. This is welcomed, however, the document falls some way short of explaining how the development proposals will achieve the highest standards of accessibility and inclusion, and not just the minimum. The applicant should provide further information and ideally a separate access strategy, which gives careful consideration to specific needs of disabled people and explains how these have been integrated into the proposed development, as well as how inclusion will be maintained and managed beyond construction. This information should be submitted before the Mayor sees this application again.

Climate change

The London Plan climate change policies as set out in chapter 5 collectively require developments to make the fullest contribution to tackling climate change by minimising carbon dioxide emissions, adopting sustainable design and construction measures, prioritising decentralised energy supply, and incorporating renewable energy. The policies set out ways in which developers must address mitigation of, and adaptation to, the effects of climate change.
London Plan policy 5.2 states that development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

1. Be lean: use less energy

2. Be clean: supply energy efficiently

3. Be green: use renewable energy

Be lean

The applicant proposes a range of passive design features and demand reduction measures to reduce the carbon emissions of the proposed development. Both air permeability and heat loss parameters will be improved beyond the minimum backstop values required by building regulations. Other features include energy efficient lighting, variable speed fan motor drives and a building energy management system (BEMS). The demand for cooling will be minimised through solar shading.

The applicant has calculated the annual energy loads and carbon dioxide emissions and is proposing at least 10% improvements incorporated from energy efficient designs, compared to a 2010 Building Regulations compliant development. In order to demonstrate the commitment to exceeding 2010 Building Regulations through energy efficiency alone the applicant should provide the output of the modelling so that these carbon dioxide savings can be quantified.

Be clean

The applicant has identified that the planned Barking Power Station Heat Transmission Line district heating network is within the vicinity of the development and is proposing to connect to the network when it becomes available. The energy assessment confirms that the development will be designed to allow future connection, and this is welcomed.

The applicant is proposing to install a site-wide heat network; however, the applicant should confirm that all residential units and non-domestic building uses will be connected to this network. A drawing showing the route of the heat network linking all buildings on the site should be provided.

It is proposed that the heat network will be supplied from a single energy centre on the ground floor of the development. Further information on the floor area of the energy centre should be provided.

The applicant is proposing to install a 100 kilowatt gas fired combined heat and power unit as the lead heat source for the site-wide heat network. The combined heat and power unit is sized to provide the domestic hot water load, as well as a proportion of the space heating. A reduction in regulated carbon dioxide emissions of 206 tonnes per annum will be achieved through this second part of the energy hierarchy.

Be green

The applicant has investigated the feasibility of a range of renewable energy technologies and is proposing to install 30 sqm of solar photovoltaic panels. A drawing showing the proposed location of the panels has been provided.

A reduction in regulated carbon dioxide emissions of 2 tonnes per annum (1%) will be achieved through this third element of the energy hierarchy.
Overall carbon savings

78 The overall saving in tonnes of regulated carbon dioxide emissions per annum relative to a 2010 Building Regulations compliant development is not clear. Taking into account all elements of the energy hierarchy, including energy efficiency, the applicant should confirm the carbon dioxide savings, expressing them in both tonnes of carbon dioxide per annum and percentage terms.

Transport

79 Chapter 6 of the London Plan deals with transport, and includes policies on assessing the effects of development on transport capacity, enhancing connectivity and encouraging development that reduces the need to travel and supports the use of sustainable means of travel such as by walking and cycling.

80 A total of 360 car parking spaces are currently being proposed on site. 320 of those are intended to serve the proposed foodstore (including 20 blue badge parking spaces), with the remaining 40 spaces provided as a replacement for the existing parking spaces already on site. This level of provision is in accordance with the London Plan standards, and while being at the top end of the range permissible, a parking accumulation exercise has demonstrated the need for such provision. This level of provision is therefore considered acceptable, despite the site’s excellent accessibility. The residential development is to be car free, other than the provision of 10 blue badge parking spaces, and this is supported. The requirement for occupiers of the proposed development to be prevented from obtaining residents parking permits for any local controlled parking zones (CPZ) should be secured either by condition, or through the s106 agreement.

81 Electric vehicle charging points are proposed in accordance with London Plan standards, which is supported, as is the proposal to introduce a car park management strategy for the site. It is recommended that implementation of these will be secured by condition.

82 It is accepted that the proposed development is unlikely to negatively impact the operation of the Transport for London Road Network. It is, however, not possible to assess the potential impacts on the wider strategic road network until the results of the VISSIM modelling developed for the Town Centre, have been submitted. These results should also give a better understanding of any potential impacts on bus operations, and infrastructure, in advance of the application being determined. Depending on the output, a contribution towards wider traffic management measures for the town centre, such as SCOOT (Split Cycle Offset Optimisation Technique), might be sought. This could potentially be secured as a junction specific intervention as part of the Section 106 agreement, and/or form part of the wider town centre strategy.

83 The vehicular access strategy seems broadly acceptable. In order to facilitate this, however, it is understood that changes are being proposed to the London Road / North Street and London Road / Abbey Road junctions, and similarly these seem acceptable in principle, subject to the results of the modelling, road safety audit and approval of signal changes. While their implementation will be subject to a Section 278 agreement with Barking & Dagenham Council, any changes to the operation of signals in this location would however require the approval of Transport for London. It should be noted that the implementation of any signal changes prior to the Olympics is highly unlikely, and that any costs incurred, including abortive design work, are to be borne by the applicant.

84 The proposed development is unlikely to have any negative impact on the capacity of local bus services. While the proposed relocation and upgrade of the bus stop currently located opposite the site on North Street is supported in principle, it should be noted that where alterations to bus infrastructure are considered necessary, they will need to be agreed with Transport for London and
The proposed changes to the highway layout at the above junctions also include the removal of, and changes to existing bus lanes. In accordance with London Plan policy 6.7, this can only be accepted on demonstration that there will be no negative impacts on bus journey times as a result of this development. Given that this relies on the outcome of the modelling exercise, as further detailed above, this can only be assessed once the results have been received. This should be done before the Mayor sees this application again.

An audit of the pedestrian environment has been undertaken as requested at the pre-application stage, which is welcomed. This has identified a number of areas in need of improvement, and in accordance with London Plan Policy 6.10, it is requested that those be improved as part of the proposed ‘sustainable transport measures’ to be secured either through the Section 106 or Section 278 agreement. Transport for London also request that Legible London signage be secured through the Section 106 agreement. As an initial estimate, a contribution of £60,000 be set aside towards its provision. Transport for London would welcome further discussions on a potential signage strategy for this development, and where Legible London signs could be located.

Cycle parking is being proposed in accordance with London Plan standards across all land uses, which is supported. This equates to the provision of 110 spaces for the residential aspect of the development, 64 spaces for the proposed foodstore, and 16 spaces for the ancillary uses. The applicant should, however, provide shower, changing and locker facilities for members of staff wishing to cycle to work, in accordance with London Plan Policy 6.9 and the draft London Riverside Opportunity Area Planning Framework.

In accordance with London Plan Policy 6.15, both a delivery and servicing plan (DSP) and construction logistics plan (CLP) should be secured by condition. Information on construction access arrangements (routing, swept paths, staff travel, access, over sized vehicles etc) should be provided before the Mayor sees this application again, acknowledging that they are likely to be preliminary until a contractor has been appointed. It is also recommended that a detailed travel plan for the site be secured, managed monitored and enforced through the Section 106 agreement.

Local planning authority’s position

Barking and Dagenham Council officers support the application.

Legal considerations

Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 of the Order to refuse the application, or issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application and any connected application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor’s statement and comments.

Financial considerations
There are no financial considerations at this stage.

**Conclusion**

The redevelopment of this site with a retail led mixed-use scheme will contribute towards the ongoing regeneration of Barking Town Centre. This was welcomed at pre-application stage, however, the applicant was advised that there were significant improvements that could be made before the application was submitted. The applicant’s response to pre-application consultation with regard to design of the scheme, is very disappointing. Whilst it is accepted that the proposals accord with London Plan housing policy and that there is demonstrable need for regeneration in this part of East London, and for community benefits such as the skills centre, the applicant must also address the significant policy shortcomings of the scheme in other areas before it can be acceptable in London Plan terms.

London plan policy 8.2 sets out the Mayor’s approach to planning obligations and provides the basis for assessment of development proposals with regards to strategic priorities and viability. The approach to viability adopted by the applicant, in which local planning priorities are “ring fenced” within the land acquisition cost, instead of being itemised separately is not supported. This approach is not helpful in that it does not allow for a rational approach to balancing local and strategic needs. Furthermore, it confuses the issue of viability for the purpose of discussing other areas of policy, such as design, which may have an impact on build costs. The need for the scheme to deliver planning obligations and retail facilities, must also be balanced against need to provide a high quality design that is acceptable in London Plan policy terms and will not compromise the objective of long term improvement of Barking town centre.

On balance, the application does not comply with the London Plan.

The following changes might, however, remedy the above-mentioned deficiencies, and could possibly lead to the application becoming compliant with the London Plan:

- **Viability:** The applicant should submit a revised toolkit appraisal as per paragraphs 26-37, in order that issues impacting viability of the scheme can be more clearly understood and departures from London Plan policy on the grounds of viability robustly justified.

- **Urban design:** The applicant should significantly improve the design of the scheme, particularly the way in which the development addresses North Street and London Road, in line with paragraphs 52-65.

- **Climate change:** The applicant should provide further information to address the points raised in paragraphs 68-78.

- **Transport:** The applicant should provide further information to address the points raised in paragraphs 79-88.

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