

**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
8 March 2012 (7.30 - 9.30 pm)**

Present:

COUNCILLORS: 11

Conservative Group Barry Oddy (in the Chair) Barry Tebbutt (Vice-Chair), Jeffrey Brace, Frederick Osborne, Garry Pain, Wendy Brice-Thompson and Steven Kelly

Residents' Group Linda Hawthorn and Ron Ower

Labour Group Denis Breading

Independent Residents Group Michael Deon Burton

Apologies were received for the absence of Councillors Sandra Binion, Robby Misir, Paul McGeary and Mark Logan.

+Substitute members: Councillor Wendy Brice-Thompson (for Robby Misir), Councillor Steven Kelly (for Sandra Binion), Councillor Denis Breading (for Paul McGeary) and Councillor Michael Deon Burton (for Mark Logan).

Speaking in relation to planning application P1583.11 Councillor Tebbutt informed the Committee that he had been a Governor of a school in close proximity to the application site and that he had previously raised concerns on matters of highways safety relating to the site. This did not amount to a personal prejudicial interest.

8 members of the public and a representative of the Press were present.

Unless otherwise indicated all decisions were agreed with no vote against.

Through the Chairman, announcements were made regarding emergency evacuation arrangements and the decision making process followed by the Committee.

262 **P1451.10 - LAND TO THE EAST OF GOOSHAYS DRIVE, WEST OF CENTRAL PARK AND NORTH OF PETERSFIELD AVENUE, HAROLD HILL - OUTLINE APPLICATION FOR UP TO 242 RESIDENTIAL DWELLINGS AND ASSOCIATED ACCESS FROM PETERSFIELD AVENUE AND GOOSHAYS DRIVE. ASSOCIATED PARKING, OPEN SPACE, LANDSCAPING AND DEMOLITION OF ALL EXISTING BUILT STRUCTURES ON THE SITE**

The report before members detailed an application that had been submitted on behalf of the Council in respect of land within its ownership on the eastern side of Gooshays Drive, north of Petersfield Avenue. The application sought outline planning permission for residential development of up to 242 units on the site.

Members noted that 19 letters of representation had been received.

In accordance with the public participation arrangements, the Committee was addressed by an objector with a response from the applicant.

With its agreement, Councillors Darvill, O'Flynn and Murray addressed the Committee.

Councillor Darvill, speaking in opposition to the application, questioned the certainty of the provision of the alternative sports facilities at the Broxhill Centre, and the suitability of such facilities. Councillor Darvill also questioned the type and number of affordable properties planned for the scheme and questioned whether such provision was sufficient. Councillor Darvill asked that the Committee reject or defer the proposal on the grounds of adverse environmental impact to Harold Hill; loss of leisure space; uncertainty over highways infrastructure; uncertainty over how the proceeds from a future sale of the site would be used.

Councillor O'Flynn, speaking in opposition to the application, questioned the manner in which green sites in Harold Hill were being disposed of. Councillor O'Flynn questioned the adequacy of the size of the affordable housing provision when there are significant numbers of people awaiting social housing. Councillor O'Flynn suggested that the assets of Harold Hill were being sacrificed in order to pay for projects in other wards.

Councillor Murray, speaking in opposition to the application, commented that the area to be developed was very popular with local residents and had a long history as an open green space. Councillor Murray expressed his concerns at the number of residential units proposed in the development as the development was in close proximity to another development on the former Harold Wood Hospital site. Councillor Murray raised concerns over health and safety and traffic management issues and questioned whether the current infrastructure, schools, roads, health sector which are already over stretched could support the development. Councillor Murray asked that the Committee reject the scheme as the majority of residents in the Gooshays ward were against the proposals.

During a lengthy debate members considered the comments made in opposition to the proposed development. Members noted that future proceeds from the sale of the proposed development site would go towards the Harold Hill Ambitions Programme for the benefit of the Harold Hill area.

Members discussed the number of new positive development opportunities that had taken place in the Harold Hill area recently.

Members sought and received clarification that the existing users of the land, the Romford Royals Football Club, were in agreement with re-locating to the Broxhill Centre.

Members also considered the possibility of increased traffic congestion, arising from the proposed new development, at the junction of Gooshays Drive/Gubbins Lane and the A12 Colchester Road. Officers advised that funding for traffic improvements was included in the proposed Section 106 agreement.

It was **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to

A: the conditions set out in the report and no direction to the contrary from the Mayor for London (under the Town and Country Planning (Mayor of London) Order 2008); and

B: an agreement under S106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

- Payment of £210,000 to Transport for London for improved school day bus services to cover 3 no. annual payments;
- Payment of £85,000 to Transport for London for improvements towards the A12 Colchester Road/Gooshays Drive/Gubbins Lane Junction;
- Payment of £100,000 to the Highway Authority towards Highway Improvements on the Borough Network as part of the Harold Hill Ambitions;
- Payment of £150,000 to the Council for pavement improvements as part of the Harold Hill Ambitions;
- Payment of £150,000 to the Council towards new Hilldene Library as part of the Harold Hill Ambitions;
- Payment of £100,000 to the Council towards Myplace as part of the Harold Hill Ambitions;
- Payment of £15,000 to the Council towards Employment Training initiative;
- Payment of circa £1,000,000 to the Council for improvements to Central Park as part of the Harold Hill Ambitions
- Payment of circa £120,000 to the Council for the cost of works in respect of improvements to Dagnam Park (eg drainage/seeding/marketing etc) to provide two new football pitches (cost of the works to established following completion of survey);
- Payment of circa £246,000 to the Council for the cost of works in respect of improvements to Broxhill (eg

drainage/levelling/seeding/ marking etc) to provide two new football pitches (cost of the works to established following completion of survey);

- Payment of circa £200,000 to the Council for refurbishments works to the Broxhill Sports Pavilion (cost of the works to established following completion of survey); and
- Provision on site of 15% of the dwelling units as affordable housing, 100% of which will be intermediate affordable housing for shared ownership (as defined in Annex B of PPS 3 June 2011).
- Development to be carried out in accordance with the provisions of the submitted travel plan.
- All contribution sums shall include interest to the due date of expenditure and indexation from the date of the agreement to the date of payment.
- Payment of the Council's reasonable legal fess for preparation of the agreement.
- Payment of the Council's standard Monitoring fees for each Planning Obligation.

Such agreement to be completed at the same time as a contract for sale of the application site is completed.

Subject to recommendations A) and B) above that planning permission be granted subject to the following conditions:

1. Approval of Details The development hereby permitted may only be carried out in accordance with detailed plans and particulars which shall previously have been submitted to and approved in writing by the Local Planning Authority, showing the layout, access, scale, appearance and landscaping as defined in the Town and Country Planning (General Development Procedure) Order 1995 (herein after called the reserved matters).

Reason: The particulars submitted are insufficient for consideration of the details mentioned and the application is expressed to be for outline permission only.

2. Time Limit for Details Application/s for approval of the reserved matters shall be submitted to the Local Planning Authority within five years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3. Time Limit for Commencement The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

4. Phases of Development The development shall not commence and no reserved matters submissions or submissions of details to comply with conditions shall be made until a Plan is submitted to and approved in writing by the Local Planning Authority, clearly identifying the different phases of the development to which reserved matters applications and details required pursuant to condition/s shall subsequently be made. No phase of the development shall commence until all relevant reserved matters and details prior to commencement conditions are approved in respect of that phase.

Reason: To ensure that full details of the relevant phase of the development are submitted for approval.

5. Reserved Matters for Each Phase All reserved matters in relation to any phase of the development (as identified in accordance with Condition 4) shall be submitted at the same time.

Reason: Given the sensitive nature of the site it is important that all aspects of the development are considered together.

6. Requirement for Section 106 - Before the development hereby permitted is commenced, arrangements shall be agreed in writing with the local planning authority and be put in place to ensure the following:

- Improvements bus services in the vicinity of the site to provide an additional school day journey;
- Improvements works to the A12 Colchester Road/Gooshays Drive/Gubbins Lane Junction;
- Improvements to the Borough Road network within the Harold Hill area as part of the Harold Hill Ambitions regeneration programme;
- Improvement to pavements within the Harold Hill areas as part of the Harold Hill Ambitions regeneration programme;

- Improved library facilities in the Harold Hill area as part of the Harold Hill Ambitions regeneration programme;
- Improved youth facilities in the Harold Hill area as part of the Harold Hill Ambitions regeneration programme;
- Improved Employment Training initiatives in the Harold Hill area as part of the Harold Hill Ambitions regeneration programme;
- Improvements to Central Park as part of the Harold Hill Ambitions regeneration programme;
- Improvements to Dagnam Park to provide two new football pitches;
- Improvements to Broxhill to provide two new football pitches;
- Refurbishment works to the Broxhill Sports Pavilion;
- Contractual provision which secures the provision of community access to the parking and changing facilities at Drapers Academy or in the absence of such contractual provisions Condition 43 below, which seeks the provision of acceptable changing accommodation and car parking within Dagnam Park.
- Provision on site of 15% of the dwelling units as affordable housing, 100% of which will be intermediate affordable housing for shared ownership (as defined in Annex B of PPS 3 June 2011).
- Development to be carried out in accordance with the provisions of the submitted travel plan.

Reason: The development would otherwise be unacceptable if the improvements sought through the Section 106 agreement were not able to be secured.

7. In Accordance with Parameters The development (including all reserved matters and other matters submitted for approval pursuant to the planning conditions) shall be carried out in accordance with the development parameters as detailed in Section 1.2 of the Design and Access Statement, and the Site Masterplan Supplementary Information received on 2 November 2011, and Drawing Nos:

2874 PARA 01 Development Parameter Plan (revised and received 16.8.11)

2874 PARA 02 Parameter Plan – Maximum Building Heights

No application for approval of reserved matters (or other matters submitted for approval pursuant to the planning conditions) which would entail any significant deviation from the parameters and plans shall be made unless otherwise provided for by conditions elsewhere within this permission.

Reason: To ensure that the development is carried out in accordance with the plans and parameters that form the basis for the consideration of the scheme.

8. Materials No phase of development (as identified in accordance with condition 4) shall commence until samples and details of all materials to be used in the external construction of the buildings and surfacing of all external areas have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area, and that the development accords with Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

9. Boundary Treatment No phase of the development (as identified in accordance with Condition 4) shall commence until details of the boundary treatment to that phase of development, demonstrating compliance with an overall site strategy, are submitted to and approved in writing by the local planning authority. No phase of the relevant development site shall be occupied until boundary treatment for that phase has been provided in accordance with the approved details.

Reason: To ensure a satisfactory external appearance and in the interests of creating safer places.

10. Lighting Prior to the commencement of the relevant phase of the development (as identified in accordance with Condition 4) a scheme shall be submitted in writing providing details of all external lighting to that phase, demonstrating compliance with an overall site strategy, and approved in writing by the local planning authority. No phase of the relevant development site shall be occupied until lighting for that phase has been provided in accordance with the approved details.

Reason: In the interests of residential and visual amenity, security and biodiversity.

11. Obscure Glazing Prior to the commencement of the relevant phase of the development (as identified in accordance with Condition 4) a scheme for obscure glazing of appropriate windows shall be submitted to and agreed in writing by the Local Planning Authority. The obscure glazing shall be installed prior to the first residential occupation of each relevant phase, in accordance with the agreed scheme and retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of privacy.

12. Landscaping Prior to the commencement of the relevant phase of the development (as identified in accordance with Condition 4) a scheme of soft and hard landscaping and a phased timetable for its implementation shall be submitted to and approved in writing by the Local Planning Authority before the development of each phase commences. This shall

be accompanied by an Arboricultural Implications Assessment detailing all trees to be retained on site and those to be removed and any proposed topping or lopping, together with measures for the protection in the course of development. The scheme shall specify the size, species, and positions or density of shrubs and trees to be planted and the approved scheme shall be undertaken in accordance with the timetable approved in writing by the Local Planning Authority. If within a period of five years from the date of the planting, any tree or shrub or any tree or shrub planted in replacement of it, is removed, up-rooted or destroyed, is diseased or dies, another tree or shrub of the same species and size to that originally planted shall be planted at the same place.

Reason: To ensure the scheme has adequate landscaping and to ensure that any trees or shrubs planted as part of the landscaping scheme are replaced in accordance with that scheme, and that the development accords with Policy DC60 of the LDF Core Strategy and Development Control Policies Development Plan Document.

13. Landscape Management Plan For each phase of the development a landscape management plan, including long term design objectives, management responsibilities, maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, and a timetable for its implementation shall be submitted to and approved in writing by the Local Planning Authority prior to the first residential occupation of the development or completion of any phase thereof, as appropriate. The landscape management plan shall be carried out as approved and adhered to thereafter.

Reason: To protect/conservate the natural features and character of the area.

14. Protection of Preserved Trees For each phase of the development no building, engineering operations or other development on the site, shall be commenced until a scheme for the protection of trees protected by a Tree Preservation Order on the site has been submitted to and agreed in writing by the Local Planning Authority. Such scheme shall contain details of the erection and maintenance of fences or walls around such trees, details of underground measures to protect roots, the control of areas around the trees and any other measures necessary for the protection of the trees. Such agreed measures shall be implemented and/or kept in place until the approved development is completed to the satisfaction of the Local Planning Authority.

Reason: To protect the trees on the site subject to a Tree Preservation Order, and that the development accords with Policy DC60 of the LDF Core Strategy and Development Control Policies Development Plan Document.

15. Design Principles Any application for reserved matters shall be accompanied by a comprehensive design statement which demonstrates

how the development responds to the guidance set out in paragraph 35 of PPS1 and other good practice guides referred to at paragraph 37.

Reason: To ensure the ongoing provision of high quality design, in accordance with Policy DC61 of the LDF.

16. Car Parking- No phase of the development (as identified in accordance with Condition 4 shall commence until details showing the provision of parking for that phase has been submitted to and approved in writing by the Local Planning Authority. The total number of parking spaces on the site shall not exceed 375 and shall ensure a minimum of 1 space per dwelling unless otherwise specifically agreed in writing by the Local Planning Authority.

Reason: To ensure that the total parking provided does not exceed the maximum standard, in accordance with Policy DC33 of the LDF.

17. Cycle Storage No phase of the development (as identified in accordance with Condition 4) shall be occupied until cycle parking is provided in accordance with details to be previously submitted to and approved in writing by the Local Planning Authority in respect of that phase. Cycle parking shall be to the standards set out in Annex 6 of the LDF. Such cycle parking shall thereafter be retained to the satisfaction of the Local Planning Authority.

Reason: To ensure the development takes account on the needs of cyclists, in accordance with Policy DC33 of the LDF.

18. Parking for Users with Disabilities Provision shall be made within the development for a minimum of 24 spaces to be allocated for Blue Badge users.

Reason: In order to ensure the development provides accessible parking for people with disabilities and to comply with the aims of Policy 6.13 of the London Plan July 2011.

19. Vehicle Charging Points Provision shall be made within the development for a total of 40% of the spaces provided with the passive provision of electric vehicle charging points, with a minimum of 20% of parking spaces to be fitted with active provision of electric vehicle charging points

Reason: In the interests of sustainable transport and to accord with Policy 6.13 of the London Plan July 2011.

20. Freight Strategy Prior to the commencement of development a Delivery and Servicing Plan and a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of booking systems, consolidated or re-timed trips and provision for secure off street loading and drop off facilities. The

development shall than be carried out in accordance with the agreed details.

Reason: In order to ensure the construction of the development does not have an adverse impact on the environment or road network and to accord with Policy 6.14 of the London Plan July 2011.

21. Piling methodology No impact piling shall take place until a piling method statement (detailing the 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 water or sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with the relevant water or sewerage undertaker. 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 underground water and sewerage utility infrastructure. Piling has the potential to impact on local underground water and sewerage utility infrastructure.

22. Drainage Strategy Development shall not commence on each phase until a drainage strategy detailing any on and/or off site drainage works has been submitted to and approved in writing by the Local Planning Authority in consultation with the sewerage undertaker for each phase of development. No discharge of foul or surface water from a phase shall be accepted into the public system until the drainage works referred to in the strategy for that phase have been completed.

Reason: The development may lead to sewerage flooding and to ensure that sufficient capacity is made available to cope with the new development and in order to avoid adverse environmental impact on the community.

23. Archaeology Prior to the commencement of any phase of development a programme of archaeological field evaluation and survey shall be undertaken, in accordance with a written scheme of investigation which shall previously be submitted to and approved by the Local Planning Authority. The results of the field evaluation shall inform a mitigation strategy to either conserve archaeological assets or ensure their recording prior to development. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority and the development carried out in accordance with the mitigation strategy.

Reason: Important archaeological remains may exist on this site and the provision of archaeological evaluation must be secured to inform the determination of any detailed planning consent and to accord with the provisions of Policy DC70 of the LDF Core Strategy and Development Control Policies Development Plan Document.

24. Contaminated land Prior to the commencement of any phase of development pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority (the Phase I Report having already been submitted to and approved in writing by the Local Planning Authority):

a) A Phase II (Site Investigation) Report if the Phase I Report confirms the possibility of a significant risk to any sensitive receptors. This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the site ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.

b) A Phase III (Risk Management Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. The report will comprise two parts:

Part A - Remediation Scheme which will be fully implemented before it is first occupied. Any variation to the scheme shall be agreed in writing to the Local Planning Authority in advance of works being undertaken. The Remediation Scheme is to include consideration and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority for written approval.

Part B - Following completion of the remediation works a 'Validation Report' must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

c) If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals, then revised contamination proposals shall be submitted to the LPA; and

d) If during development work, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed contamination proposals.

For further guidance see the leaflet titled, 'Land Contamination and the Planning Process'.

Reason: To protect those engaged in construction and occupation of the development from potential contamination. Also in order that the

development accords with the LDF Development Control Policies Development Plan Document Policy DC53.

25. Community Safety Prior to the commencement of any relevant phase of the development (as identified in accordance with Condition 4), a full and detailed application for the Secured by Design scheme shall be submitted to the Local Planning Authority, setting out how the principles and practices of the aforementioned scheme are to be incorporated. Once approved in writing by the Local Planning Authority in consultation with the Havering Police Crime Prevention Design Advisor, the relevant phase of the development shall be carried out in accordance with the agreed details.

Reason: In the interest of creating safer, sustainable communities, reflecting guidance set out in PPS1, and Policies CP17 and DC63 of the LDF Core Strategy and Development Control Policies DPD, and Policy 7.3 of the London Plan July 2011.

26. Flood Risk The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) and associated documents and the following mitigation measures detailed within the FRA:

- limiting the surface water run-off generated by the 1 in 100 year critical storm taking the effects of climate change into account to Greenfield rates, in order to minimise the risk of flooding off-site;
- Provision of storage on site to attenuate all storm events up to and including the 1 in 1000 year event, taking the effects of climate change into account.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site.

27. Surface Water Drainage No phase of the development (as identified in condition 4) shall begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The Scheme shall include the maximisation of Sustainable Drainage Systems within the drainage design.

Reason: To prevent the increased risk of flooding and to improve and protect water quality.

28. Buffer Zone Prior to the commencement of development a scheme for the provision and management of an 8m natural buffer zone alongside the Paines Brook shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in

accordance with the approved scheme and any subsequent amendments agreed in writing with the Local Planning Authority. The scheme shall include:

- details of the planting scheme (for example native species within the 8m buffer zone)
- details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term
- details of any footpaths, fencing, lighting etc. which should be set back outside the 8m buffer zone as far as possible
- details of how any Japanese knotweed or other invasive species along the river will be managed

Reason: Development that encroaches on watercourses has a potentially severe impact on their ecological value. This is contrary to government policy in PPS1 and PPS9 and to the UK Biodiversity Action Plan. Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected. Article 10 of the Habitats Directive also stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats and to promote the expansion of biodiversity. Such networks may also help wildlife adapt to climate change.

29. Wheelchair Accessibility and Lifetime Homes All of the dwellings hereby approved shall be built to lifetime homes standards and a minimum of 10% of the homes shall be designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users.

Reason: In the interests of the amenities of future residents and visitors and to ensure that the residential development meets the needs of all potential occupiers and to comply with Policy DC7 of the LDF and Policy 7.3 of the London Plan July 2011.

30. Sustainability Any application for reserved matters shall be accompanied by a sustainability statement, such statement to be approved in writing by the Local Planning Authority prior to the commencement of development of the relevant phase (as identified in accordance with Condition 4). The statement shall outline how the development will meet the highest standards of sustainable design and construction to incorporate measures identified in the London Plan and shall be required to demonstrate that the development will achieve a minimum Code for Sustainable Homes Level 4. The relevant phase of the development shall thereafter be carried out in full accordance with the agreed Sustainability Statement. Before the proposed development is occupied the Final Code Certificate of Compliance shall be provided to the Local Planning Authority in order to ensure that the required minimum rating has been achieved.

Reason: In the interests of energy efficiency and sustainability in accordance with the Policy DC49 of the LDF, the Councils Sustainable

Design and Construction SPD Adopted April 2009 and Policies 5.2 and 5.3 of the London Plan July 2011.

31. Energy Any application for reserved matters shall be accompanied by an Energy Statement, such statement to be approved in writing by the Local Planning Authority prior to commencement of development of any relevant phase thereof (as identified in accordance with Condition 4). The statement shall incorporate an energy demand assessment and shall detail the energy efficiency design measures and renewable energy technology to be incorporated into the final design of the development. The statement shall include details of a renewable energy/low carbon generation system for the proposed development, including consideration of the use of photovoltaics, which will displace at least 20% of carbon dioxide emissions, beyond Building Regulations requirements. The renewable energy generation system shall be installed in strict accordance with the agreed details and be operational to the satisfaction of the Local Planning Authority prior to the occupation of any relevant phase of the development. The development shall thereafter be carried out in full accordance with the agreed energy statement and the measures identified therein. Any change to the approved energy strategy shall require the written consent of the Local Planning Authority.

Reason: In the interests of energy efficiency and sustainability in accordance with Policy DC50 of the LDF, the Councils Sustainable Design and Construction SPD Adopted April 2009 and Policy 5.7 of the London Plan July 2011.

32. Storage of Refuse Prior to the first occupation of each and any phase of the development hereby permitted (as identified in condition 4), provision shall be made for the storage of refuse awaiting collection according to details which shall previously have been agreed in writing by the Local Planning Authority. Unless otherwise agreed in writing these details shall include provision for suitable containment and segregation of recyclable waste. The measures shall be fully implemented in accordance with the agreed details.

Reason: In the interests of the amenity of occupiers of the development and also the visual amenity of the development and locality general, and in order that the development accords with policy DC61 of the LDF Development Control Policies Development Plan Document

33. Construction Method Statement No relevant phase of the development (as identified in accordance with Condition 4) shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the relevant construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials

- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: In the interests of residential amenity and highway safety, and in order that the development accords with policy DC61 of the LDF Development Control Policies Development Plan Document

34. Hours of Construction No construction works or construction related deliveries into the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless agreed in writing with the Local Planning Authority. No construction works or construction related deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect residential amenity, and in order that the development accords with the Policy DC61 of the LDF Development Control Policies Development Plan Document.

35. Wheelwashing Before the commencement of any phase of the development hereby permitted, details of wheel scrubbing/wash down facilities to prevent mud being deposited onto the public highway during construction works of that phase shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be permanently retained and used at relevant entrances to the site throughout the course of construction works.

Reason: In order to prevent materials from the site being deposited on the adjoining public highway, in the interests of highway safety and the amenity of the surrounding area and in order that the development accords with Policy DC61 of the LDF Development Control Policies DPD.

36. Site Waste Management Before the commencement of any phase of the development hereby permitted a detailed Site Waste Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include a detailed strategy for waste management and minimising of waste, including recycling of waste and for managing the associated impacts of construction related traffic.

Reason: In the interests of amenity and sustainability and to reduce the impact of the construction on the local road network.

37. Unit Mix Prior to the commencement of any phase of the development (as identified in condition 4) details of the proposed unit mix for each phase shall be submitted to and approved in writing by the Local

Planning Authority. Provision shall be made across the development as a whole for a minimum of 50% of the units to have three or more bedrooms.

Reason: To ensure a satisfactory range and choice of accommodation to create mixed and balanced communities and to accord with Policy DC2 of the LDF Development Control Policies DPD and Policy 3.8 of the London Plan July 2011.

38. Ecology Prior to the commencement of the relevant phase of the development (as identified in condition 4) an ecological management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall accord with the recommendations of the submitted Ecological Impact Assessment (EclA) and shall include provision for the conservation of bats and protection of nesting birds and mitigation against the impacts of the development. The development shall be carried out in accordance with the approved details.

Reason: In order to ensure protection and enhancement of biodiversity in accordance with Policy DC58 of the LDF Development Control Policies DPD.

39. Environmental Noise The development hereby approved shall be carried out in accordance with the recommendations of the submitted Environmental Noise Assessment.

Reason: In the interests of residential amenity and to accord with Policy DC55 of the LDF Development Control Policies DPD.

40. Restriction of permitted development rights Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 Article 3, Schedule 2, Part 1, Classes A - E, no extensions, porches, outbuildings or other alterations shall take place unless permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason: In the interests of amenity and to enable the Local Planning Authority to retain control over future development, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

41. Sport England - Prior to commencement of the development hereby permitted:

(i) a detailed assessment of ground conditions of the land proposed for the new football pitches at Dagnam Park shall be undertaken and submitted to the Local Planning Authority (including drainage and topography) to identify constraints which could affect playing field quality; and

(ii) Based on the results of this assessment to be carried out pursuant to (i) above of this condition, a detailed scheme to ensure that the playing fields will be provided to an acceptable quality shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England.

The approved scheme shall be complied with in full prior to commencement of the development.

Reason: To ensure that site surveys are undertaken for new or replacement playing fields and that any ground condition constraints can be and are mitigated to ensure provision of an adequate quality playing field and to accord with Policy DC18 and Sport England Policy E4.

42. The development hereby permitted shall not be commenced until a scheme has been submitted to and approved in writing by the Local Planning Authority, after consultation with Sport England, which secures community access to changing facilities and car parking at the Drapers Academy for users of the playing pitches to be provided at Dagnam Park for a period being no more than five years and no less than three years.

Reason: To maximise the opportunity for community use of the facilities and to ensure the provision of equivalent or better management arrangements than that currently provided and to accord with Policy DC18 and Sport England Policy E4

43. In the event that a suitable contractual arrangement to provide community access to the parking and changing facilities at Drapers Academy is not reached, on or prior to the commencement of the development, details shall be submitted to and agreed in writing by the Local Planning Authority which set out alternative arrangements for parking and changing facilities within Dagnam Park. The parking and changing facilities shall be provided prior to the first occupation of the first phase of the development and thereafter permanently retained for that use.

Reason: To maximise the opportunity for community use of the facilities and to ensure the provision of equivalent or better management arrangements than that currently provided and to accord with Policy DC18 and Sport England Policy E4

INFORMATIVES:

1. The applicant is advised that planning approval does not constitute approval for changes to the public highway. Highway approval will only be given after suitable details have been submitted, considered and agreed. Please contact the StreetCare Service (Traffic and

Engineering section) to commence the submission/licence approval process.

2. In aiming to satisfy conditions 15 and 25 above, the applicant should seek the advice of the Borough Crime Prevention Design Advisor. He can be contacted through either via the London Borough of Havering Planning Control Service or Romford Police Station, 19 Main Road, Romford, Essex, RM1 3BJ
3. Reason for Approval:

This decision to grant planning permission has been taken:

(i) having regard to Policies CP1, CP2, CP7, CP8, CP10, CP15, CP17, CP18, DC2, DC6, DC7, DC18, DC20, DC30, DC32, DC33, DC34, DC40, DC48, DC49, DC50, DC51, DC52, DC53, DC55, DC58, DC60, DC61, DC63, DC70, DC72 of the Local Development Framework (LDF) Core Strategy and Development Control Policies Development Plan Document (DPD); Policies 2.18, 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 3.9, 3.10, 3.11, 3.12, 3.13, 3.19, 5.2, 5.3, 5.6, 5.7, 5.12, 5.13, 5.16, 5.21, 6.1, 6.3, 6.9, 6.10, 6.13, 6.14, 7.3, 7.4, 7.6, 7.8, 7.14, 7.15, 7.18, 7.19, 7.21, 8.2 and 8.3 of the London Plan July 2011; PPS1 (Delivery Sustainable Development), Planning and climate Change (Supplement to PPS1), PPS3 (Housing), PPS5 (Planning for the Historic Environment), PPS9 (Biodiversity and Geological Conservation), PPS10 (Planning for Sustainable Waste Management), PPG13 (Transport), PPG17 (Planning for Open Space, Sport and Recreation), PPS22 (Renewable Energy), PPS23 (Planning and Pollution Control), PPG24 (Planning and Noise) and PPS25 (Development and Flood Risk).

(ii) for the following reasons:

The proposed development is considered to suitably mitigate the loss of playing fields through new sports provision and related facilities. The parameters set as part of the outline scheme would, subject to detailed, submissions, result in a development which could achieve a suitably high quality design and landscape and would have an acceptable visual impact. The proposal would contribute to the range and availability of housing within the Borough and has an acceptable level of affordable housing provision based on detailed consideration of the wider regeneration benefits secured through the development and the opportunity to provide for a mixed and balanced local community. The proposed development has a satisfactory environmental impact and no significant adverse impact on local amenity. The proposed development would cause no material harm to the safe and free flow of traffic within the locality.

4. The applicant is advised that, pursuant to condition 20 above, TfL would recommend using operators committed to best practice, demonstrated by membership of TfL's Freight Operator Recognition Scheme (FORS) or similar.
5. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water will be required. They can be contacted on 0845 850 2777. The developer is also advised to contact Thames Water to discuss details of the piling method statement required under condition 22 above and the drainage condition required under condition 23 above.
6. The development of this site is likely to damage archaeological remains. An archaeological field evaluation will establish the extent and significance of any surviving remains and enable the mitigation of the impact of the development to be planned as part of detailed planning consent.
7. Planning Obligations

The planning obligations recommended in this report have been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the obligations are considered to have satisfied the following criteria:-

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development; and
- c) Fairly and reasonably related in scale and kind to the development.

It was also agreed that conditions 41 and 42 be adjusted to reflect the requirements of Sport England and condition 32 be expanded to include a "bring site" for recyclable waste.

The vote for the resolution to grant planning permission was passed by 7 votes to 4. Councillors Oddy, Tebbutt, Brace, Brice-Thompson, Kelly, Osborne and Pain voted for the resolution to grant planning permission. Councillors Hawthorn, Ower, Breading and Burton voted against the resolution.

The application before members was for planning permission for a single storey front extension, single/two storey, side/rear extensions and single/two storey rear extensions.

Members noted that the application had been called in by Councillor Galpin on the grounds that the proposal raises neighbourliness and streetscene issues.

In accordance with the public participation arrangements, the Committee was addressed by an objector without a response from the applicant.

With its agreement, Councillor Galpin addressed the Committee. Councillor Galpin commented that the proposal was for a large extension and that over shadowing could occur to neighbouring properties. Councillor Galpin also advised that the resident of the neighbouring property suffered from poor health and would find the proposed building works distressing. Councillor Galpin asked the Committee to refuse the application on grounds of visual harm and the adverse effect to neighbouring properties.

During the debate members discussed the potential impact of the proposed development on neighbouring properties by reason of its visual impact and bulk and mass.

The Committee considered the report which recommended that planning permission for the proposed development be granted but following a motion to refuse the application it was **RESOLVED** that planning permission be refused on the grounds that the extension by reason of excessive scale and bulk would harm both the character and appearance of the streetscene and the rear garden environment for neighbouring properties. The vote for the resolution was carried by 7 votes to 4. Councillors Oddy, Brice-Thompson, Osborne, Hawthorn, Ower, Breeding and Burton voted for the resolution to refuse planning permission. Councillors Tebbutt, Brace, Kelly and Pain voted against the resolution.

264 **P0073.12 - THE THATCHED HOUSE, UPMINSTER ROAD SOUTH, RAINHAM - RE-APPLICATION OF NO. P1246.11 - DEMOLITION OF EXISTING OFFICE/SHOP/DWELLING AND ERECTION OF 3 TERRACED HOUSES**

The Committee considered the report, noting that a late letter of representation had been received and without debate, **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

265 **P1893.11 - 1C COMO STREET, ROMFORD - CREATION OF SECOND FLOOR TO FORM 1 ONE BEDROOM FLAT (RESUBMISSION OF P1687.10)**

The Committee considered the report and without debate, **RESOLVED** that That the proposal was unacceptable as it stood but would be acceptable subject to the applicant entering into a Section 106 Legal Agreement under the Town and Country Planning Act 1990 (as amended), to secure the following:

- agreement that all future occupiers of the proposed development, save for blue badge holders, are restricted from applying for residents parking permits.
- payment of the Council's reasonable legal fees for preparation of the legal agreement.

That staff be authorised to enter into a legal agreement to secure the above and upon its completion of that agreement, grant planning permission subject to the conditions set out below:

1. The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason:-

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

2. Before any of the development hereby permitted is commenced, samples of all materials to be used in the external construction of the building(s) shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

Reason:-

To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and comply with Policy DC61 of the Development Control Policies Development Plan Document.

3. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

Reason:-

The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out

differently in any degree from the details submitted. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no window or other opening (other than those shown on the submitted plan,) shall be formed in the flank wall(s) of the building(s) hereby permitted, unless specific permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason:-

In order to ensure a satisfactory development that will not result in any loss of privacy or damage to the environment of neighbouring properties which exist or may be proposed in the future, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

5. No construction works or deliveries into the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless agreed in writing with the Local Planning Authority. No construction works or deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason:-

To protect residential amenity, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

6. Prior to the commencement of the development hereby permitted, details of the measures to be incorporated into the development demonstrating how Secured by Design accreditation can be achieved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until written confirmation of compliance with the agreed details has been submitted to and approved in writing by the LPA.

Reason:-

In the interest of creating safer, sustainable communities, reflecting guidance set out in PPS1, Policy 4B.6 of the London Plan, and Policies CP17 Design and DC63 Delivering Safer Places of the LBH LDF.

7. **INFORMATIVES:**

Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies CP1, CP2, CP17, DC2, DC3, DC33 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document and Policies ROM14 and ROM20 of the Romford Area Action Plan DPD.

In aiming to satisfy condition 6 the applicant should seek the advice of the Police Crime Prevention Design Advisor, Mr Tyler. The services of the local Police CPDA are available free of charge through Havering Development and Building Control. It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of community safety condition(s).

Planning Obligations

The planning obligations recommended in this report have been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the obligations are considered to have satisfied the following criteria:-

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development; and
- c) Fairly and reasonably related in scale and kind to the development.

266 **P0112.12 - SNOWDON COURT, ELVET AVENUE, GIDEA PARK, ROMFORD - VARIATION OF CONDITIONS 2 AND 22 OF PLANNING PERMISSION P0086.11 (REVISED BY MINOR AMENDMENTS N0032.11 AND N0034.11) TO REDESIGN THE PROPOSED RAVENSBOURNE RIVERWORKS**

The Committee considered the report and without debate, **RESOLVED** that the proposal was unacceptable as it stood but would be acceptable subject to the applicant entering into a Deed of Variation under Section 106A of the Town and Country Planning Act 1990 (as amended) to vary the legal agreement completed on 29 March 2011, and subsequently varied by Deed of Variation dated 23 February 2012 in respect of planning permission P0086.11 by varying the definition of Planning Permission which shall mean either planning permission P0086.11 as originally granted or planning permission P0086.11, as altered by planning permission under reference P0112.12.

Save for the variation set out above and necessary consequential amendments the Section 106 agreement dated 29 March 2011, as

previously varied by Deed of Variation dated 23 February 2012 and all recitals, terms, covenants and obligations in the said Section 106 agreement dated 29th March 2011 will remain unchanged.

That upon the expiry of the statutory consultation period (9 March 2012), subject to no new material representations being received, in which case the application will be referred back to Regulatory Services Committee, Staff be authorised to enter into a Deed of Variation to secure the above and upon completion of that agreement, grant planning permission subject to the conditions set out below.

1. Time limit - The development to which this permission relates must be commenced not later than three years from the date of this permission.

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

2. Accordance with plans - The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

Reason: The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

3. Car parking - Before the buildings hereby permitted are first occupied, the areas set aside for car parking shall be laid out and surfaced to the satisfaction of the Local Planning Authority. The parking areas shall be retained permanently thereafter for the accommodation of vehicles visiting the site and shall not be used for any other purpose.

Reason: To ensure that car parking accommodation is made permanently available to the standards adopted by the Local Planning Authority in the interest of highway safety and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC33.

4. Materials – The development hereby approved shall be constructed using the external materials previously submitted and agreed under condition discharge request application Q0145.11 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the appearance of the proposed development will harmonise with the character of the surrounding

area and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

5. Landscaping - The hard and soft landscaping shall be completed in accordance with the details previously submitted and approved under condition discharge request application reference Q0320.11. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local Planning Authority.

Reason: In accordance with Section 197 of the Town and Country Planning Act 1990 and to enhance the visual amenities of the development, and that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

6. Refuse and recycling - Prior to the first occupation of the development hereby permitted, provision shall be made for the storage of refuse and recycling awaiting collection according to details which shall previously have been agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity of occupiers of the development and also the visual amenity of the development and the locality generally, and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

7. Cycle storage - Prior to completion of the works hereby permitted, cycle storage of a type and in a location previously submitted to and agreed in writing by the Local Planning Authority shall be provided and permanently retained thereafter..

Reason: In the interests of providing a wide range of facilities for non-motor car residents, in the interests of sustainability and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC36.

8. Boundary treatment – The boundary treatment of the development shall be carried out in accordance with drawing number PL-04 revision A, as previously submitted and approved under application P0086.11, unless otherwise agreed in writing by the Local Planning Authority in conjunction with the Havering Crime Prevention Design Advisor. The boundary treatment shall thereafter be retained in accordance with this drawing unless agreed in writing.

Reason: In the interests of privacy and amenity and to accord with Policies DC61 and DC63 of the LDF Development Control Policies Development Plan Document.

9. Secure by Design – The development shall not be occupied until a full and detailed application for the Secured by Design award scheme has been submitted to the Local Planning Authority, setting out how the principles and practices of the Secured by Design Scheme are to be incorporated, approved in writing by the Local Planning Authority in consultation with the Havering Crime Prevention Design Advisor and implemented on site in accordance with the agreed details

Reason: In the interest of creating safer, sustainable communities and to reflect guidance in PPS1 and Policies CP17 and DC63 of the LDF Core Strategy and Development Control Policies Development Plan Document.

10. CCTV – The development shall not be occupied until a scheme showing the details of a CCTV system to be installed for the safety of users and the prevent of crime throughout, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Crime Prevention Design Advisor and implemented on site in accordance with the agreed details.

Reason: In the interest of creating safe sustainable communities and to reflect guidance in PPS1 and Policies CP17 and DC63 of the LDF Core Strategy and Development Control Policies Development Plan Document.

11. External lighting – The development shall not be occupied until a scheme for the lighting of external areas of the development including the access road has been submitted to and approved in writing by the local planning authority. The scheme of lighting shall include details of the extent of illumination together with precise details of the height, location and design of the lights. The approved scheme shall then be implemented in strict accordance with the agreed details prior to the first occupation of the development and retained thereafter to the satisfaction of the Local Planning Authority.

Reason: In the interests of highway safety and amenity. Also in order that the development accords with Policies DC32 and DC61 of the LDF Development Control Policies Development Plan Document.

12. Biodiversity – The development shall be carried out in accordance with the approved biodiversity method statement submitted under condition discharge request application reference Q0145.11 (ELMAW Assessment Ecology Report dated June 2010, received 18.7.11) unless otherwise submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure that the proposed development has an acceptable impact on biodiversity and in order that the development accords with the LDF Development Control Policies Development Plan Document Policies DC58 and DC59.

13. Hours of construction - No construction works or construction related deliveries into the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless agreed in writing with the local planning authority. No construction works or construction related deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the local planning authority.

Reason: To protect residential amenity and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

14. Wheel washing – The development shall be carried out in accordance with the wheel scrubbing/wash down proposals submitted and approved under condition discharge application reference Q0145.11. The approved facilities shall be permanently retained and used at relevant entrances to the site throughout the course of construction works.

Reason: In order to prevent materials from the site being deposited on the adjoining public highway, in the interests of highway safety and the amenity of the surrounding area.

15. Construction methodology - The development shall be carried out in accordance with the Construction Method Statement submitted and approved under condition discharge application reference Q0145.11.

Reason: To protect residential amenity and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

16. Land contamination - The development shall be carried out in accordance with the reports for contaminated land pursuant to the Environmental Protection Act 1990 Part IIA (Geo –Environmental Ground Investigation Report and Geotechnical Report received 18.7.11) submitted and approved under condition discharge application reference Q0145.11.

Reason: To protect those engaged in construction and occupation of the development from potential contamination. Also in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC53.

17. Sustainability Statement - No occupation of the development shall take place until the developer has provided a copy of the Interim Code Certificate confirming that the development design achieves a minimum Code for Sustainable Homes 'Level 3' rating. The development shall be carried out in full accordance with the agreed Sustainability Statement. Before the proposed development is occupied the Final Code Certificate of Compliance shall be provided to the Local Planning Authority in order to ensure that the required minimum rating has been achieved.

Reason: In the interests of energy efficiency and sustainability in accordance with DC49 Sustainable Design and Construction and Policies 5.2 and 5.3 of the London Plan.

18. Energy Statement - The renewable energy system shall be installed in strict accordance with the details submitted and agreed under condition discharge application reference Q0320.11 unless otherwise submitted to and agreed by the Local Planning Authority.

Reason: In the interests of energy efficiency and sustainability in accordance with DC50 Renewable Energy and Policies 5.1, 5.3 and 5.3 of the London Plan.

19. Sound attenuation - The buildings hereby permitted shall be so constructed as to provide sound insulation of 45 DnT,w + Ctr dB (minimum value) against airborne noise and the flats shall be so constructed as to provide sound insulation of 45 DnT,w + Ctr dB (minimum value) against airborne noise and 62 L'nT,w dB (maximum values) against impact noise to the satisfaction of the Local Planning Authority.

Reason: To prevent noise nuisance to adjoining properties in accordance with the recommendations of Planning Policy Guidance Note 24 'Planning and Noise'.

20. Noise of plant and machinery – The development shall be carried out in accordance with the scheme for noise levels of new plant and machinery submitted and approved under condition discharge application reference Q0145.11 (AIRO report dated 30 June 2011) unless otherwise submitted to and agreed in writing by the Local Planning Authority.

Reason: To prevent noise nuisance to adjoining properties in accordance with the recommendations of Planning Policy Guidance Note 24 'Planning and Noise'.

21. Ventilation System – Before the development is first occupied suitable equipment to remove and/or disperse odours and odorous material shall be fitted to the extract ventilation system in accordance with details to be previously submitted to and agreed in writing by the

Local Planning Authority. Thereafter the equipment shall be properly maintained and operated at all times.

Reason: To protect the amenity of occupiers of nearby properties.

22. Flood Risk - The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated January 2011, project number 10996 compiled by Brand Leonard Limited.

- New buildings with a proposed finished floor level 300mm above the 1 in 1000 year flood level and emergency access routes to roads in Zone 1 with secure routes for emergency vehicles all above the 1000 year flood level (Executive Summary, section 1.5, page 3).
- Paved areas will all be constructed using permeable infiltration paving, subject to detail site investigation (Executive Summary, section 1.6, page 3).
- Remainder of roof areas, not used for rainwater harvesting to have living roofs (Executive Summary, section 1.6, page 3).
- Discharge to the Ravensbourne restricted to approximately 6 litres per second for 100 year storm plus an allowance for climate change with an 80m³ attenuation tank (Executive Summary, section 1.6, page 3).

Reason: To reduce the risk and impact of flooding to the proposed development, future occupants and third parties.

23. Works to watercourse- The works to the watercourse shall be carried out in accordance with details submitted and approved under condition discharge application reference Q0320.11 unless otherwise submitted to and approved in writing by the Local Planning Authority.

Reason: To reduce the risk and impact of flooding to the proposed development, future occupants and third parties. To ensure the structural integrity of the existing and proposed river channel, thereby reducing the risk of flooding or damage to the watercourse. To ensure that the alterations are developed in a way that contributes to the nature conservation value of the site in accordance with national planning policy by providing suitable habitats for wildlife.

24. External brick- The external brickwork for the development hereby approved shall be:

Lindfield Yellow Multi Facings – Extra Care building
First Quality Multi Facing – Sheltered Housing building.

The buildings shall be constructed externally in the approved brick unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

25. Emergency Flood Gate- Prior to the first occupation of the development hereby approved a management strategy for the use of the proposed emergency flood gate for the purposes of fire appliance access shall be submitted to and approved in writing by the Local Planning Authority. The management strategy shall make provision for the car parking spaces in front of this gate to be utilised by staff only and give details of how these spaces would be vacated in the event of a fire. The management strategy shall thereafter be implemented and retained thereafter in accordance with the agreed details.

Reason: In the interests of amenity and in order to ensure that the development provides adequate access arrangements.

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4. The applicant is advised that planning approval does not constitute approval for changes to the public highway. Highway approval will only be given after suitable details have been submitted, considered and agreed. Any proposals which involve building over the public highway as managed by the London Borough of Havering will require a licence and the applicant must contact the StreetCare Service (Traffic and Engineering section) to commence the submission/licence approval process.
2. The developer is advised that this does not discharge the requirements under the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. formal notifications and approval will be needed for any highway works (including temporary works) required during the construction of the development.
3. Thames Water advise that with regard to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water course or a suitable sewer. Where the developer proposes discharge to a public sewer prior approval from Thames Water Developer Services will be required. Furthermore, there are public sewers crossing or close to this development. The applicant is advised to contact Thames Water in respect of both surface water drainage and works affecting public sewers on 0845 850 2777.
4. Under the Water Resources Act 1991 and the Thames Region Land Drainage Byelaws 1981, the prior written consent of the Environment Agency is required for certain works or structures in, over, under or

within 8m of the top of the bank of the River Ravensbourne, designated a 'main river'. This is irrespective of any planning permission granted.

5. Reason for Approval:

The proposal is considered to be in accordance with Policies CP1, CP2, CP8, CP9, CP10, CP15, CP16, CP17, DC2, DC3, DC5, DC6, DC7, DC26, DC32, DC33, DC34, DC35, DC36, DC48, DC49, DC50, DC51, DC53, DC56, DC58, DC59, DC61, DC62, DC63 and DC72 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document as well as the provisions of Policies 3.3, 3.5, 3.7 3.8, 3.9, 3.11, 5.1, 5.2, 5.3, 5.12, 5.13, 5.21, 6.3, 6.9, 6.10, 6.12, 6.13, 7.1, 7.3 , 7.4, 7.6, 7.19 and 7.21 of the London Plan.

Planning Obligations

The planning obligations recommended in this report have been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the obligations are considered to have satisfied the following criteria:-

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

267 **P1583.11 - 29 LESSINGTON AVENUE, ROMFORD - ERECTION OF RAILINGS TO SITE FRONTAGE, SURFACING FRONT DRIVEWAY, PROVISION OF WINDOW SECURITY**

The report before members detailed an application for the erection of railings to site frontage, surfacing front driveway and provision of window security.

During the debate members discussed the height and design of the proposed railings and the Police's recommendation that the works were carried out. Members considered the affect of the development on highway safety, particularly the safety of children.

Members were informed that the application had a unique set of special circumstances which led to a recommendation by officers to approve the application. Officers clarified that the set of special circumstances were particular to this site.

It was **RESOLVED** that planning permission be granted subject to the conditions as set out in the report. The vote for the resolution was carried by 8 votes to 3. Councillors Oddy, Brice-Thompson, Kelly, Pain, Hawthorn, Ower, Breading and Burton voted for the resolution to grant planning permission Councillors Tebbutt, Brace and Osborne voted against the resolution.

268 **121 NORTH STREET, HORNCHURCH - CHANGE OF USE FROM A CAR PARK TO HAND CAR WASH**

The report before members detailed an application for planning permission for the retention of a car wash business with associated timber structure which had been installed on the site without the benefit of planning permission.

Members noted that the application had been called in by Councillor John Mylod on the basis that the car wash was situated on one of the busiest points for traffic in Hornchurch. The site experienced high levels of traffic with cars queuing on the one way system, and to get into the petrol station. Councillor Mylod felt that the car wash only exacerbated the situation.

During the debate members discussed highway safety arising out of vehicular access and egress to and from the site. Members considered issues relating to parking, street scene and the drainage of dirty water from the car wash business.

The Committee considered the report which recommended that planning permission be granted but following a motion to refuse the application it was **RESOLVED** that planning permission be refused on the grounds of inadequate parking remaining for use by patrons of the public house, harmful vehicular access and egress conditions and harmful visual impact of the hut situated on the site.

269 **P1111.11 - FOREST VIEW NURSERY, ST MARYS LANE, UPMINSTER - REPLACEMENT OF EXISTING BUILDINGS FOR KOI FISH BREEDING AND SALE**

The Committee considered the report and without debate, **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

270 **PLANNING OBLIGATIONS/LEGAL AGREEMENTS**

The report updated the Committee on the position of legal agreements and planning obligations. This related to approval of various types of application for planning permission decided by the Committee that could be subject to prior completion or a planning obligation. This was obtained pursuant to Section 106 of the Town and Country Planning Acts.

The report also updated the position on legal agreements and planning obligations agreed by this Committee during the period 2000-2012.

The Committee **NOTED** the report and the information contained therein

271 **PLANNING AND ENFORCEMENT APPEALS RECEIVED, PUBLIC INQUIRIES/HEARINGS AND SUMMARY OF APPEAL DECISIONS**

The report accompanied a schedule of appeals and a schedule of appeal decisions, received between 19 November 2011 and 10 February 2012

The report detailed that 25 new appeals had been received since the last meeting of the Monitoring Committee in December 2011.

The Committee **NOTED** the report and the results of the appeal decisions received.

272 **SCHEDULE OF ENFORCEMENT NOTICES**

The Committee considered and noted the schedules detailing information regarding enforcement notices updated since the meeting held in December 2011.

Schedule A showed notices currently with the Secretary of State for the Environment (the Planning Inspectorate being the executive agency) awaiting appeal determination.

Schedule B showed current notices outstanding, awaiting service, compliance, etc. with up-dated information from staff on particular notices.

The Committee **NOTED** the information in the report.

273 **PROSECUTIONS UPDATE**

The report updated the Committee on the progress and/or outcome of recent prosecutions undertaken on behalf of the Planning Service.

The Committee **NOTED** the report.

274 **EXCLUSION OF THE PUBLIC**

The Committee decided on the motion of the Chairman that the public should be excluded from the remainder of the meeting on the ground that it was likely that, in view of the nature of the business to be transacted, if members of the public were present there would be disclosure to them of exempt information within the meaning of

paragraph 3 of Schedule 12A to the Local Government Act 1972 and it was not in the public interest to publish the information.

275 **CHIEF EXECUTIVE'S REPORT CONTAINING EXEMPT INFORMATION**

Attached to the report was a schedule listing, by Ward, all the complaints received by the Planning Control Service over alleged planning contraventions for the period from 19 November 2011 and 10 February 2012.

The Committee **NOTED** the report and **AGREED** the actions being taken.

Chairman